



CITY OF BELFAST

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Erin Herbig

MANAGER'S REPORT
Belfast City Council Meeting
Tuesday, February 3, 2026

6:00 p.m. Request to go into an Executive Session on a Personnel Matter pursuant to 1 M.R.S.A. 405 (6) A.

6:15 p.m. Request to go into an Executive Session on a Legal Matter with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E.

7:00 p.m. Regular Council Meeting

TO: Mayor Eric Sanders and Honorable Members of Belfast City Council

FROM: Erin Herbig, City Manager

DATE: Thursday, January 29, 2026

Agenda Items:

10-A Recognition of the Belfast Police Department as the recipient of the FBI-LEEDA Agency Trilogy Award.

On January 21st, 2026, the City of Belfast was notified that the Belfast Police Department had received the FBI LEEDA Agency Trilogy Award.

This is recognized nationally as the gold standard for law enforcement leadership and executive development training. The City of Belfast Police Department is the first municipal police department in Maine to earn this recognition.

Please see the attached memo (10-A) from Police Chief Bobby Cormier providing more detail on this impressive recognition. Chief Cormier, Sergeants and Patrol Officers of the Belfast Police Department will be at the meeting to present and answer any questions.

10-B Presentation from the Proposed Public Safety Building Working Group.

In December of 2022, the City of Belfast was awarded \$1.5 million in Congressional Designated Spending to pay for the construction of a proposed public safety building to support the delivery of 24/7 ambulance, fire and police emergency services for our region now and into the future.

In 2025, City of Belfast Ambulance, Fire and Police Emergency Services responded to 11,554 calls for service. 2,555 of those calls were EMS calls requiring an ambulance, 464 calls that were fire related, and 8,535 calls for police service.

The City of Belfast provides a contracted ambulance service to Belfast as well as the five towns that surround us (Northport, Belmont, Morrill, Waldo and Swanville), fire suppression service by contract to the Town of Swanville, and the Belfast Police Department is the only department in Waldo County that provides 24/7 service. In turn, Belfast Emergency Services routinely assists many other agencies that are on call and are coming from a distance for an on-call response to provide a faster response.

In addition to the \$1.5 million, in July of 2023, the City was awarded \$963,000 in additional Congressionally Directed Spending to be used to purchase police equipment to be installed in a proposed public safety building.

At the January 3, 2023, Regular Meeting, the City Council formed a Proposed Public Safety Building Working Group to begin due diligence on a proposed project. Since that time, the Council has approved recommendations from the Working Group to complete a boundary

survey, topographic survey, preliminary geotechnical investigation report, a Facilities Assessment Report of the current facility, and a Site Fit Plan for a proposed public safety building on the current Fire and Ambulance Department property.

The City of Belfast issued a request for proposals (RFP) for architectural and engineering services for a proposed public safety building and Port City Architecture was selected by the City Council in June of 2025. The Working Group is currently in the process of establishing the square footage needed to support the emergency services programming provided by the City of Belfast in collaboration with the architect.

Please see the attached memos (10-B) from Police Chief Bobby Cormier, Fire Chief Patrick Richards and Economic Development Director Thomas Kittredge providing additional information regarding the proposed project. They will be joined by Deputy Police Chief Jen Hatch and Deputy Fire Chief Chris Kulbe to present and answer any questions.

10-C Presentation on proposed amendments to the City Code of Ordinances to Chapter 94 Subdivision, Chapter 98 Technical Standards and Chapter 66 General Provisions.

Earlier this year, the Planning Board began work on amending Chapter 94 Subdivision, Chapter 98 Technical Standards and Chapter 66 General Provisions Subdivision Regulations in the City Ordinances in an effort to support the growth of housing in Belfast. These Chapters had not been substantially amended since the early 1990s.

In March, the Planning Board held two Public Workshops identifying the need for comprehensive updates to Chapter 94. At their June 5, 2025, Meeting, the Board decided by consensus to remove most technical standards from Chapter 94 and to consolidate them within Chapter 98. At Meetings in July through September, the Board reviewed and refined a fully rewritten, non-technical Chapter 94 and marked-up Chapter 98 Technical Standards.

At the October 22, 2025, Meeting, the Planning Board held a Public Hearing on the full ordinance amendment package. At the January 14, 2026, Meeting, a second Public Hearing was held and the Board voted to recommend adoption by the City Council.

The proposed amendments improve clarity, consistency, and effectiveness of subdivision review in Belfast; align local regulations with current State guidance and engineering practice; and support the City of Belfast's adopted Comprehensive Plan, including goals related to housing production, orderly development, and protection of public health, safety, welfare, and natural resources.

No City Council action is needed for this agenda item as this is strictly a presentation regarding the proposed amendments.

Please see the attached memo and proposed amendments (10-C, D and E) from Director of Code and Planning Bub Fournier explaining the request in further detail. Director Fournier will be at the meeting to present.

10-D Public Hearing on proposed amendments to the City Code of Ordinances to Chapter 94 Subdivision, Chapter 98 Technical Standards and Chapter 66 General Provisions.

NOTICE OF PUBLIC HEARING CITY COUNCIL
TUESDAY FEBRUARY 3rd, 2026, at 7pm

The Belfast City Council, at its meeting of February 3rd, 2026, at 7:00 pm shall conduct a First Reading and public hearing on proposed City Ordinance amendments to Chapter 66 General Provisions, Chapter 94 Subdivision and Chapter 98 Technical Standards. The proposal represents several Ordinance workshop meetings with the Planning Board, including open to the public portions and two duly noticed public hearings, to align the City's land development code with the community's desire to increase housing opportunities by bringing the Subdivision Ordinance up to date.

All of the proposed changes can be found on the city website, cityofbelfast.org. Go to the Planning and Codes page and look for Subdivision Ordinance Amendments 2025 on the left side or go to <https://www.cityofbelfast.org/647/Subdivision-Ordinance-Amendments-2025-2026>. A hard copy can be viewed at the Planning and Codes office at City Hall.

The Public is invited to attend the hearing in person at Belfast City Hall, to watch the meeting on BelTV or live-stream at cityofbelfast.org. Comments can be offered to the City Council during the public hearing agenda item. The Public may also provide written comments to the Council. Comments can be mailed to the City of Belfast, Planning and Codes Department 131 Church St., Belfast, ME 04915, or emailed to directorplanning@cityofbelfast.org. All written comments must be received by 12 noon on February 3rd before the City Council meeting. A Second Reading and public hearing may be scheduled at a later date before the Council acts on the proposal.

All interested persons are invited to participate in the public hearing and will be given an opportunity to be heard at that time. If any written or emailed comments have been submitted prior to the public hearing as referenced in the notice, the Director of Code and Planning will present them at this time.

No City Council action is needed for this agenda item as this is strictly a public hearing regarding proposed amendments.

Please see the attached memo and proposed amendments (10-C, D and E) from Director of Code and Planning Bub Fournier explaining the request in further detail.

10-E First Reading on proposed amendments to the City Code of Ordinances to Chapter 94 Subdivision, Chapter 98 Technical Standards and Chapter 66 General Provisions.

This is the First Reading. At this time, the City Council may discuss, amend, table, or approve the First Reading of the proposed amended ordinance.

If approved by the City Council, the Director of Code and Planning recommends that a motion is made to approve the First Reading of proposed amendments to the City Code of Ordinances focused on Subdivisions in Chapter 66 General Provisions, Chapter 94 Subdivision and Chapter 98 Technical Standards, and to schedule a Public Hearing and Second Reading for an upcoming Council Meeting.

Please see the attached memo and proposed amendments (10-C, D and E) from Director of Code and Planning Bub Fournier explaining the request in further detail. Director Fournier will be at the meeting to answer any questions.

10-F Request from the Code Enforcement Officer to pursue 80-K Actions on 17 Back Searsport Road, 284 Swan Lake Avenue and 35 Oak Hill Road.

For several years, Code Enforcement Officer Steve Wilson has been monitoring the following properties:

1. 17 Back Searsport Road has been under violation since October 2023 with no action or response. Conditions continue to deteriorate with no access to electricity or water.
2. 284 Swan Lake Avenue has been under violation since May 2022. The site now hosts unpermitted campers and two unpermitted mobile homes without connection to electricity, septic or water.
3. 35 Oak Hill Road has been under violation since December 2021. Two campers with an illegal propane tank hook-up and septic connection are now occupied year-round onsite. Campers are not allowed to be used as dwellings by local ordinance.

There is concern that if these violations continue to remain unaddressed, the health and safety of those occupying these properties or their abutters may be at risk.

If approved by the City Council, the Code Enforcement Officer recommends that a motion is made to authorize the Code Enforcement Officer to pursue 80-K actions against the three

properties outlined and to seek court orders for the property owners to be ordered to eliminate the violations and restore the properties to compliant condition.

Please see the attached memo (10-F) Code Enforcement Officer Steve Wilson explaining the request in further detail. CEO Wilson and Director of Code and Planning Bub Fournier will be at the meeting to present and answer Council questions.

10-G Request from the Economic Development Director to authorize the issuance of a Request for Bids for the environmental remediation of the former Bradbury Manor property at 74 High Street.

In May of 2025, the City of Belfast was awarded \$2,000,000 from the United States Environmental Protection Agency (USEPA) Brownfields Cleanup Grant to fund environmental remediation activities at two City owned properties: 74 High Street, the former Bradbury Manor, and 137 Church Street, the former Waldo County Superior Court House.

Following the award, the City hired TRC as the Qualified Environmental Professional and held a Public Meeting on October 23, 2025, concerning the cleanup projects. Following the closure of the 30-day comment, TRC submitted proposed cleanup action memos for both properties to USEPA for approval. Once approved, the City of Belfast will have the ability to issue a request for bids for the environmental remediation of that site.

If approved by the City Council, the Economic Development Director recommends that a motion is made to authorize the issuance of a Request for Bids for the environmental remediation for the former Bradbury Manor property at 74 High Street.

Please see the attached memo (10-G) from Economic Development Director Thomas Kittredge explaining the request in further detail. Director Kittredge will be at the meeting to present and answer any questions.

10-H Request from Tidal Bay Management LLC to purchase a portion of a former right-of-way on River Avenue for redevelopment.

The Belfast Center, located at 9 Field Street, is a multi-use commercial building owned and operated by John McKeith, Tidal Bay Management LLC. Recently, Mr. McKeith purchased the adjacent lot located at 3 Field Street for redevelopment for housing.

Mr. McKeith has submitted a proposal for Council consideration in order to purchase a portion of the unused former right-of-way on River Avenue adjacent to 3 Field Street. The proposal has been vetted by City Attorney Kristin Collins, City Engineer Mandy Holway, Public Works Director Kip Faulkner, and Director of Code and Planning Bub Fournier. There are some City utilities in the vicinity, that have been accommodated in the proposal. City Assessor Steven Weed was consulted regarding a fair market value of the former right-of-way and determined the offer was appropriate.

If approved by the City Council, steps would need to occur to discontinue any existing road, all existing public utilities would need to be covered by sufficient easements for their maintenance, and the final deed would need to be authorized by further Council action prior to closing. The Director of Planning and Codes recommends that a motion is made to authorize the City Manager to negotiate and enter into a purchase and sale agreement with Tidal Bay Management LLC to sell a portion of the City's right-of-way located at River Avenue following terms that the sale price is not less than an amount determined by the City Council, and that any expenses incurred by the City in discontinuing the right-of way, preparing deeds and easements are to be paid by the buyer.

Please see the attached memo and proposed amendments (10-H) from Director of Code and Planning Bub Fournier explaining the request in further detail. Director Fournier will be at the meeting to present and answer Council questions.

10-I Request from the Economic Development Director to accept the submitted Request for Proposals for Engineering Services and award the improvement project for the intersection of Maine Route 52 and US Route 1 to McClure Engineering.

In 2025, City of Belfast was awarded up to \$300,000 in funding from the Maine Department of Transportation's Municipal Partnership Initiative Program. The proposed project would utilize this grant funding to create a dedicated left turn lane at the intersection of northbound ME Route 52 and/onto northbound US Route 1.

The City of Belfast issued a Request for Proposals for Engineering Services for this project on December 15, 2025, with a submission deadline of January 20, 2026. The City received three proposals by the submission deadline. The proposals were reviewed and scored, and City staff recommend McClure Engineering be hired for the project. McClure Engineering's proposal cost was the lowest of the three submitted proposals, at \$73,270.

If approved by the City Council, the Economic Development Director recommends that a motion is made to accept the proposals and hire McClure Engineering to provide engineering services for the improvement project for the intersection of Maine Route 52 and US Route 1; and authorize the City Manager to sign any and all documentation or paperwork required for the execution of a contract.

Please see the attached memo (10-I) from Economic Development Director Thomas Kittredge explaining the request in further detail. Director Kittredge will be at the meeting to present and answer questions.

10-J Request from an E-911 Addressing Officer to approve a proposed private road name.

City staff within the Assessor's Office also serve as the City's E-911 Addressing Officers. They are tasked with ensuring that road names are compliant with E911 addressing standards to facilitate accurate emergency response and service delivery.

The landowners of a private property on High Street, Map 013 Lot 075, have proposed the name Waukeag Way. E911 Addressing staff have confirmed that the proposed name is not duplicative or phonetically similar to any existing road names within the 04915 jurisdiction or emergency service zones.

If approved by the City Council, City staff recommend a motion is made to approve naming the private road located on High Street, Map 013 Lot 075, Waukeag Way.

Please see the attached memo and supporting documents (10-J) from Assessor Assistant and E911 Addressing Officer Sheila Fountain. I will be at the meeting to present and answer any questions.

10-K Request from Central Maine Power to approve a Pole Permit Application for one new pole located on Main Street.

Please see the attached Pole Permit Application from Central Maine Power (10-K) for one new pole on Main Street. City Code Enforcement Officer Steve Wilson and Public Works Director Kip Faulkner have reviewed the proposed location and confirmed the pole will be placed between the curb and sidewalk on the grass between the two existing poles in front of Walgreens.

If approved by the City Council, City staff recommend a motion is made to approve the pole permit for Main Street submitted by Central Maine Power. I will be at the meeting to present and answer any questions.

10-L Signing of Council Orders

The snow has already been keeping us busy this winter, but so much more so this past weekend!

A huge THANK YOU goes out to our invaluable Public Works Crew as they show up time and again to keep our community running all year round by maintaining our streets and sidewalks amongst many, many other tasks.

As an on-call, essential service, Public Works goes out into the storm and ensures that our roads are as clear as possible for our emergency vehicles and other essential workers to serve critical roles in our community. Their work begins hours before the start of any weather or storm and ends long after the snow has ceased.

The upcoming forecast promises more of the same, so please plan accordingly and be safe out there.

**City of Belfast
Consent Agenda
Tuesday, February 3, 2026
Meeting #14**

The following items are proposed as our Consent Agenda. As in the past the items are voted on in one blanket motion to the affirmative. One Councilor makes a motion to approve the items as stated, and then another Councilor will second that motion and the whole Council votes. If a Councilor requests an item be removed from the consent agenda, they do so during the adoption of the agenda. If a member of the public requests that an item be removed from the consent agenda, they can do so in the open to the public section. Suggested motions are listed and supporting material is enclosed.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a Facility Use Application by Atlantic Challenge USA for use of the beach next to the Belfast Boathouse for the Atlantic Challenge Polar Plunge Fundraiser on Saturday, February 28, 2026, from 10AM -11AM.**

Motion to approve a Facility Use Application by Atlantic Challenge USA for use of the beach next to the Belfast Boathouse for the Atlantic Challenge Polar Plunge Fundraiser on Saturday, February 28, 2026, from 10AM -11AM.

- B. Request to approve an off-premises catering permit for Jim Boulier d/b/a The Belfast Curling Club for the Ice Festival Ball on February 27, 2026, from 6:00 p.m. to 10:00 p.m. located at the Belfast Boathouse, 34 Commercial Street, Belfast, Maine.**

Motion to approve an off-premises catering permit for Jim Boulier d/b/a The Belfast Curling Club for the Ice Festival Ball on February 27, 2026, from 6:00 p.m. to 10:00 p.m. located at the Belfast Boathouse, 34 Commercial Street, Belfast, Maine.

9.A

Manda Cushman

Sent: Wednesday, January 21, 2026 1:40 PM
To: Manda Cushman
Subject: Atlantic Challenge Polar Plunge- for Council 2.12

Team USA, a local teen group through Atlantic Challenge) would like to hold a Polar Plunge Fundraiser at the beach next to Steamboat Landing and the Boathouse on February 28th at 10am. Participants will be in the water for 1-5 minutes. Organizers will have Lifeguards, Medical Professionals, and proper First Aid supplies with them. We have also made our First Resonders aware of this event.

Carolyn Steeves
Belfast Parks and Recreation Admin, Pool Director
City of Belfast
131 Church Street
Belfast, Maine 04915
207-338-3370 x127



Facilities Use Request City of Belfast, Maine



The City of Belfast owns streets, sidewalks, parks, land, and buildings. It is the policy of the City that property belonging to the citizens of Belfast be available to the public. Unless specifically approved to the contrary, no public property will be set aside for the exclusive use of any individual or group and the general public will at all reasonable times have access to City property.

This application is specifically for City property such as waterfront parks, pavilions, streets, sidewalks, etc. This application is NOT for the Belfast Boathouse, but it may be required in addition to the Belfast Boathouse Rental Application if you are planning an event that includes both the Belfast Boathouse and Steamboat Landing Park.

This application must be submitted 60 days or more before the proposed event date. This allows for the application to be reviewed by all departments and to be reviewed and approved by the Belfast City Council.

EVENT NAME: Atlantic Challenge Polar Plunge Fundraiser

BRIEF EVENT DESCRIPTION: Members of Team USA (local teens)
and the public will dip in the ocean as a fundraiser for going

DATES and TIMES: Saturday Feb 28th 10-11am ^{to Europe this summer}

PROPOSED LOCATIONS/AREAS TO BE USED: The beach next to the Belfast Boathouse, Steamboat Landing. ^{for the a education sporting event.}

ORGANIZING GROUP (if applicable): Atlantic Challenge USA

GROUP REPRESENTATIVE/INDIVIDUAL NAME: Arista Holden

MAILING ADDRESS: PO Box 481 Belfast, ME 04915

PHONE NUMBER: 207 610 9554 EMAIL: arista@atlanticchallengeu

All applications and related documents must be returned to the Belfast Parks and Recreation Office at City Hall, 131 Church Street, Ground Level (drop off at City Clerk's office). Questions? Please call 207-338-3370 Ext. 127 or parksandrec@cityofbelfast.org.

This is a planning checklist for your benefit as well as the City's. **All activities must be included in the event description; anything not included cannot be approved and cannot be added later unless a second or revised application is submitted. Approvals will not be provided to individuals or groups who are uncertain of their plans.**

When you are ready to submit your application, please attach maps, additional sheets, event outlines etc. which will help to explain your request. If any of the following questions do NOT apply to your event, simply write N/A (not applicable) in the space provided. Thank you.

Describe in detail the activities within your event and the schedule you are proposing.

At 10^{am} (between 10-11am total) members of Team USA + the public will dip in the ocean between 1-10⁰⁰min (typically between 1-3 min). This event will conclude by 11am.

Based on the facilities noted above, how do you intend to use the spaces requested?

Only using the beach, outside.

Are you asking to close off any City Streets? If so, please list by street name (include from where-to-where the street will be blocked, days, times, etc.).

No

If yes, who will be managing the street closures?

N/A

How many people do you expect at your event?

20 - 25

How many volunteers do you expect at your event?

10

Will YOU or YOUR GROUP be selling things at this event? If yes, what will you be selling, and please provide descriptions.

No

If you will not be selling anything, will others at this event be selling items? If yes, please provide details.

Will you be renting spaces to vendors on City property? If yes, please provide for the type of vendors and your fees.

No

Please provide an explanation of vendor space sizes, locations, load-in/load-out details, etc.

Does this event call for any type of open fire, including for cooking purposes? If so, please describe what fire safety measures you plan on employing associated with this potential hazard? NOTE: a fire permit may be required.

No

How do you propose to handle garbage removal?

We will pack out any garbage we create.

How do you propose to handle parking and how will parking instructions be communicated to vendors, volunteers, service providers, and your customers?

We will park next the beach by the Boathouse.

How do you propose to handle security, if needed.

N/A.

How do you propose to handle the need for regular and accessible restrooms?

Since it is a short event, I am not going to offer restrooms. Are the Porta potties available?

What are your electrical needs, and how will you provide electricity?

N/A

What kind of noise do you expect to generate at this event and during which specific period of time?

Teens shouting when they get in the water

What are your event safety protocols (i.e., weather, injury), and will you have a First Aid tent?

We will have warming blankets, hot tea, and at least one life guard available. We will have at least one medical professional + a first aid kit. Dippers

Have you spoken to the neighbors in the area of this event regarding traffic, noise, parking etc.? NOTE: You will not may need to provide parking lot monitors and signage for your event.

No

go
farther than
waist
deep.

Will any alcohol be served or consumed at this event? If yes, please provide details on who will be providing that service, including their contact information (phone and email). NOTE: Additional permits may be required for your event based on your service provider, their liability insurance coverages, and any existing permits they may have.

No

Please attach a map that shows your event's boundaries, how you will set-up your event (vendors, beer/wine garden, restrooms, where activities will be located, your access points, and any other pertinent details).

Map Attached: Yes No (If no, when will map be available to review?) _____

Are you able to provide a Certificate of Insurance in the amount of \$1,000,000 that also lists the City of Belfast as an additional insured to hold the City of Belfast harmless from any and all injuries that may occur as the result of any negligence on your part in conducting this event?

Yes

Who is your insurance agent that will provide the Certificate of Insurance as proof of this policy?

Gowrie Group

Who will be in charge of the event and on-site for the majority of the event's duration? Please include cell phone numbers and an email address.

Arista Holden 207 610 9554
arista@atlanticchallengeusa.com

Are you asking the City for any additional services over and above the request to use the facilities you have described above? If so, please be specific. (Examples: barricades, security/street closures, electrical access, etc.)

No

Are there any other details you haven't addressed and that you would like to include?

No

Have you reviewed the specific policies for use of City-owned property, located in Appendix A, particularly the information about reservations being secured in advance, and changes that could occur to your event (middle of pg. 7, under Scheduling)?

Yes No

Specific Department and Services Requested

City Manager: _____

Police: _____

Fire/ Ambulance: _____

Parks and Rec.: _____

Public Works: _____

Harbor Master: _____

Other: _____

Remember, if any aspect of the activity you wish to conduct is not specifically listed on this checklist, then there will be no permission to conduct that activity unless an amended form or an addendum is filed for approval by City Council. Any amendments or addenda must be filed more than 60 days prior to the event date.

I certify that I am at least twenty-one (21) years of age. I have read and fully understand the Facilities Request Application and also the rules and regulations utilizing Belfast Parks and Recreation's facilities and property. I am an authorized representative of above listed business, organization, or event and will abide by all rules and regulations set forth by this agreement. I understand and fully agree to forfeiture of any or all deposits if I am not in compliance with the terms set forth by this agreement. In signing this form as an individual or as a representative of the above listed business or organization, release the City of Belfast from any and all liability in case of death or injury during the use of any City-owned facility or property.

SIGNATURE: Austae/Holder

DATE: 1/15/2026

REVIEW #1: _____

DATE: _____

REVIEW #2: _____

DATE: _____

APPROVAL: _____

DATE: _____

APPENDIX A:
SPECIFIC POLICIES RELATED TO
USE OF CITY PARKS AND PROPERTY FOR SPECIAL EVENTS AND FUNDRAISERS

The purpose of this policy is to specify and clarify procedures regarding the use of City parks for special events or fundraising events and to ensure these activities meet the requirements of the City ordinances. **A Special Event or Fundraiser can be defined as any event that exceeds 75 people, and which is open to the general public, and/or where fundraising may occur through an event pre- registration, and/or where donations will be accepted in advance or on-site.**

This policy applies to:

- all City parks and park areas;
- the City pool;
- and for other City-owned property utilized for special events or fundraisers (i.e., sidewalks, streets, city parking lots).

Reservations must be secured for special events/fundraisers AT LEAST 60 days in advance. Some events may require additional lead time and should be discussed in advance. This time frame allows the Department to review requirements with organizers, secure paperwork and deposits, and then forward to City Council for approval for any atypical details or waiver requests.

NOTE: Several waterfront parks are also designated as special event spaces since they provide the most space for the larger events held in the City of Belfast. Special requirements are necessary to balance the use at the various City parks and to ensure that the parks are still open to the general public and that parking is available for all events and for general users.

The following types of large group events are subject to the provisions of this policy:

- Community events sponsored by Belfast-based civic or social organizations,
- Fundraising events sponsored by a Belfast-based non-profit organization to benefit a Belfast-based program,
- Special athletic or sporting events by a Belfast-based group,
- Concerts or public performance events at any park,
- Special events at the Belfast Dog Park,
- Other events as determined by the Parks and Recreation Director or the Parks, Trails, and Recreation Committee.

The following rules apply:

- Since each event is somewhat unique, the Director of Parks & Recreation will determine if the planned event shall be covered by this policy.
- Belfast-based groups organizing a large special event/fundraiser will have priority over non-Belfast-based groups.
- Special events/fundraisers are booked on a first-come, first-served basis EXCEPT three annual events with a long event history and schedule—Arts In The Park, Maine Celtic Celebration, and the Belfast Harbor Fest.
- All special events/fundraisers must be reviewed in advance to ensure that they meet this

policy and the City ordinances regarding public safety, alcohol, permitting, etc.

Scheduling

Special Events/Fundraisers can be scheduled up to one (1) year in advance. The appropriate rental form (either Special Event/Facility Request or a Belfast Boathouse Rental Application, or in some cases both forms) must be completed to secure a date. The Parks and Recreation Director will determine when rental deposit, security deposit, final payment, and insurance certificate will be due. The rental date(s) will not be secure until rental deposit and/or full payment (depending on lead time) is paid.

Reservations must be secured for special events/fundraisers AT LEAST 60 days in advance. In addition, the Director and/or City Manager/City Council may:

- deny or revoke reservations to any event which is not compatible with the facility or other scheduled events;
- restrict the total number of Special Events/Fundraisers which may be held per year at each park;
- deny or revoke reservations to any event with the potential of overloading park visitor capacity with respect to public safety or facility capacity or parking accommodations;
- suggest alternate locations in order to better accommodate Special Events/Fundraisers with respect to public safety, parking, visitor capacity;
- move activity locations or cancel specific activities if inclement weather has created hazardous conditions or the potential for excessive facility damage;
- all cases of reservation denial or revocation may be appealed to the Belfast City Council at their next regularly-scheduled meeting.

Event Planning

Special event/fundraiser organizers shall meet with the Director **at least 60 days** prior to the event to review preliminary event plans, determine activity locations in the park, and confirm all operational details. A second meeting 7-10 days prior to the event may also be scheduled. Provisions for inclement weather/heavy rain should be made by the sponsoring group with regard to all event operations (parking areas, activities, food service, etc., to include moving activity locations or canceling specific activities if inclement weather has created hazardous conditions or the potential for excessive facility damage.). The Department Director must approve event details in advance.

Tent Policy

If you intend to erect tents of your own or rented tents from a third-party, you will need to adhere to the following recommendations:

- All tents, no matter the size, should be staked properly to avoid any accidental fly-aways during windy days. Tent stakes should be marked clearly to avoid any tripping hazards.
- Large tents (larger than 20' x 20'/400 sq. ft.) installed without sides do not need any additional inspections or permits; these tents must be staked properly.
- Large tents (larger than 20' x 20'/400 sq. ft.) installed with sides, sides that will be on 100% of the time, fall into the Assembly Use category for the Maine State Fire Marshall's office. These tents would need to have a plan review for egress paths and fire retardation

certification. This would be coordinated well in advance of the event. These tents must also be staked properly.

- Large tents (larger than 20' x 20'/400 sq. ft.) with or without sides should have one (1) fire extinguisher on-hand; large tents (larger than 40' x 40'/1,600 sq. ft) with or without sides should have two (2) fire extinguishers on-hand.
- Tent stakes/support guy wires must be 12' or more from any structures, parking lots, trees, vehicles, signage, etc. Any stakes/support guy wires must be marked well for pedestrians' needs.
- Installation areas must be marked for utilities in advance of any tent installation if there is even the slightest chance that underground utilities are in the area. Utility marking is the sole responsibility of the reservation holder and should only be scheduled once reservation holder has an approved tent location from the Department.
- Additional rental fees may be required if a tent must be installed several days in advance of a special event/fundraiser, and only if the space is available.

Park Operations

Belfast Parks and Recreation is not able to financially assist special event or fundraising events. The Department may assign staff for park maintenance before, during, and after the event (for assistance with trash collection, restroom maintenance, special setups/take downs, facility maintenance, electrical needs), based on the potential number of visitors the event may generate.

The Department will invoice the event sponsors for all expenses incurred that were in excess of the normal level of park operations or that generated overtime. Only Department employees are permitted to operate Department vehicles and equipment. The large event organizers may also be required to provide volunteers to direct event parking and pedestrian access or to provide overflow parking at a non-municipal owned area, and to assist with trash collection duties. Therefore, the organizing group can expect to pay for these functions:

- Permits for alcohol/catering services; these may need to be paid by renter and/or by individual vendors participating in the fundraising or special event being sponsored by renter.
- Extra Department staff: expense depends on event details; an estimate can be provided in advance,
- Repairs to park facilities, as required, and if resulting from the group's use,
- Portable toilet rentals (supplemental) from a private supplier, pending event details,
- Trash dumpsters (supplemental) from a private supplier, pending event details, and
- Additional insurance premiums for coverage of the event with indemnification to the City of Belfast, and, if needed, for any private parking areas near the facility (see below) and/or for a liquor liability endorsement.

Insurance

All rentals that are open to the public except family rentals (non-public) shall provide to the Department, in advance of the event, a Certificate of Insurance which:

- Provides evidence of coverage in both commercial general liability insurance and automobile liability insurance (if applicable) for a minimum coverage amount of \$1,000,000 per occurrence, combined single limit;

- A Certificate of Insurance must include adding the City of Belfast as an additional insured;
- For events that are hosting alcohol-related activities such as a beer garden or wine tasting, the Certificate of Insurance will also need to demonstrate a liquor liability endorsement which may increase the insurance premium.

The minimum coverage amount that is required by the Department may be increased pending the type of event and level of risk or an additional rider may be requested. Food service and liquor operations may require additional permits, and these are typically processed by the Belfast City Clerk's office and approved by the Belfast City Council. Additional insurance coverage for food service (as well as meeting the requirements of the City and state health codes) may be required. In addition, other groups or businesses which use park facilities during special events (i.e., third-party concessionaires like food vendors) must also present in advance to the event organizer a similar Certificate of Insurance for their operations. Please contact the Department regarding specific insurance requirements for the planned event.

Parking and Vehicle Access

Very few of the Special Event areas have their own parking, especially those in the waterfront area. To host an event at Steamboat Landing Park, an event organizer will be required to rent the Belfast Boathouse to secure handicap parking and to have load-in and load-out access.

Event organizers will be required to follow the soon-to-be-created parking plan during large and multi-day events (as of 2026). Once that parking plan is in place, the Belfast Parks and Recreation Department will update this policy with those details. Parking is permitted only in designated spaces or areas. No parking on the grass or in driveways is permitted during a large group event, except with the express written permission of the Department. Tasks may also include providing appropriate signage during events, hosting volunteers for parking tasks (see below), and communicating the parking information to patrons.

The organizers should also make arrangements to furnish Parking Guides (volunteer or paid) to safely direct vehicles to the proper spaces, as well as providing safe pedestrian crossings on various roadways around the event site.

- Considerations should be given to making directional and information signs for your event.
- Vehicles parked illegally on City or private property will be ticketed by police and are subject to towing at the owner's expense.
- It is especially important that emergency access remain available at all times during your event, and that the event organizers follow the new event parking plan (2026).
- Vehicular access to any areas off the paved roadways must be approved by the Department in advance, including by event contractors, caterers, concessionaires, event leaders, etc.

If you plan to submit a request that is outside the boundaries of this policy, please submit it at least 60 days in advance.



10.A



Memo

To: Erin Herbig
From: Chief Cormier
cc: City Council
Date: 01/22/26
Re: 1st FBI LEEDA Agency Trilogy Award for the Belfast Police Department

Dear Erin,

On January 21st we learned the Belfast Police Department received the FBI LEEDA- Agency Trilogy Award. This award is given to those agencies whose Chief Executive and the entire command staff have completed the FBI LEEDA Leadership Trilogy series, which is nationally recognized as the “gold standard” for Law Enforcement leadership and executive development training. FBI-LEEDA embraces exemplary leadership, empowering individuals to demonstrate courage and make a positive impact on the future of their students and the communities they serve.

We are proud to be the first municipal Police Department in Maine to earn the FBI Leeda Agency Trilogy Award. In 2025 the University of Maine Police Department also received Agency Trilogy Award. I am extremely proud of our staff for all their hard work to complete this intense program and help us achieve this special goal for our agency, and the City of Belfast.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Bobby Cormier".

Chief Bobby Cormier

10.B



CITY OF BELFAST

City Hall
131 Church Street
Belfast, Maine 04915

Thomas Kittredge
Economic Development Director

E-mail: economicdevelopment@cityofbelfast.org
Phone: (207) 338-3370, extension 116

FEBRUARY 3, 2026 UPDATE FROM PROPOSED PUBLIC SAFETY BUILDING WORKING GROUP TO BELFAST CITY COUNCIL

April 2022-June 2024: the City applies for, is awarded, and obligates Congressionally Directed Spending in the amount of \$1,500,000, to be used to pay for a portion of the construction of a proposed public safety building.

September 2022-February 2023: the City hires Gartley & Dorsky Engineering, who undertakes and completes a boundary survey and a topographic survey with wetlands delineated for the current Fire and Ambulance Department property.

January 3, 2023: the City forms a Proposed Public Safety Building Working Group, whose membership consists of the following: City Councilor Mary Mortier, City Councilor Paul Dean, City Manager Erin Herbig, Police Chief Robert Cormier, Fire Chief/Ambulance Director Patrick Richards, Director of Code and Planning Bub Fournier, Economic Development Director Thomas Kittredge, and Deputy Economic Development Director Joellyn Warren.

February 22, 2023: the Proposed Public Safety Building Working Group meets to review the boundary survey and topographic survey, with wetlands delineated.

March 2023-present: the City applies for, is awarded, and is obligating Community Project Funding in the amount of \$963,000, to be used to purchase equipment for the City of Belfast Police Department, a portion of which is intended to be acquired as part of, and installed in, a proposed public safety building.

May 2023-July 2023: the City hires Summit Geoengineering Services, who undertakes and completes a preliminary geotechnical investigation report for the current Fire and Ambulance Department property.

May 2023-March 2024: through Eastern Maine Development Corporation's Brownfields Assessment Program, Campbell Environmental Group undertakes and completes a Phase I Environmental Site Assessment, a Phase II Environmental Site Assessment, and an Environmental Media Management Plan for the current Fire and Ambulance Department property.

December 20, 2023: the Proposed Public Safety Building Working Group meets to perform a review of, and provide feedback/comment on, the preliminary geotechnical investigation report.

January 9, 2024: the Proposed Public Safety Building Working Group meets to review a proposal from Gartley & Dorsky Engineering & Surveying and Oak Point Associates for a Facilities Assessment Report for the current Fire and Ambulance Department facility, and for a Site Fit Plan for a proposed public safety building on the current Fire and Ambulance Department property.

January 2024-March 2025: the City hires Gartley & Dorsky Engineering & Surveying and Oak Point Associates, who undertakes and completes a Facilities Assessment Report for the current Fire and Ambulance Department facility, and a Site Fit Plan for a proposed public safety building on the current Fire and Ambulance Department property.

September 19, 2024: the Proposed Public Safety Building Working Group meets to review and provide feedback/comment on a draft Site Fit Plan.

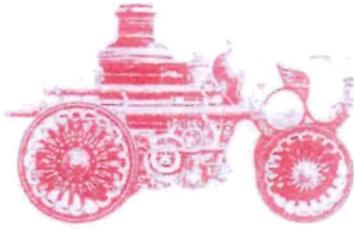
February 24, 2025: the Proposed Public Safety Building Working Group reviews a draft request for responses for architectural and engineering services for a proposed public safety building, and does a final review of the Site Fit Plan.

March 2025-September 2025: the City issues a request for responses for architectural and engineering services for a proposed public safety building, reviews submitted responses, interviews engineers, selects Port City Architecture, and negotiates a contract to provide those services to the City.

April 29, 2025: the Proposed Public Safety Building Working Group meets to reevaluate the scope of work and to consider/develop a phased approach to it.

June 5, 2025: the Proposed Public Safety Building Working Group meets to review and finalize the amended scope of work to be performed by Port City Architecture.

October 2025-present: the Proposed Public Safety Building Working Group works with Port City Architecture to carry out their proposed scope of work under their contract (Phase I Feasibility Study for a new Public Safety Facility), with joint meetings occurring on 10/6/2025 (kickoff meeting), 11/24/2025 (discussion and review of programming), and 1/27/2026 (further review of programming).



Belfast Fire & Ambulance Department
131 Church Street • Belfast, Maine 04015
Phone 338-3362

January 29, 2026

Honorable Mayor Sanders

Belfast City Councilors

City Mgr. Herbig

Re: February 3rd, 2026, Update from the Proposed Public Safety Building Working Group

Currently, the City of Belfast operates a Fire and Ambulance Department that is known as a combination department. It is referred to as a combination department because of the staffing levels it operates with, full-time staff in combination with part-time or call staff commonly referred to as volunteers. The City employs 11 full time Firefighter/EMT's including the Chief, 22 part time EMT's of all levels, 13 of which serve as call firefighters also and 6 more call members that serve as firefighters only.

We operate shifts 24 hours a day, 7 days a week. The shifts are comprised of 2 full-time staff members on duty for 24 hours and 2 part-time members that either work for a 12-hour segment or sometimes the whole 24-hour shift. For many years, the department consisted of a full-time chief and the members of both agencies were all volunteers. Slowly, the addition of full-time paramedic and firefighter positions were added to adjust to the growing need of personnel to help with the frequency of ambulance and fire calls. With 4 people assigned to a shift and a chief officer during the day, this ensures that we can immediately staff 2 ambulances if needed or 1 ambulance and 1 fire apparatus. Most often, nearly 40% of the time, there are multiple calls requiring ambulances responding in different directions or a fire call simultaneously.

There are 3 fully equipped advanced life support level ambulances, 2 fire engine/pumpers, 2 pumper/tankers, 1 ladder/tower, 1 heavy rescue, 1 brush/utility pumper, a rescue boat, side by side ATV and snowmobile.

The City of Belfast provides a contracted ambulance service to the 5 towns around us: Northport, Belmont, Morrill, Waldo and Swanville. The City provides fire suppression by contract to the town of Swanville. Mutual aid for both fire and EMS are provided to all towns and agencies within Waldo County either with a complete ambulance crew, a paramedic provider or a fire company.

In 2025, Belfast Fire and Rescue responded to 3,019 calls for service. 2,555 of those calls were EMS calls requiring an ambulance and 464 calls that were fire related. 2024 had the most fire incidents at 527. When compared with data from 10 years ago, the call volume to provide fire suppression service has increased by 50%.

Of the 2,555 EMS calls in 2025, 75 of those were interfacility transfers from Maine Health Waldo County Hospital to another hospital facility. Northern Lights Eastern Maine, Maine Health Pen Bay or Maine General Augusta are the hospitals we typically transfer to. The remaining 2,480 calls were emergency 911 calls to our primary response area. When compared with data from 10 years ago, the call volume to provide ambulance service has increased by 38%.

	2025	
Fire Incidents	464	(50% increase since 2015)
Belfast	398	
Swanville	41	
Mutual aid	25	
Ambulance	2,555	
Transfers	75	
Emergency 911	2,480	(38% increase since 2015)
Belfast 911	1,869	
Contracted towns	560	
Other towns	51	

Current Fire Station

The current fire station located at 273 Main St was constructed in the mid 1980's. The original building that you see with the brick facade was 6,600 square feet with 1 office, 2 restroom facilities, a training room, a small kitchen and 6 apparatus bays. Keep in mind, this was constructed when both departments were made up of all volunteers except for the Fire Chief and they responded from home when there was an emergency. An addition was built in 2011 for 1,920 more sq ft. This addition was necessary at the time as the city had purchased a secondhand Tower/Ladder truck, still in service today, that had trouble fitting through the doors and inside the original building.

The foundation is nearly the same grade as Main Street, causing 2 significant issues involving flooding. The first happens during heavy rainfall events or quick winter melts causing large amounts of runoff to enter through the apparatus doors. Storms that advance from the south/southeast with forceful winds and rain will cause even worse flooding issues as the building is facing that direction. During significant events, water will infiltrate the wall and into the office. Grooves had been cut into the floor to guide the water to the drain in the middle of the building. The drain, in places, is higher than the floor and shows signs of deterioration. Both the drain and the grooves also pose a tripping hazard.

The second issue is flooding from the sewer. The fire station is the lowest point along that section of Main Street and has been the point of sewage backups several times resulting in several inches of sewage water on the floor throughout the station.

The structure of the building shows deterioration in the walls and ceiling. Deteriorating and crumbling sheetrock can be seen in places as well as stress cracks and apparent shifts. It can only be assumed that there is rot and mold present within these walls with the amount of moisture that has been available.

The vehicle exhaust vent, (Plymovent), has been inoperable for several years. It is estimated to need a significant amount of work to be repaired and operated effectively. The lack of this vent leads to vehicle exhaust and levels of carbon monoxide being present in the building, especially during the winter months while heat conservation is needed. Vehicle exhaust is one of the leading causes of cancer inside the firehouse.

Storage of equipment and supplies is throughout the building in the apparatus bays. The EMS supplies are stored in cabinets near the ambulances often exposed to moisture and vehicle exhaust. Near there, the fire hose and fire bunker gear are stored. At times

following a fire event you may smell the used fire gear and hose off gassing after being exposed to the smoke and other carcinogens from a fire. We do have policies in place to clean this gear following incidents, but it is not uncommon for this to take a few days depending on the extent of gear used. These carcinogens exposed during fires are another leading cause of cancer in the fire service. OSHA has recently tried to make it mandatory for measures to be put into place to isolate these types of exposures with separate more contained and ventilated storage. New and clean uniforms stored in cabinets as well as personal lockers are in the apparatus bays as well, exposing them to all the same environment containing exhaust fumes and potential carcinogens.

The crew quarters are in the break/training room with a small kitchen attached. This area is roughly 500 square feet. This is where they complete incident reports, prepare and eat meals, train, and rest. In the night hours they rest in recliners or fold out cots in this same area. There are no bunkrooms, there are no quiet/private places to retreat after a difficult call, and there is no place for a student to study for an upcoming exam. This area is hard to regulate temperature as it can be cold in the winter and hot in the summer.

There are 2 restrooms that contain a toilet and sink only; there are no showers or changing rooms. This is an issue when someone is exposed to smoke and toxins at a fire scene, or chemicals and bodily fluids from an EMS call. There is no place to decontaminate and get fresh clothing. The floors in the restroom are often wet, and there is little room to change or properly clean.

1 office is shared by the 3 administrative staff. Incident reports, personnel, training, and department files are all kept in this office as well in less than 200 square feet. It is a requirement that confidentiality and security be maintained when it comes to these incident reports and files. The staff completing these incident reports must do so in the break room that is open to the public.

Building security and safety is insufficient currently. Egress is through one main entry in the front of the building and only secured with a residential keypad type lock. There are no alarm systems, entry or fire, and residential smoke alarms are utilized in the crew room. Life safety is a concern for our overnight staff.

Proposed Public Safety Building

To continue to operate effectively and efficiently as the hub of Waldo County and deliver the public safety services 24/7 to those in need, it is time to analyze where we are currently and what is needed to do so. What was once a great facility that was designed with cost-

saving measures to house our volunteer services that has served us well in the last 40 years but is failing and no longer sufficient for our needs. This will be the time to correct our current issues as well as assess and plan any standards that will be changing. This will be an opportunity to put all emergency services under one roof and provide a more energy-efficient building requiring less maintenance while providing a healthier and up to date facility.

The City of Belfast is fortunate to have emergency agencies that operate well together currently. Bringing them and their management into the same building will only ensure that communication is maintained. More training opportunities will be offered to our employees and surrounding agencies, promoting better employee recruitment and retention. As emergency call frequency increases, this is the time to think ahead of what the emergency services look like. We are already regionalized as an EMS agency providing those services to 6 communities total with a population of roughly 13,000. What does the fire service look like in 10 or 20 years as we have struggled to recruit and retain young volunteers to fill out where our older generation will be aging out?

I am happy to answer questions and look forward to further discussion.

Best regards,

Patrick Richards

Fire Chief/Ambulance Director

Local Emergency Management Director



Memo

To: Mayor Sanders, City Councilors and Manager Herbig
From: Chief Cormier
cc:
Date: 01/28/26
Re: Update from the Proposed Public Safety Building Meeting Working Group

A. SERVICES PROVIDED

The Belfast Police Department provides a whole host of both emergency and non-emergency services to the community each day. Beyond police services, our department also serves as a safe and trusted place for people to go where they can get information or have questions while in Belfast. They also come here to meet with us to plan events or meet with our staff about a criminal case. In 2025, the Belfast Police Department handled 8,535 calls for service and investigated 6,017 offense complaints. In 2024, the Police Department handled 7,416 calls for service and 5,881 offense complaints. These calls range from minor to serious and cover everything from personal injury traffic accidents, to domestics or assaults, thefts, victims of fraud to more serious cases such as rape, violent assault with a weapon or drug trafficking cases. The Belfast Police Department is the only department in this area that provides 24 hour a day police service to their community and is never on call. We routinely get requested to assist other agencies that may be on call throughout the night and are coming in from home.

B. CURRENT DEFICIENCIES

During the process of exploring the future needs of our staff and facilities for a public safety building, I have compiled a list of deficiencies with the current facility. This list not only affects the day-to-day operations of how we provide services to the community, but also affects the safety and security of our staff.

1. Lobby

Our lobby is the focal point for the majority of that activity and the types of needs people have when they come into the lobby, varies greatly. It ranges from simply just needing a copy of a report or directions, to more serious things such as the person is the victim of a violent crime or a suspect reporting, they just committed a violent crime or turning themselves in on a arrest warrant. Occasionally we even get called to our own lobby for a domestic disturbance or other emergency which can sometimes put our office staff at risk.

- Safety and Security- No ballistic protection or ballistic glass in the lobby to protect the receptionist and records staff.
- No public restrooms- visitors waiting in the lobby have to be let into the secure part of the building near records to use the restroom.
- No interview room or space off the lobby for Officers to speak with the victims of crime.
- Wood framed doors and windows between the lobby and the secure part of the building.

2. Evidence Room

The inner evidence room is currently housed in an old bank vault as the building was a bank at one time. The vault has very limited space for the amount and type of evidence we need to store, and no air ventilation system which creates environmental air quality hazards for employees. Officers frequently take dangerous drugs into custody such as methamphetamine, fentanyl, cocaine, and other combinations of dangerous drugs which can create dangerous fumes in a small space with no fresh air. It is only 117 square feet, overcrowded and has so separate storage space for weapons and drugs as recommended by best practices for evidence and property management.

3. Patrol room

The patrol room is one of the busiest rooms in the building. It is where Officers do their reports and speak with victims over the phone. The Supervisors have no office and share this space with the Officers, making it difficult to conduct private conversations with team members.

4. Administrative Records

The Executive Assistant is currently working in a space that is basically a large hallway area with no walls and no privacy. It is also the main traffic route for people passing through the station. Being the Chiefs Executive Assistant, she frequently must handle sensitive matters or confidential requests or files.

5. Record storage

The records storage room is also used to house cleaning supplies, the department computer servers, and shares space with the generator room. Because it is connected to the generator room, there are heavy diesel or exhaust fumes, making it difficult to work there. Also, the records room has run out of space and now many files are forced to be stored in file boxes on high shelves. The administrative staff now has to go up on ladders to retrieve the heavy file boxes in order to pull files needed for record requests.

C. HOW A NEW FACILITY WILL HELP US PROVIDE SERVICE INTO THE FUTURE

- In a new facility, the lobby walls and windows would have ballistic protection and steel doors with access control systems. The lobby would also have public restrooms and an interview room off the lobby to speak with the victim of a crime or person with a sensitive issue, without bringing them into the secure part of the building.
- Have a property and evidence room designed with feature like an air handling system, security access control and separate storage space for drugs and weapons will make it safer for our staff and reduce the possibility of evidence handling and storage issues.
- In the new facility, Supervisors would have separate office space to speak with their Officers in private if needed.
- Having a separate records administration office space with walls and a door will alleviate interruptions from high volume foot traffic in her work area and preserve confidentiality.
- Also, a new facility would have a records room with adequate space for files will not only serve our file needs into the future but be safer for our staff who have to retrieve the files each day.
- It will have a booking room to process and release an arrested person.
- It would have space for Officers to have quiet time or privacy after a stressful call.
- It would provide space to have training or hold a department meeting.
- Additional sally port space to process a vehicle which was used in a crime or being held as evidence.
- Have safe and dedicated visitor and employee parking with adequate lighting.
- The computer server room will be in a secure space as required by CJIS. In a new facility the computer server room would be in the secure part of the building and have access control to protect all of our digital files.

Please feel free to reach out to me if you have any additional questions.

Respectfully yours,

Chief Bobby Cormier



CITY OF
BELFAST
Maine

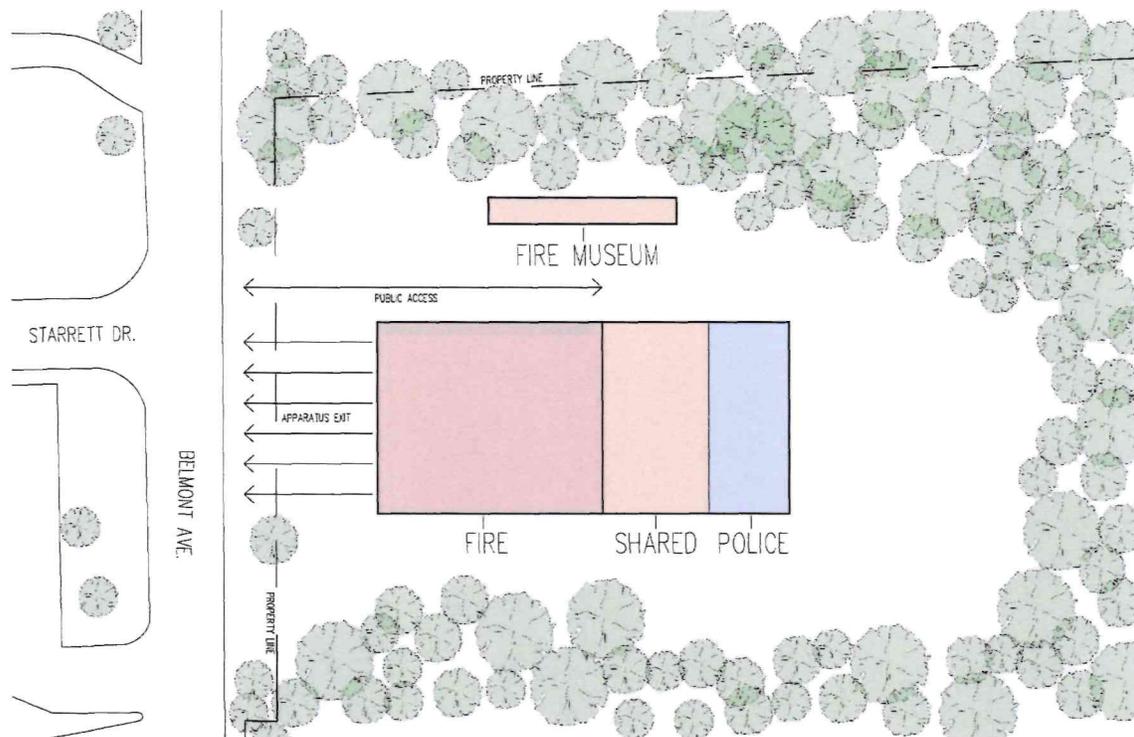


Public Safety Programming Study

City of Belfast, Maine

February 3rd, 2026

MARCH 5TH, 2025	- Initial Programming by Oak Point Associates	=	36,464 sq ft
NOVEMBER 12TH, 2025	- Initial Programming by Portcity Architecture	=	30,577 sq ft
JANURARY 17TH, 2025	- Reduced Programming by Portcity Architecture	=	24,587 sq ft



Conceptual Test Fit Plan - Portcity Architecture



Police Department Space Needs							
Room Name:	Parking Spaces	Sqft per Room	Proposed Sqft 11.12.25	# Rooms	Sqft per Room	Adjusted Sqft 1.27.26	Notes:
Outdoor spaces							
Officer parking	23						21-25 employees, 8 cruisers
Covered Vehicle Parking	1						Covered Parking for Active Cars (How many?)
Impound Lot	3						How many vehicles / bulk items?
Interior Spaces							
Admin/Office Area							
Admin Assistant Reception Office	1	140	140	1	100	100	(12x8) Directly off the lobby - One/way glass directs all traffic into the station
Records Reception Office	1	140	140	1	120	120	(12x10) Directly off the lobby - one/way glass, handles backup and all records - How many active File cabinets needed?, Copier
Archived Record Storage	1	360	360	1	180	180	(13'8"x13')Storage for all records, 25-30 cabinets (At 210 SQFT) or High Density (At 180 SQ/FT)
Chief's Office	1	144	144	1	140	140	(12x11'-6")"U" desk, 1 round 4 table, closet
Deputy Chief Office	1	140	140	1	120	120	(12x10) "L" Desk
Command Staff	1	120	120	0	0	0	"L" Desk, Interacts with Admin assistant and patrol (eliminated by committee)
Conference Room	1	140	140	0	0	0	(eliminated by committee, 1 in shared space)
General Admin Storage	1	60	60	1	60	60	Storage for paper products / other goods
Admin Restroom	1	80	80	1	60	60	
Sub-Total SF Admin/Office			1,324			780	
Secured Divisions							
Patrol Bullpen	1	200	200	1	160	160	(Hall Format) 6 Workstations w/ open storage , radio chargers, Kennel
Patrol Supervisor	1	120	120	1	90	90	(9'x10)"L" Style Desk
Patrol Ready Room "Kit"	1	160	160	0	0	0	combined with patrol bullpen (eliminated by committee)
Mental Health Study	1	0	0	1	120	120	(added by committee/combined with bunkroom)
Training Coordinator	1	120	120	0	0	0	(eliminated by committee)
Traffic and Parking Office	1	120	120	1	120	120	(12x10)"L" Style Desk (combine bullpen with Traffic/Community liaison)
Community Liaison Office	1	120	120	1	0	0	Combined with Traffic and Parking
Locker Room	1	500	500	1	450	450	30 locker layout
Changing Rooms/Restrooms	4	80	320	3	80	240	Typical layout (Reduced to 3)
Breakroom	1	200	200	1	120	120	(12x10)few square 4 seater tables, kitchenette, tv (removed electric range)
Patrol Restroom	1	80	80	1	60	60	
Bunkroom	1	108	108	1	0	0	
K-9 Storage	1	120	120	0	0	0	Storage for kennels, other training supplies (eliminated by committee)
Armory	1	80	80	1	60	60	Ammunition and gun storage, near patrol
Weapon Cleaning	1	80	80	1	60	60	Table for gun maintenance, taser/body cam chargers (4 docs), handgun storage
Uniform Gear Storage	1	60	60	1	50	50	Storage for all unactive uniforms
CID Bullpen	1	240	240	1	132	132	(12x11) setup for 2 workstations
CID Storage room	1	80	80	1	60	60	Storage for active cases for detectives, work station
CID Supervisor Office	1	140	140	0	0	0	"U" desk, 1 round 4 table, (eliminated by committee)
CID Supervisor Storage	1	60	60	0	0	0	(eliminated by committee)
Interview Rooms	3	80	240	2	80	160	(8'-8"x8'-8")1 at lobby (w/ safety locking), 1 at CID suite, 1 at booking (Reduced to 2)
Evidence Processing Lab	1	140	140	1	120	120	Fume Hood, Sink, Storage, lab grade
Evidence Bag & Tag Station	1	60	60	1	40	40	Area with pass through lockers to evidence storage, millwork for bagging
Evidence Storage	1	400	400	1	440	440	High Density Storage, separate rooms for narcotics, cash, guns or secure rolling
Sub-Total SF Secured Division			3,748			2,482	
Sallyport Area							
Booking Area	1	300	300	1	200	200	2 benches (separated by partition), workstation with Intox and Fingerprints, sink - Needs direct door to outside for bail release
Holding Room Adult	2	50	100	0	0	0	50 square feet minimum per (eliminated by committee)
Holding Room Juvenile	1	50	50	0	0	0	(eliminated by committee)
Booking Restroom	1	40	40	1	50	50	Flush on Outside
Sallyport	1	750	750	2	375	750	2 Bay Sallyport (25'x40') , Stray Animal Up to 8hr, vehicle impound, motorcycles, speed trailers, bicycles
Wash bay	1	325	325	0	0	0	Wash combine with sallyport / fire apparatus bay (eliminated by committee)
Vehicle Maintenance Storage	1	180	180	1	132	132	Area off sallyport for bulk storage, 2 kennels
Sub-Total SF Space Needs for Sallyport Area			1,745			1,132	
Sub-Total SF Space Needs for Police Department			6,817			4,394	
Circulation/grossing Factor of 30%			2,045			1,318	
Total Programming for Police Department			8,862			5,712	

Fire Department Space Needs							
Room Name:	Parking Spaces	Sqft per Room	Proposed Sqft 11.12.25	# Rooms	Sqft per Room	Adjusted Sqft 1.27.26	
Outdoor spaces							
Fire employee parking	10						6-8 employees on shift
Room Name:	# Rooms	Sqft per Room	Proposed Sqft 11.12.25	# Rooms	Sqft per Room	Adjusted Sqft 1.27.26	
INTERIOR SPACES							
Admin/Office Area							
Fire Chief Office	1	144	144	1	140	140	(12'x11'-6") "U" desk, 1 round 4 table, closet
Dep. Chief Office	1	140	140	1	120	120	(12'x10') "L" Style Desk
Assistant EMS Chief	1	140	140	1	144	144	(12'x12') "L" Style Desk (Combine with EMA Director)
EMA Director	1	140	140	1	0	0	Combine with Assistant EMS Chief by committee, Needs table for Large Format prints
Shift Officer	1	120	120	1	120	120	(12'x10') 2 Workstations (1 future)
EMS on Duty	1	160	160	1	126	126	(12'x10'-6") 4 workstations needed "Bullpen" style Storage Below, Attached/Close to Police Admin
Inspections Office	1	140	140	1	120	120	(12'x10') "L" Style Desk need space to layout large format
Admin Restroom	1	80	80	1	60	60	
Conference Room	1	160	160	0	0	0	(eliminated by committee, 1 in shared space)
Records	1	140	140	1	120	120	(13'-8"x8'-8") High Density Storage
Sub-Total SF Admin/Office			1,364			950	
Living Quarter Area							
Bunkroom	8	108	864	8	108	864	(12'x9')
Bunkroom Bath/Shower	3	100	300	3	80	240	(7'x11'-6")
Bunkroom Storage	1	80	80	1	0	0	Combined with laundry
Laundry (General)	1	80	80	1	120	120	Not stacked
Library/study	1	120	120	1	80	80	(10'x8')
Kitchen/dining	1	400	400	1	350	350	"U" style kitchen with pass through / bar seating for space separation, pantry
Dayroom Restroom	1	80	80	1	60	60	
Dayroom	1	400	400	1	350	350	Mixed seating - couches and chairs
Sub-Total SF Living Area			2,324			2,064	
App Bay Area							
App Bays (deep)	12	680	8,160	12	680	8,160	Plymovent System
Restroom	1	60	60	1	60	60	Dirty Bathroom
Decon	1	310	310	1	150	150	(12x12'-6") Typical Layout, 1 extractor, 1 dryer, 1 3-bay, 1 decon shower
Turnout Gear/lockers	1	400	400	1	325	325	(18'x18') lockers at far apparatus support side w/ exterior door
Gear Storage Room	1	140	140	1	120	120	(12x10)
EMS supply Storage	1	120	120	1	120	120	(12x10)
SCBA Filling Storage	1	84	84	1	84	84	22 air packs, work table and scab filling
Projects(Machine Shop)	1	144	144	0	0	0	(eliminated by committee) tools can be stored in bay
Hose Storage	1	140	140	1	120	120	(12x10)
Training Tower	1	250	250	1	256	256	16x16
Mezzanine Storage	1	0	0	1	0	0	Included in bay height
Sub-Total SF App Bays			9,808			9,395	
Sub-Total SF Space Needs for Fire Department			13,496			12,409	
Circulation/grossing Factor of 20%			2,699			2,482	
Total programming for Fire Department			16,195			14,891	

Shared Spaces							
Room Name:	Parking Spaces	Sqft per Room	Proposed Sqft 11.12.25	# Rooms	Sqft per Room	Adjusted Sqft 1.27.26	
Outdoor spaces							
public parking	20+						
Room Name:	# Rooms	Sqft per Room	Proposed Sqft 11.12.25	# Rooms	Sqft per Room	Adjusted Sqft 1.27.26	
INTERIOR SPACES							
Airlock	1	50	50	1	0	0	(7x7) phone system, after hours (combined with lobby SF)
Lobby/ Entrance	1	350	350	1	330	330	(24'x13') Steamer apparatus and seating with 7x7 vestibule
Conference Room	0	0	0	1	120	120	(12'x8') Shared between departments, coffee machine, 6-8 people
EOC/Training Room	1	1200	1,200	1	1,200	1,200	60 seating - area off for small kitchenette for coffee bar in wall (include in hall) - Folding horizontal partition
A/V EOC Station and Equipment	1	120	120	1	70	70	Small office and AV equipment storage for EOC
Table and Chair AND Training Storage	1	120	120	1	160	160	
Training Storage - Fire	1	100	100	0	0	0	(eliminated by committee)
Training Storage - Police	1	100	100	0	0	0	(eliminated by committee)
Fitness Room	1	400	400	1	275	275	Typical equipment, entry both depts.
Training Simulator	0	0	0	1	400	400	20x20 training simulator equipment via grant, 9' headroom, NO WINDOWS, double as mat training (FUNDED BY GRANT)
Restrooms - Public	3	60	180	3	60	180	Single Use Restrooms
IT/Server Room	1	120	120	1	65	65	Both Fire and Police Servers - On Police Side
Mechanical Room	2	60	140	2	60	120	
Janitor Room	3	60	180	3	40	120	
Electrical Room(s)	1	140	140	1	140	140	Outside connection
Life Safety Electrical Room	1	80	80	1	80	80	
Exterior Generator	1	0	0	1	0	0	Exterior near electrical
Sprinkler Room	1	120	120	1	60	60	
Radio Tower	1	0	0	1	0	0	Exterior, funded by grant
Fire Museum	1	1200	1,200	0	0	0	Removed from main building to save money
Sub-Total SF Space Needs for Common Functions			4,600			3,320	
Circulation/grossing Factor of 20%			920			664	
Total programming for Common Functions			5,520			3,984	
TOTAL PROGRAMMING SF PUBLIC SAFETY			30,577			24,587	

Additional Site Buildings							
Room Name:	# Rooms	Sqft per Room	Proposed Sqft 11.12.25	# Rooms	Sqft per Room	Adjusted Sqft 1.27.26	
Fire Museum	0	0	0	1	1,500	1,500	(100'x15') Area for storage of Fire History. Needs to be able to drive in apparatus - public has tour access, lightly heated
Cold Storage Barn	1	1,960	1,960	1	1,960	1,960	cold storage for both departments, cruiser storage
TOTAL PROGRAMMING SF POLE BARNs			1,960			3,460	

10.C,D+E



CITY OF BELFAST, MAINE 04915
131 Church Street

PLANNING AND CODES DEPARTMENT

Phone: (207) 338-3370 ext. 125

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MEMORANDUM

DATE: January 27, 2026

TO: Belfast City Council, Mayor and City Manager Erin Herbig

FROM: Bub Fournier, Director of Planning and Codes

CC: Alexandra E. Sykes, City Planner; Mandy J. Holway, PE, Olver Associates, City Engineer

RE: First Reading and Public Hearing regarding Ordinances Amendments to Chapter 94 Subdivision, Chapter 98 Technical Standards and Chapter 66 General Provisions.

Background Information:

At its January 14, 2026 meeting, following a duly noticed public hearing, the Belfast Planning Board voted 5-1 to recommend that the City Council adopt a comprehensive Ordinance Amendment package affecting Chapter 94 Subdivision, Chapter 98 Technical Standards, and Chapter 66 General Provisions of the City Code.

The Ordinance Amendment package includes the following documents, some marked with ~~blue-strikethrough~~ representing language to be deleted, **red** representing new language, **black** representing unchanged language and **green** representing guidance language that is not included in the Code:

- 1) Marked up Chapter 66 General Provisions proposed amendments to definitions.
- 2) Current Chapter 94 Subdivision Ordinance
- 3) Unmarked Chapter 94 Subdivision proposed amendments
- 4) Unmarked Chapter 98 Technical Standards Appendices A-H proposed amendments
- 5) Unmarked Chapter 98 Technical Standards Figures proposed amendments
- 6) Marked up Chapter 98 Technical Standards Waivers, Summary and Articles IV, V and VI
- 7) Marked up Chapter 98 Technical Standards Section 98-85 Street and Lanes Summary

The amendments represent the culmination of a multi-month, public process undertaken to modernize the City's Subdivision regulations, which had not been substantially amended since the early 1990s. The Planning Board finds that the proposed amendments improve clarity, consistency, and effectiveness of subdivision review; align local regulations with current State guidance and engineering practice; and support the City's adopted Comprehensive Plan, including goals related to housing production, orderly development, and protection of public health, safety, welfare, and natural resources.

Purpose:

Subdivision regulation is a primary mechanism by which the City of Belfast implements land use policy, facilitates housing creation, ensures adequate infrastructure, and protects environmental and community resources. Subdivision is defined by the State of Maine and the City as development resulting in the creation of three or more lots or three or more dwellings on a single lot within a five-year period, subject to statutory exemptions.

Following comprehensive zoning updates adopted in 2023 and 2024, the Planning Board identified the Subdivision Ordinance as the next critical component of the City's land use framework requiring modernization. The overarching objectives of this effort were to:

- Update the ordinance to reflect current State guidance and planning best practices
- Improve procedural clarity and predictability for applicants, staff, and the Board
- Remove unnecessary regulatory barriers to housing creation
- Separate policy and process requirements from detailed technical specifications

Planning Board Process:

The Planning Board's work on these amendments was conducted through a transparent, publicly noticed process beginning in March 2025 and extending through January 2026, including multiple workshops, regular meetings, and formal public hearings.

Key milestones included:

- March 2025: Two public workshops identifying the need for comprehensive updates to Chapter 94
- June 5, 2025: Consensus decision to remove most technical standards from Chapter 94 and consolidate them within Chapter 98
- July–September 2025: Review and refinement of a fully rewritten, non-technical Chapter 94 and marked-up Chapter 98 Technical Standards
- October 22, 2025: Duly noticed public hearing on the full Ordinance Amendment package
- January 14, 2026: Additional advertised public hearing and deliberation, followed by a 5–1 vote to recommend adoption by the City Council

Throughout this process, the Board received input from planning staff, City Engineer Mandy Holway of Olver Associates Inc., and members of the public.

Scope and Substance of the Amendments:

Chapter 94 Subdivision

The amended Chapter 94 is a comprehensive rewrite that:

- Clarifies and standardizes the subdivision review process
- Improves alignment between review stages and submission requirements
- Streamlines review for smaller and less complex subdivisions
- Reduces ambiguity and internal conflicts in ordinance language
- Reflects current State guidance while remaining locally tailored

Chapter 98 Technical Standards

Amendments to Chapter 98:

- Consolidate subdivision-related technical requirements into a single chapter
- Update infrastructure standards for roads, stormwater, and utilities
- Resolve outdated or conflicting provisions
- Reflect detailed technical review and recommendations from the City Engineer

Chapter 66 General Provisions

Amendments to Chapter 66:

- Update and centralize definitions to ensure consistent interpretation across the City Code
- Reflect standard City practice for ordinance maintenance and amendment

Planning Board Recommendation:

Following completion of the public hearing and deliberation on January 14, 2026, the Planning Board voted 5–1 to recommend that the City Council adopt the proposed Ordinance Amendments to Chapters 94 Subdivision, 98 Technical Standards, and 66 General Provisions. Supporting Board members agreed that the amendments:

- Are consistent with the City’s Comprehensive Plan
- Represent a balanced approach to housing facilitation and infrastructure protection
- Improve regulatory clarity and administrative efficiency
- Are the product of a thorough, inclusive, and well-documented public process

Next Steps:

In accordance with State law and City procedures, the City Council will need to:

- Conduct a First Reading and public hearing at your upcoming regular meeting.
- Conduct a Second Reading along with at least one additional public hearing on the proposed amendments
- Take formal legislative action to adopt, amend, or deny the proposed Ordinance changes.

Possible Action:

A motion to **accept the First Reading and direct staff to arrange a Second Reading and public hearing at an upcoming City Council meeting.**

Black language remains unchanged.
Proposed new language is in red.
Proposed deleted language is in ~~blue strikethrough~~.
Guidance language that will not appear in the Code is in green.

Note: The definitions below from Chapter 66 General Provisions are proposed to be affected by the proposed Ordinance Amendments. Many of these definitions come from the State model Subdivision Ordinance or are defined by the State as well. There are many more definitions in Chapter 66 General Provisions that are not being changed.

City of Belfast Code of Ordinances

CHAPTER 66 GENERAL PROVISIONS

Sec. 66-1. Definitions.

Sec. 66-1. Definitions. [Ord. No. 29-1997, 3-4-1997; Ord. No. 14-1998, 9-1-1998; Ord. No. 1-1999, 7-6-1999; Ord. No. 48-2001, 1-23-2001; Ord. No. 84-2001, 6-7-2001; Ord. No. 19-2001, 11-7-2001; Ord. No. 20-2001, 11-7-2001; Ord. No. 39-2002, 5-7-2002; Ord. No. 47-2003, 5-20-2003; Ord. No. 25-2005, 12-7-2004; Ord. No. 3-2005, 7-20-2004; Ord. No. 22-2006, 2-7-2006; Ord. of 10-2-2007(1); Ord. of 3-3-2009(1); Ord. of 4-6-2010(1); 10-21-2014; 12-5-2017; 10-16-2018; 12-18-2018; 1-7-2020; 10-6-2020; 8-3-2021]

- (a) The purpose of this section is to provide a list of terms and their meanings so as to assist applicants and others in understanding the terms used in Subpart B, Land Use Regulations. Unless incorporated by reference in another chapter or another City ordinance, the definitions in this section are not controlling.

Further, definitions that are unique to a specific chapter of Subpart B, Land Use Regulations, can typically be found in that specific chapter rather than this chapter. Definitions are included in each of the following chapters:

- (1) Chapter 74, Buildings and Building Regulations;
- (2) Chapter 78, Floods;
- (3) Chapter 82, Shoreland Zoning;
- (4) Chapter 86, Signs;
- (5) Chapter 90, Site Plan;
- ~~(6) Chapter 94, Subdivisions;~~
- (7) Chapter 98, Technical Standards; and
- (8) Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Divisions 5, 7 8, and 9, and Chapter 102, Zoning, Article X, Contract Rezoning. (For example, Division 8 includes terms related to the regulation of medical marijuana, and Division 9 includes terms related to the regulation of solar energy systems.)

Applicants and others are encouraged to consult the other chapters of Subpart B, Land Use Regulations, for a list of terms and their meanings that may apply to a specific chapter.

- (b) In the interpretation and enforcement of Subpart B, all words shall carry their customary dictionary meanings. For the purpose of Subpart B, certain words and terms are defined as follows:
 - (1) City means The City of Belfast.
 - (2) Municipal officers means the City Council.
 - (3) Tense and number. Words used in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.
 - (4) Shall, may. The word "shall" is always mandatory; the word "may" is permissive.
 - (5) Person. Includes a firm, association, organization, partnership, trust, company, corporation, or other legal entity, as well as an individual.
 - (6) Lot. The word "lot" includes the words "plot," "property," and "parcel."
 - (7) Building. The word "building" includes the word "structure."
- (c) The following words, terms and phrases shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Affordable Housing: Affordable housing which is restricted by means of deed covenants, financing restrictions, or other binding long-term methods to occupancy by households making 80% or less of the area median household income.

Applicant: The person or entity applying for a permit or approval.

Average Daily Traffic (ADT): The average number of vehicles per day that enter and exit the premises or travel over a specific section of road.

Capital Improvement Plan (CIP): The municipality's proposed schedule of future projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project.

City Engineer: Any registered professional engineer hired or retained by the City of Belfast, either as staff or on a consulting basis.

Coastal Wetlands: All tidal and subtidal lands; all lands with vegetation present that is tolerant of salt water and occurs primarily in a salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous low land that is subject to tidal action during the highest tide level for the year in which an activity is proposed as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes.

Complete Application: An application shall be considered complete upon submission of the required fee and all information required by these regulations unless waived, after the Applicant's written request, by a vote by the Board. The Board shall issue a written statement to the Applicant upon its determination that an application is complete.

Comprehensive Plan: A document or interrelated documents adopted by the Legislative Body, containing the elements established under Title 30-A M.R.S.A. §4326 sub-§§ 1 to 4, including the strategies for an implementation program which are consistent with the State goals and guidelines established under Title 30-A M.R.S.A. §§4311 through 4350.

Developed Area: Any area on which a site improvement or change is made, including buildings, landscaping, parking areas, and streets.

Direct Watershed of a Great Pond: That portion of the watershed which drains directly to the great pond without first passing through an upstream great pond. For the purposes of these regulations, the watershed boundaries shall be as delineated in the comprehensive plan, or as depicted in the drainage divide data layer provided by the Maine office of GIS. Due to the scale of the map there may be small inaccuracies in the delineation of the watershed boundary. Where there is a dispute as to exact location of a watershed boundary, the Board or its designee and the Applicant shall conduct an on-site investigation to determine where the drainage divide lies. If the Board and the Applicant can not agree on the location of the drainage divide based on the on-site investigation, the burden of proof shall lie with the Applicant to provide the Board with information from a professional land surveyor showing where the drainage divide lies.

Driveway: A vehicular accessway serving not more than two lots or two dwelling units. (This is already in Chapter 66)

Dwelling unit. A room or suite of rooms used as a habitation which is separate from other such rooms or suites of rooms, and which contains independent bathing, cooking, and sleeping facilities; includes single family homes, manufactured homes, and the units in a duplex, apartment house, multifamily dwellings, and residential condominiums but not recreational vehicles.

Engineered Subsurface Wastewater Disposal System: A subsurface wastewater disposal system designed, installed, and operated as a single unit to treat and dispose of 2,000 gallons of wastewater per day or more; or any system designed to be capable of treating wastewater with higher BOD5 and total suspended solids concentrations than domestic wastewater. See Chapter 102, Article IX, Division 7 for specific standards for engineered wastewater systems for multi-family dwelling structures.

Freshwater wetland: Areas which are inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils; and are not part of a great pond, coastal wetland, river, stream or brook. Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the above criteria.

Great Pond: Any inland body of water which in a natural state has a surface area in excess of ten acres, and any inland body of water artificially formed or increased which has surface area in excess of thirty acres, except for the purposes of these regulations, where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner.

High Intensity Soil Survey: A map prepared by a Certified Soil Scientist, identifying the soil types down to 1/8 acre or less at a scale equivalent to the subdivision plan submitted. The soils shall be identified in accordance with the National Cooperative Soil Survey. The map shall show the location of all test pits used to identify the soils, and shall be accompanied by a log of each sample point identifying the textural classification and the depth to a limiting factor such as seasonal high-water table or bedrock at that location. Single soil test pits and their evaluation for suitability for subsurface waste water disposal systems shall not be considered to constitute high intensity soil surveys.

Level of Service: A description of the operating conditions a driver will experience while traveling on a particular street or highway calculated in accordance with the provisions of the *Highway Capacity Manual*, most recent edition, published by the National Academy of Sciences, Transportation Research Board. There are six levels of

service ranging from Level of Service A, with free traffic flow and no delays to Level of Service F, with forced flow and congestion resulting in complete failure of the roadway.

Multifamily Development: A subdivision which contains three or more dwelling units in the same structure, such as apartment buildings or condominiums. For zoning purposes, multifamily development includes buildings separated by fire walls such as condominiums and townhouses, even though the building code may consider these one- or two-family dwellings.

Net Developable Area: The area of a lot that does not include any of the following:

- 1) Areas of Special Flood Hazard as identified by the Federal Emergency Management Agency,
- 2) Area (land) below the normal high annual tide or normal high watermark of a waterbody,
- 3) Area (land) that would be classified as a freshwater wetland of special significance as such is defined by the State Department of Environmental Protection,
- 4) Area (land) that is part of a right-of-way or access easement that serves more than one other lot or is part of a utility easement granted to the City, Belfast Water District, Waldo County, or Central Maine Power or similar utility companies.

Net Residential Density: The number of dwelling units permitted per net developable area, which often is identified in terms of the number of dwelling units that would be permitted per net acre.

Planned Unit Development (Cluster Subdivision): A subdivision in which dimensional requirements are negotiable for good cause in return for the provision of permanent open space. See Chapter 102, Article VI, Division 1 of the City Ordinance.

Principal Structure. "Principal structure" means any building or structure in which the primary use of the premises takes place.

Professional Engineer: A professional engineer, registered in the State of Maine.

Recording Plan: An original of the Final Plan, suitable for recording at the Registry of Deeds, and which need show only information relevant to the transfer of an interest in the property, and which does not show other information presented on the plan such as sewer and water line locations and sizes, culverts, and building lines.

Sight Distance: The length of an unobstructed view from a particular access point to the farthest visible point of reference on a roadway. Used in these regulations as a reference for unobstructed road visibility.

~~Street: Is a general term denoting a public way for the purpose of vehicular travel, including the entire area with the right-of-way.~~

Street: Public and private ways such as alleys, avenues, highways, roads, and other rights-of way, as well as areas on subdivision plans designated as rights-of-way for vehicular access other than driveways.

Street, Arterial: A major thoroughfare which serves as a major traffic way for travel between and through the municipality. The following roadways shall be considered arterial streets:

- Back Belmont Road
- Back Searsport Road
- Belmont Avenue
- City Point Road

- Congress Street
- Edgecomb Road
- Field Street
- High Street
- Lincolnvill Avenue
- Main Street
- Marsh Road
- Northport Avenue
- Oak Hill Road
- Poors Mill Road
- Route 1
- Searsport Avenue
- Swan Lake Avenue
- Vine Street
- Waldo Avenue
- Waterville Road
- West Waldo Road

Street, Collector: A street with average daily traffic of 600 vehicles per day or greater, or streets which serve as feeders to arterial streets, and collectors of traffic from minor streets.

Street, Commercial or Industrial: Streets servicing industrial or primarily commercial uses.

Street, Residential: A street servicing only residential properties and which has an average daily traffic of between 250 and 900 vehicles per day.

Tract or Parcel of Land: All contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof.

Subdivision: "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5-year period, which period begins after September 23, 1971. This definition applies whether the division is accomplished by sale, lease, development, buildings or otherwise. The term "subdivision" also includes the division of a new structure or structures on a tract or parcel of land into 3 or more dwelling units or division of a structure for commercial or industrial use within a 5-year period, the construction or placement of 3 or more dwelling units on a single tract or parcel of land and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units with a 5-year period.

A. In determining whether a tract or parcel of land is divided into 3 or more lots, the first dividing of such tract or parcel is considered to create the first 2 lots and the next dividing of either of these first 2 lots, by whom ever accomplished, is considered to create a 3rd lot, unless.

1. Both dividings are accomplished by a subdivider who has retained one of the lots for the subdivider's own use as a single-family residence or for open space as defined in Title 36, Section 1102 for a period of at least 5 years prior to the 2nd dividing occurs; or

2. The division of the tract or parcel is otherwise exempt under this section.

B. The dividing of a tract or parcel and the lot or lots so made, which dividing or lots when made are not subject to this regulation do not become subject to this regulation by the subsequent dividing of that tract or parcel of land or any portion of that tract of parcel. The

Planning Board shall consider the existence of the previously created lot or lots in reviewing a proposed subdivision created by a subsequent dividing.

C. A lot of 40 or more acres shall not be counted as a lot except when the lot or parcel from which it was divided is located entirely or partially within any shoreland area as defined in Title 38, Section 435 of the shoreland zoning ordinance, for the City of Belfast.

D. A division accomplished by devise, condemnation, order of court, gift to a person related to the donor by blood, marriage, or adoption or a gift to a municipality or by the transfer of any interest in land to the owner of land abutting that land does not create a lot or lots for the purposes of this definition, unless the intent of the transferor in any transfer or gift within this paragraph is to avoid the objectives of this section. If the real estate exempt under this paragraph by a gift to a person related to the donor by blood, marriage or adoption is transferred within 5 years to another person not related to the donor of the exempt real estate by blood, marriage or adoption, then that exempt division creates a lot or lots for the purpose of this subsection.

E. The division of a tract or parcel of land into 3 or more lots and upon each of which lots permanent dwelling structures legally existed before September 23, 1971 is not a subdivision.

F. In determining the number of dwelling units in a structure, the provision of this section regarding the determination of the number of lots apply, including exemptions from the definition of a subdivision of land.

G. Notwithstanding the provisions of this section, leased dwelling units are not subject to subdivision review if the Planning Board has determined that the units are otherwise subject to municipal review at least as stringent as that required under this section.

Open Space: As described in Chapter 102 Zoning, Section 102-804 (6) c, Open space areas that are proposed to satisfy the requirements (...) above shall include features on the site that warrant preservation, such as but not limited to: large trees, tree groves, woods, ponds, streams, wetlands, floodplains, aglens, rock outcrops, steep slopes, native plant life and wildlife cover, and special wildlife areas, as well as natural areas that can be used for passive recreational activities, such as walking and hiking. In addition, open space areas can include areas for active recreational and community activities, such as but not limited to: play fields, playgrounds, pavilions, barbecue pits, agricultural fields, and similar facilities. The applicant shall consider, and if deemed warranted by the Board, create opportunities for project residents to access and use open space areas, such as by the construction of a trail system. Stormwater management facilities, such as constructed sand filters and detention or retention basins, shall not be included in the calculation of open space requirements.

CITY OF BELFAST SUBDIVISION ORDINANCE

Adopted by Belfast City Council on January 22, 1991
Amendments Adopted by Belfast City Council on January 5, 1993

CHAPTER ONE AUTHORITY, DEFINITIONS, ADMINISTRATION, PRELIMINARY AND FINAL APPROVAL, REVISIONS AND ENFORCEMENT

Section I - Authority:

This ordinance is being adopted Pursuant to and consistent with Maine Revised Statues Title 30A, Chapter II, Subchapter IV.

Section II - Purposes:

The purpose of this subdivision ordinance is to encourage the most appropriate use of land, provide for the orderly development of the City and protect and preserve the health, safety, and general welfare of the citizens of the City of Belfast including the future occupants of such subdivisions, whether residential, commercial, or industrial.

Section III - Definitions:

1. **Densely developed area.** "Densely developed area", means any commercial, industrial, or compact residential area of 10 or more acres with an existing density of at least one principal structure per 2 acres.
2. **Dwelling unit.** "Dwelling unit" means any part of a structure which, through sale or lease, is intended for human habitation, including single-family and multifamily housing, condominiums, apartments and time-share units.
3. **Freshwater wetland.** "Freshwater wetland" means freshwater swamps, marshes, bogs and similar areas which are:
 - A. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils; and
 - B. Not considered part of a great pond, coastal wetland, river, stream or brook.

These areas may contain small stream channels or inclusions of land that do not conform to the criteria of this subsection.

- 4. **Principal Structure.** "Principal structure" means any building or structure in which the main use of the premises takes place.

- 5. **Subdivision.** "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5-year period, which period begins after September 23, 1971. This definition applies whether the division is accomplished by sale, lease, development, buildings or otherwise. The term "subdivision" also includes the division of a new structure or structures on a tract or parcel of land into 3 or more dwelling units or division of a structure for commercial or industrial use within a 5-year period, the construction or placement of 3 or more dwelling units on a single tract or parcel of land and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units with a 5-year period.
 - A. In determining whether a tract or parcel of land is divided into 3 or more lots, the first dividing of such tract or parcel is considered to create the first 2 lots and the next dividing of either of these first 2 lots, by whom ever accomplished, is considered to create a 3rd lot, unless.
 - 1. Both dividings are accomplished by a subdivider who has retained one of the lots for the subdivider's own use as a single-family residence or for open space as defined in Title 36, Section 1102 for a period of at least 5 years prior to the 2nd dividing occurs; or
 - 2. The division of the tract or parcel is otherwise exempt under this section.

 - B. The dividing of a tract or parcel and the lot or lots so made, which dividing or lots when made are not subject to this regulation do not become subject to this regulation by the subsequent dividing of that tract or parcel of land or any portion of that tract of parcel. The Planning Board shall consider the existence of the previously created lot or lots in reviewing a proposed subdivision created by a subsequent dividing.

 - C. A lot of 40 or more acres shall not be counted as a lot except:
 - 1. When the lot or parcel from which it was divided is located entirely or partially within any shoreland area as defined in Title 38, Section 435 of the shoreland zoning ordinance, for the City of Belfast.

 - D. A division accomplished by devise, condemnation, order of court, gift to a person related to the donor by blood, marriage, or adoption or a gift to a municipality or by the transfer of any interest in land to the owner of land abutting that land does not create a lot or lots for the purposes of this definition, unless the intent of the transferor in any transfer or gift within this paragraph is to avoid the objectives of this section. If the real estate exempt under this paragraph by a gift to a person

related to the donor by blood, marriage or adoption is transferred within 5 years to another person not related to the donor of the exempt real estate by blood, marriage or adoption, then that exempt division creates a lot or lots for the purpose of this subsection.

- E. The division of a tract or parcel of land into 3 or more lots and upon each of which lots permanent dwelling structures legally existed before September 23, 1971 is not a subdivision.
 - F. In determining the number of dwelling units in a structure, the provision of this section regarding the determination of the number of lots apply, including exemptions from the definition of a subdivision of land.
 - G. Notwithstanding the provisions of this section, leased dwelling units are not subject to subdivision review if the Planning Board has determined that the units are otherwise subject to municipal review at least as stringent as that required under this section.
6. **New structure or structures.** "New structure or structures" includes any structure for which construction begins on or after September 23, 1988. The area included in the expansion of an existing structure is deemed to be a new structure for the purposes of this ordinance.
 7. **Tract or parcel of land.** "Tract or parcel of land" means all contiguous land in the same ownership, provided that lands located on opposite side of a public or private road are considered each a separate tract or parcel of land unless the road was established by the owner of land on both sides of the road.
 8. **Outstanding river segments.** (See 12 MRSA Section 402)
 9. **Wetland** as defined by U.S. Corp of Army Engineers, U.S. Environmental Protection Agency and Maine Department of Environmental Protection.

Section IV-Exceptions

This Ordinance does not apply to:

1. **Previously approved subdivision.** Proposed subdivisions approved by the planning board or the municipal officials before September 23, 1971 in accordance with the laws then in effect;
2. **Previously existing subdivisions.** Subdivision in actual existence on September 23, 1971 that did not require approval under prior law; or
3. **Previously recorded subdivisions.** A subdivision, a plan of which had been legally recorded in the proper registry of deeds before September 23, 1971.

Section V - Municipal Review & Regulation

This section governs municipal review of proposed subdivisions.

1. Municipal reviewing authority. The Planning Board shall review all requests for subdivision approval. On all matters concerning subdivision review, the Planning Board shall maintain a permanent record of all its meetings, proceedings and correspondence.

A. Joint Meetings. If any portion of a subdivision crosses municipal boundaries, the reviewing authorities from each municipality shall meet jointly to discuss the application.

2. Regulations: review procedure. The Planning Board may after a public hearing, adopt additional reasonable regulations governing subdivisions which shall control until amended, repealed or replaced by regulations adopted by the Planning Board or superseded by ordinance change City Council action. The Planning Board shall give at least 7 days notice of this hearing.

A. These regulations provide for a two stage application review procedure.

1. Preliminary plan; and

2. Final Plan.

Each stage shall meet the time requirements of section 4 and 5.

3. Application. Notice: completed application. This section governs the procedure to be followed after receiving an application for a proposed subdivision.

A. When an application and application fee is received, the Code Enforcement Officer shall give a dated receipt to the applicant and shall notify by mail all abutting property owners of the proposed subdivision, and the clerk and the reviewing authority of municipalities that abut or include any portion of the subdivision, specifying the location of the proposed subdivision and including a general description of the project.

B. Within 30 days after receiving an application, the Code Enforcement Officer shall notify the applicant in writing either that the application is a complete or, if the application is incomplete, indicate the specific additional material needed to complete the application.

C. After the Code Enforcement Officer has determined that a complete application has been filed, it shall notify the applicant and the Planning Board shall begin its full evaluation of the proposed subdivision. The applicant shall file 12 copies of all material to be submitted to the Planning Board for their review.

4. **Public hearing:** order. If the Planning Board decides to hold a public hearing on an application for subdivision approval, it shall hold the hearing within 30 days after the Code Enforcement Officer has determined that he has received a complete application. The municipal reviewing authority shall give notice of the date, time and place of the hearing:
 - A. To the applicant; and
 - B. Published, at least 2 times, in a newspaper having general circulation in the municipality in which the subdivision is proposed to be located. The date of the first publication must be at least 7 days before the hearing.

5. **Decision: time limits.** The Planning Board shall, within 30 days of a public hearing or, if no hearing is held within 60 days of determining it has received a complete application or within any other time limit that is otherwise mutually agreed to, issue an order:
 - A. Denying approval of the proposed subdivision;
 - B. Granting approval of the proposed subdivision; or
 - C. Granting approval upon terms and condition that it consider advisable to:
 1. Satisfy the criteria listed in Section VII.
 2. Satisfy any other regulations adopted by the reviewing authority; and
 3. Protect and preserve the public's health, safety and general welfare.

6. **Burden of proof; findings of fact.** In all instances, the burden of proof is upon the person proposing the subdivision. In issuing its decision, the reviewing authority shall make findings of fact establishing that the proposed subdivision does or does not meet the criteria described in Section VII.

Section VI - Submission for Preliminary Plan.

The applicant shall submit 12 copies of the preliminary plan and 12 copies of any material that is to be considered with this plan. The following are to be included with this plan.

1. Soil information on the property to be subdivided.
2. U.S. Geological contour map for the property to be subdivided.
3. Soil test information for each proposed lot, for sub-surface wastewater disposal system unless not required by the Board.
4. List of all abutters with mailing address.
5. A statement from the Water District as to availability of City Water, if City Water is to be used.

6. Copy of letter to M.S.A.D. 34 notifying them of the number of units in the proposed subdivision.
7. Letter from Sewerage Treatment Plant regarding "capacity" if City sewer is to be used.
8. Letter from Highway Supt, regarding availability of sewer lines to tie into, if applicable.
9. Copy of draft of Proposed Covenants and Restrictions to be placed upon the subdivision, if any. Copy of existing covenants, restrictions or easements on land to be subdivided.
10. Plan shall include:
 - a. Proposed lots.
 - b. Proposed lots are to be numbered and lot dimensions and area to be noted.
 - c. Name of subdivision, file# (which will be assigned when application is determined to be complete & fee has been paid).
 - d. Owner of subdivision.
 - e. Boundary survey, of the proposed subdivision and the parcel from which the subdivision is created if created by deed within two years prior to the application.
 - f. Location of existing structures
 - g. Location of any ponds, stream, wetlands, freshwater, wetland and flood hazard areas (if applicable).
 - h. Location of shoreland zone limit (if applicable.)
 - i. Map and lot number from Assessor's Tax Map.
 - j. Names of all abutters noted on the Plan.
 - k. Book and page number (Waldo County Registry of Deeds) of the property to be subdivided.
11. A copy of current deed and evidence of legal standing.
12. A letter from the tax office shall be submitted stating that all taxes on the parcel of land being subdivided have been paid. (*Amendment Adopted April 7, 1998, Council Order # 59*)

Section VII - Review Criteria

When adopting any subdivision regulations and when reviewing any subdivision for approval, the municipal reviewing authority shall consider the following criteria and, before granting approval, must determine that:

1. **Pollution.** The proposed subdivision will not result in undue water or air pollution. In making this determination, it shall at least consider:

- A. The elevation of land above sea level and its relation to the flood plains;
 - B. The nature of soils and subsoils and their ability to adequately support waste disposal;
 - C. The slope of the land and its effect on effluents;
 - D. The availability of streams for disposal of effluents; and
 - E. The applicable state and local health and water resource rules and regulations.
2. **Sufficient water.** The proposed subdivision has sufficient water available for the reasonable foreseeable need of the subdivision.
 3. **Municipal water supply.** The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used.
 4. **Erosion.** The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
 5. **Traffic.** The proposed subdivision will not create unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed.
 6. **Sewage disposal.** The proposed subdivision will provide for adequate sewage.
 7. **Municipal solid waste and sewage disposal.** The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste and sewage, if municipal services are to be utilized.
 8. **Aesthetic, cultural and natural values.** The proposed subdivision will not have an undue adverse effect of the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
 9. **Conformity with local ordinances and plans.** The proposed subdivision conforms with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan, if any. In making this determination, the Planning Board may interpret these ordinances and plans.
 10. **Financial and technical capacity.** The subdivider has adequate financial and technical capacity to meet the standards of this section.
 11. **Surface water; outstanding river segments.** Whenever situated entirely or

partially within the watershed of any pond or lake or within 250 feet of wetland, freshwater wetland, great pond or river as defined in Title 38, Chapter 3, Subchapter I, Article 2-B1, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

A. When lots in a subdivision have frontage on an outstanding river segment, the proposed subdivision plan must require principal setback from the normal high-water mark of 500 feet.

1. To avoid circumventing the intent of this provision, whenever a proposed subdivision adjoins a shoreland strip narrower than 250 feet which is not lotted, the proposed subdivision shall be reviewed as if lot lines extended to the shore.

2. The frontage and set-back provisions of this paragraph do not apply either within areas zoned as general development or its equivalent shoreland zoning, Title 38, Chapter 3, Subchapter I, Article 2-B, or within areas designated by ordinance as densely developed. The determination of which areas are densely developed must be based on a finding that existing development met the definition requirements of Section III of this Chapter.

12. Ground water. The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.

13. Flood areas. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant, whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plot approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least two feet above the 100-year flood elevation.

14. Storm Water. The proposed subdivision will provide for adequate stormwater management.

15. River, stream or brook. Any river, stream or brook within or abutting the proposed subdivision shall be identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in Title 38, Section 480-B, Subsection 9.

16. Freshwater wetlands. All freshwater wetlands/wetlands within 250 ft. of the proposed subdivision shall be identified on any maps submitted as part of the application, regardless of the size of these wetlands.

17. **Spaghetti-lots.** Spaghetti lots as defined in 30-A MRSA Section 4404 (17) or subsequent amendment shall be prohibited. No lot in a subdivision may have a spaghetti lot unless the Planning Board shall specifically find there is a necessity to create said lot based upon historical lot orientation.
18. The subdivision must comply with the general standards of Chapter Two through Five of the Subdivision Ordinance.

Section VIII - Final Plan.

Following notification from the Planning Board of its findings, the subdivider may proceed with the development of a final plan as outlined below and shall include any other specific information requested by the Planning Board. This final plan must be submitted within ninety (90) days after the Planning Board has granted preliminary approval and at least fourteen (14) days prior to a regular planning board meeting. The Planning Board may grant an extension of up to 90 days.

1. The final plan submitted for review shall consist of 12 prints of the final plan with a scale of not less than 100 feet to the inch and contained on prints which are 24" x 36" and containing the following:
 - A. Name of Subdivision.
 - B. Name of City.
 - C. Name of owner.
 - D. Name of engineer and/or land surveyor with license number and seal of each.
 - E. Map & lot number reference to Assessor's tax map and lot number.
 - F. Book & page number from Waldo County Registry of Deeds of the property within the subdivision.
 - G. Boundaries of entire tract from which the subdivision is or was part within 2 years next prior to filing the subdivision application.
 - H. Name of abutting land owners.
 - I. Scale
 - J. Date
 - K. Designation of true north or magnetic north.

- L. Lines, dimensions, area and designation of each proposed lot and any public or common area within the subdivision and those areas, title to which, is reserved by the subdivider.
 - M. Sufficient data to determine readily the location, bearing and length of every lot line, street & way line, boundary line and to reproduce such lines upon the ground. Where applicable, these should be referred to monuments included in the state system of plane coordinates, and in any event should be tied to reference points previously established by a public authority (e.g. a street).
 - N. Name, location, width, radius of curves of all proposed and existing highways, roads and streets. All dimensions shall be shown in feet and decimals of a foot.
 - O. Location of features, natural and man-made, affecting the subdivision, such as water bodies, streams, swamps, wooded areas, railroads, ditches, buildings, wetlands, freshwater wetlands, etc.
 - P. Location of utilities - water, sewer, electric, telephone, etc., with description of each.
 - Q. Any covenants or deed restrictions intended to cover all or part of the subdivision.
 - R. Permanent reference markers set at all corners and angle points of the boundaries of the original tract to be subdivided. All lot corner markers shall permanently located and shall be in compliance with Chapter One Section IX,E,2, of this ordinance.
 - S. List any Subdivision Restrictions.
 - T. Suitable space to record, on the plan, final approval by the Planning Board, with conditions if any, and the date of such approval as follows:
 - U. Road names require approval of City.
2. The final plan must be recorded by the applicant at the Waldo County Registry of Deeds within 30 days of final plan approval or prior to the sale of any lot.
 3. In addition to the 12 copies submitted the applicant shall bring the following copies for signature:
 - 2 mylars (1 for registry and 1 for City)
 - 4 paper prints (1 for Assessor, 1 Counter file, 1 Subdivision file and 1 for Registry).

Section IX - Enforcement

The municipality or the Code Enforcement Officer may institute proceedings to prosecute or enjoin a violation of this ordinance.

1. Sales or other conveyances. No person may sell, lease, develop, build upon or convey for consideration, or offer or agree to sell, lease, develop, build upon or convey for consideration any land or dwelling unit in a subdivision which has not been approved by the municipal reviewing authority of the municipality where the subdivision is located and recorded in the proper registry of deeds.
 - A. No registrar of deeds may record any subdivision plat or plan which has not been approved under this ordinance. Approval for the purpose of recording must appear in writing on the plat or plan. All subdivision plats and plans required by this ordinance must contain the name and address of the person under whose responsibility the subdivision plat or plan was prepared.
 - B. Whenever the initial approval or any subsequent amendment of a subdivision is based in part on the granting of a variance from any applicable subdivision approval standards, that fact shall be expressly noted on the face of the subdivision plan to be recorded in the registry of deeds.
 1. In the case of an amendment, if no amended plan is to be recorded, a certificate shall be prepared in recordable form and recorded in the registry of deeds. This certificate shall:
 - a. Indicate the name of the current property owner;
 - b. Identify the property by reference to the last recorded deed in its chain of title; and
 - c. Indicate the fact that a variance, including any conditions on the variance, has been granted and the date of the granting.
 2. The variance is not valid until recorded as provided in this paragraph. Recording must occur within 90 days of the final subdivision approval or the variance is void.
 - C. No Code Enforcement Officer may issue any permit for a building or use within a land subdivision unless the subdivision has been approved under this ordinance and unless all conditions of the approval has been met.
 - D. Any person who sells, leases, develops, builds upon, or conveys for consideration, offers or agrees to sell, lease, develop, building upon or convey for consideration any land or dwelling unit in a subdivision which has not been approved under this ordinance shall be penalized in accordance with 30 A M.R.S.A. Section 4452, as from time to time amended or recodified.

- E. Any person who after receiving approval from the Planning Board and recording the plan at the registry of deeds, constructs or develops the subdivision, or transfers any lot, in a manner other than depicted on the approved plans or amendments shall be penalized in accordance with 30 A M.R.S.A., as from time to time amended or recodified.
- 2. **Permanent marker required.** No person may sell or convey any land in an approved subdivision unless all permanent markers are set at each lot corner of the lot sold or conveyed. The term "permanent marker" includes but is not limited to, the following:
 - A. A granite monument;
 - B. A concrete monument;
 - C. An iron pin
 - D. A drill hole in ledge
- 3. **Utility installation.** No public utility, water district sanitary district or any utility company of any kind may install services to any lot or dwelling unit in a subdivision, unless written authorization attesting to the validity and currency of all local permits required under this chapter has been issued by the appropriate municipal officials. Following installation of service, the company or district shall forward the written authorization to the municipal officials indicating that installation has been completed.

Section X - Revision to existing plat or plan

Any application for subdivision approval which constitutes a revision or amendment to a subdivision plan which has been previously approved shall indicate that fact on the application and shall identify the original subdivision plan being revised or amended. In reviewing such application, the municipal reviewing authority shall make findings of fact establishing that the proposed revisions do or do not meet the criteria of Section VII.

- 1. **Recording.** If a subdivision plat or plan is presented for recording to a register of deeds and that plat or plan is a revision or amendment to an existing plat or plan, the register shall:
 - A. Indicate on the index for the original plat or plan that it has been superseded by another plat or plan;
 - B. Reference the book and page or cabinet and sheet on which the new plat or plan is recorded; and
 - C. Ensure that the book and page or cabinet and sheet on which the original plat or plan is recorded is referenced on the new plat or plan.

Section XI COST

Fee to be determined by the Belfast City Council.

CHAPTER TWO GENERAL STANDARDS

In reviewing applications for a subdivision, the Planning Board shall consider the following general standards and make findings that each has been met prior to the approval of a Final Plan. In all instances the burden of proof shall be upon the applicant.

Section I. Conformance with Comprehensive Plan

All proposed subdivisions shall be in conformity with the Comprehensive Plan of the City of Belfast and with the provisions of all pertinent federal, state and local codes, ordinance, rules and/or regulations.

Section II. Land not Suitable for Development

The following shall not be included in the calculations of lot area for the purpose of meeting the requirements of the Minimum Lot Size Law.

1. Land which is situated below the normal high water mark of any water body.
2. Land which is located within 100 year frequency flood plains as identified by the Federal Emergency Management Agency or the Department of Housing and Urban Development, Flood Insurance Administration, unless the subdivider shows proof through the submittal of materials prepared by a Registered Land Surveyor which show that the property in question lies at least two feet above the 100 year flood level. The elevation of filled or made land shall not be considered. See City of Belfast Flood Management Ordinance.
3. Land which is part of a right-of-way, or easement, including utility easements.
4. Land which has a water table within ten inches of the surface for a least three months of the year as identified by the County Soil Survey. The Board may use such lands in the lot area calculations if municipal sewage collection and treatment is provided and if the lot(s) are to be deed restricted to prohibit buildings with basements or require basement floor elevations one foot above the seasonal water table.
5. Land that has been created by filling or draining a pond or wetland.
6. Land meeting the definition of wetland or freshwater wetland as defined in this ordinance.

Section III Lots

1. All lots shall meet the minimum requirements of the Belfast Zoning Ordinance for the zoning district in which they are located. The lot configuration should be designed to allow maximum access to solar energy on building sites with suitable orientation.

2. Lot configuration and area shall be designed to provide for adequate off-street parking and service facilities based upon the type of development contemplated. Wherever practicable parking areas shall be laid out to coincide with building locations to maximize solar energy gain of the building.
3. Lots with multiple frontages shall be avoided wherever reasonably practical.
4. The subdivision of tracts into parcels with more than twice the required minimum for lot size be laid out in such a manner as either to provide for or preclude future re-subdivision.
5. Where public utilities could be extended to the subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.
6. No re-subdivision of any lot in an approved subdivision or change in boundary of any lot in an approved subdivision shall be permitted without Planning Board approval.
7. If a lot on one side of a stream, tidal water, road or other similar barrier fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the stream, tidal water or road to meet the minimum lot size.
8. The ratio of lot length to width shall not be more than five to one. Flag lots and other odd shaped lots on which narrow strips are joined to other parcels in order to meet minimum lot size requirements or to defeat the intent of this ordinance are prohibited.

Section IV Electrical Utilities

Electrical Utilities must be noted on the plan and installed at the expense of the developer.

Section V Water Supply

1. When a subdivision is to be served by a public water system, the complete supply, including fire hydrants, shall be installed at the expense of the subdivider.
 - A. The subdivider shall provide a written statement from the Belfast Water District that adequate water for both domestic both domestic and fire fighting purposes can be provided without placing an undue burden on the source, facilities or distribution system involved. The subdivider shall be responsible for paying the costs of system improvement necessary to serve the subdivision. The Planning Board may authorize the Belfast Water District Engineer to review and report on the water supply system submitted by the subdivider.
 - B. The size and location of mains, gate valves, hydrants and service connections shall be reviewed and approved in writing by the Belfast Water District and the

Fire Chief.

- C. Fire hydrants shall be installed as determined by the Planning Board following consultation with the Fire Chief.
2. When the location of a subdivision does not allow for a financially reasonable connection to a public water supply system, the Board may allow the use of individual wells or a private community water system.
 - A. Dug wells shall be permitted only if it is demonstrated to be not feasible to develop other ground water sources, and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.
 - B. If a central water system is provided by the subdivider, the location and protection of the source, and the design, construction and operation of the system and shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 ACME 231 as from time to time amended or recodified).
 - C. The subdivider may be required to construct ponds and dry hydrants to provide for adequate water storage for fire-fighting purposes. An easement shall be granted to the municipality granting access to and maintenance of the dry hydrants where necessary.
 3. The Planning Board may authorize the Belfast Water District Engineer to review and report on the water supply system submitted by the subdivider.

Section VI Sewage Disposal

1. Public System

- A. A sanitary sewer system shall be installed at the expense of the subdivider when there is a public sanitary sewer line located within 1000 feet of the proposed subdivision at its nearest point. The applicant shall provide the Planning Board with a certificate from the Belfast Wastewater Treatment Plant Supervisor that there is currently sufficient capacity to service the subdivision as proposed. In addition, the applicant shall provide the Planning Board with a certificate from the Belfast Highway Department Superintendent, that in the opinion of the Belfast Highway Department, the collection and transmission facilities proposed to be constructed and utilized providing service to the subdivision, are adequate for the proposed division. Prior to obtaining the certification aforementioned, the applicant shall make certification as above provided, with construction plans showing installation of the sewer lines and all related facilities that will need to be installed to service the proposed subdivision. The submission shall initially be made to the Planning Board or to the Code Enforcement Officer. No certification

as above shall be considered by the Planning Board unless the certification has been made subsequent to review by the Plant Supervisor and Belfast Highway Department Supervisor of said plans.

- B. The Planning Board may have an independent engineer review and approve in writing the construction drawings for the sewage system. These plans shall also be subject to the review of the Supt. of the Highway Department.

2. Private System

- A. The developer shall submit evidence of soil suitability for sub-surface sewage disposal prepared by a Maine Licensed Site Evaluator in full compliance with the requirements of the State of Maine Sub-surface Wastewater Disposal Rules. In addition, on lots in which the limiting factor has been identified as being within 24 inches of the surface, a second site with suitable soils shall be shown as a reserve area for future replacement of the disposal area. The reserve area shall be shown on the plan and restricted so as not to be built upon. No subsurface wastewater disposal sewer system shall be permitted off the lot.
- B. In no instance shall a disposal area be permitted on soils or on a lot which requires a New System Variance from the Sub-surface Wastewater Disposal Rules.
- C. Separation distance between all wells and subdivision wastewater disposal system shall be a minimum of 100 feet.

Section VII Surface Drainage

The storm water management plan submitted in accordance with Chapter Three, Section IV shall be installed.

Section VIII Land Features

- 1. Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
- 2. To prevent soil erosion in shoreline areas, tree cutting in the strip extending one hundred feet inland from any such areas or boundaries be limited in accordance with the following.
 - A. The Belfast Shoreline Zoning Ordinance and applicable Maine State Statutes.

Section IX Construction in Flood Hazard Areas.

When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency, the plan shall indicate that all principal structures on lots in the subdivision shall be constructed with their lowest floor, including

the basement, two feet above the 100 year flood elevation. Such a restriction shall be included in the deed to any lot which is included or partially included in the flood hazard area.

Section X Impact on Ground Water

1. When a hydrogeologic assessment is submitted or requested the assessment shall contain at least the following information.
 - A. A map showing the basic soils types.
 - B. The depth to the water table at representative points throughout the subdivision.
 - C. Drainage conditions throughout the subdivision.
 - D. Data on the existing ground water quality, either from test wells in the subdivision or from existing wells on neighboring properties.
 - E. An analysis and evaluation of the effect of the subdivision on ground water resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the subdivision, at the subdivision boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance. For subdivisions within watershed of a pond, projections of the subdivision's impact on found water phosphate concentrations shall also be provided.
 - F. A map showing the location of any existing sub-surface wastewater disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries.

Section XI Access Control and Traffic Impacts

1. General. Provision shall be made for vehicular access to the subdivision and circulation within the subdivision in such a manner as to safeguard against hazards to traffic and pedestrians in existing streets and within the subdivision, to avoid traffic congestion on any streets and within the subdivision. More specifically, access and circulation shall also conform to the following standards and the design criteria below.
 - A. The vehicular access to the subdivision shall be arranged to avoid traffic use of existing local residential streets.
 - B. Where a lot has frontage on two or more streets, the access to the lot shall be provided to the lot across the frontage to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.

- C. The street giving access to the subdivision and neighboring streets which can be expected to carry traffic to and from the subdivision shall have traffic carrying capacity and be suitably improved to accommodate the amount and types of traffic generated by the proposed subdivision. No subdivision shall increase the volume capacity ratio to any street above 0.9 nor reduce the street's Level of Service to "D" or below. (See Belfast Zoning Ordinance Appendix Guidelines for Traffic "A").
- D. Where necessary to safeguard hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage roads, and traffic controls within public streets.
- E. Access ways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street.
- F. Where topographic and other conditions allow, provision shall be made for circulation access connections to adjoining lots of similar existing or potential use:
 - a. when such access connection will facilitate fire protection services as approved by the Fire Chief; or
 - b. when such access will enable the public to travel between two existing or potential uses, generally open to the public, without need to travel upon a street.

2. Subdivision Access Design for Subdivisions entering onto Arterial Streets.

When access to a subdivision is a street, the street design and construction standards of Chapter Three shall be met. Where there is a conflict between the standards in this section and the standards of chapter three the stricter or more stringent shall apply.

- A. General. Access design shall be based on the estimated volume using the access classification defined below. (Trips per day shall be determined on conjunction with trip generation rates for common land use categories. See Belfast Zoning ordinance Appendix "Guidelines for Traffic, Section A).
 - a. Low volume Access: Less than 25 vehicle trips per day.
 - b. Medium Volume: Any access that is not a low volume or high access.
 - c. High Volume: Peak hour volume of 400 vehicles or great
- B. Sight distances. Accesses shall be designed in profile and grading and located to provide the required sight distance measured in each direction. Sight distances shall

be measured from the driver's seat of a vehicle standing on that portion of a vehicle standing on that portion of the exit with the front of the vehicle a minimum of 10 feet behind the curb line or edge of shoulder, with the height of the eye 3-1/2 feet, to the top of an object 4-1/2 feet above the pavement. The required sight distances are listed below for various posted speed limits.

- a. Two Lane Roads. A sight distance of ten feet for each mile per hour of posted limit shall be maintained or provided.
- b. Four Lane Roads. The sight distance provided below are based on passenger cars existing from accesses onto four lane roads and are designed to enable exiting vehicles.
 1. Upon turning left or right to accelerate to the operating speed of the street without causing approaching vehicles to reduce speed by more than 10 miles per hour, and
 2. Upon turning left, to clear the near half of the street without conflicting with vehicles approaching from the left. (See appendix "A")
 3. Vertical Alignment. Accesses shall be flat enough to prevent the dragging of any vehicle undercarriage. Low volume accesses shall slope upward or downward from the gutter line on a straight slope of 2 percent or less for at least 25 feet followed by a slope of no greater than 10 percent for the next 50 feet. The maximum grade over the entire length shall not exceed 15 percent. Medium and high volume accesses should slope upward or downward from the gutter line on a straight slope of 2 percent or less for at least 25 feet. Following this landing area, the steepest grade on the access shall not exceed 8 percent.
 4. Low Volume Access.
 - a. Skew angle. Low volume accesses shall be two-way operation and shall intersect the road at an angle as nearly 90 degrees as site conditions permit, but in no case less than 6- degrees.
 - b. Curd Radius. The curb radius shall be between 5 feet and 15 feet, with a preferred radius of 10 feet.
 - c. Access Width. The width of the access shall be 20 feet.
 - d. Curb-cut Width. Curb-cut width shall be between 22 feet and 35 feet, with a preferred width of 25 feet.
 5. Medium Volume Accesses.

a. Skew Angle. Medium volume Accesses shall be either one-way or two-way operation and shall intersect the road at an angle as nearly 90 degrees as site conditions permit, but in no case less than 60 degrees.

b. Curb Radius. Curb radius will vary depending if the access is one-way or two-way operation. On a two-way access the curb radii shall be between 25 feet and 40 feet, with a preferred radius of 30 feet, On one-way accesses, the curb radii shall be 30 feet for right turns into and out of the site, with a 5 foot radius on the opposite curb.

c. Width. On a two-way access the width shall be between 24 and 26 feet, with a preferred width of 26 feet, however where truck traffic is anticipated the width may be no more than 30 feet. On a one-way access the width shall be between 16 feet and 20, with a preferred width of 16 feet.

d. Curb-Cut Width. On a two-way access the curb-cut width shall be 35 feet unless the curb-cut servicing the subdivision with the intention of the road to be taken over by the City, the curb-cut shall be determined by the Belfast City Council.

6. High Volume Accesses.

a. Skew Angle. High Volume Accesses shall intersect the road at an angle as nearly 90 degrees as site conditions permit, but in no case less than 60 degrees.

b. Curb Radius. Without channelization islands for right turn movements into and out of the site, the curb radii shall be between 30 feet and 50 feet. With channelization islands, the curb radii shall be between 75 feet and 100 feet.

c. Curb Cut Width. Without channelization, curb-cut width shall be between 106 feet and 162 feet with a preferred width of 154 feet. With channelization, the curb-cut width shall be between 196 feet and 262 feet with a preferred width of 254 feet.

d. Entering and exiting accesses shall be separated by a raised median which shall be between 6 feet and 10 feet in width. Medians separating traffic flows shall be no less than 25 feet in length, with a preferred length of 100 feet.

e. Width. Access widths shall be between 20 feet and 26 feet on each side of the medium, with a preferred width of 24 feet. Right turn only lanes established by a channelization island shall be between 16 feet and 20 feet, with a preferred width of 20 feet.

f. Appropriate traffic control signage shall be erected at the intersection of the access and the street and on medians and channelization islands.

7. Special case Access. Special Care Accesses are one-way or two-way drives serving median or high volume uses with partial access right turn only permitted. These accesses are appropriate on roadway segments where there is a raised median and no median breaks are provided opposite the proposed access. These accesses are usually located along the approaches to major signalized intersections where a raised median may be provided to protect left-turning vehicles and separate opposing traffic flows, such access shall be subject to acceptance of the Belfast City Council.

a. Perpendicular driveways.

(1) Curb Radii Curb Radii shall be between 30 feet and 50 feet, with a preferred radius of 50 feet.

(2) Access Width. Access width shall be between 26 feet and 30 feet with a preferred width of 30 feet. On two-way accesses, a triangular channelization island shall be provided at the intersection with the street. On each side of the island the one-way drive shall be between 15 feet and 24 feet with a preferred width of 20 feet.

(3) Curb-Cut Widths. The total curb-cut width shall be between 86 feet and 130 feet with a preferred width of 130 feet.

(4) Channelization island. The channelization island on two-way accesses shall be raised and curbed. Corner radii shall be 2 feet.

b. Skewed Accesses.

(1) Skew Angle. The skew angle shall be between 45 degrees and 60 degrees, with a preferred angle of 45 degrees.

(2) Curb Radii. Curb Radii shall be between 30 feet and 50 feet on the obtuse side of the intersection, with a preferred radius of 30 feet. Curb radii shall be between 5 feet and 10 feet on the acute side of the intersection with a preferred radius of 5 feet.

(3) Access width. The width of the access shall be between 15 feet and 24 feet with a preferred width of 20 feet. When entering and exiting accesses meet, the width shall be between 24 feet and 30 feet, with a preferred width of 30 feet.

(4) Curb-cut width. The curb-cut width for each access shall be between 35 feet and 75 feet with a preferred width of 42 feet.

3. Access Location and Spacing.

- A. Minimum Corner Clearance. Corner clearance shall be measured from the point of tangency (PT) for the corner to the point of tangency for the access. In general the maximum corner clearance should be provided as practical based on site constraints. Minimum corner clearances are listed based upon access or minor street volume and intersection type. (See Appendix “B”)

Where the minimum standard for a full access drive cannot be met, only special case access shall be permitted. If based on the above criteria, full access to the site cannot be provided on either the major or minor streets, the site shall be restricted to partial access. Alternately, construction of a shared drive with an adjacent parcel is recommended.

- B. Access Spacing. Access and street intersections shall be separated from adjacent accesses, street property lines in the table, in order to allow major through routes to effectively serve their primary function of conducting through traffic. This distance shall be measured from access point to tangency to the access point of tangency for spacing between accesses and from access point of tangency for spacing between accesses and from access point of tangency to a projection of the property line at the edge of the roadway for access spacing to the property line.
See Appendix “C”.

4. Number of Accesses. The number of accesses onto a single street is controlled by the available sites frontage and the table. In addition, the following criteria shall limit the number of accesses independent of frontage length.

- A. No low volume traffic generator shall have more than one two-way access onto a single roadway.
- B. No medium or high volume traffic generator shall have more than two-way accesses or three accesses in total onto a single roadway.

5. Construction Materials/Paving

- A. All accesses entering a curbed street shall be curbed with materials matching the street curbing. Sloped curbing is required around all raised channelization islands or medians.
- B. Paving requirement shall be determined by the Planning Board by taking into consideration:
 - a. traffic use
 - b. road length
 - c. sloped

- d. other factors deemed relevant in determining appropriate paving.

CHAPTER THREE STREET AND STORM DRAINAGE CONSTRUCTION STANDARDS

Section I General Requirements

1. The Planning Board shall not approve any subdivision unless proposed streets and storm water management systems are designed in accordance with the Belfast Zoning ordinance and/or the specifications contained in this ordinance. Approval of the Final Plan by the Board shall not be deemed to constitute or be evidence of acceptance by the City of Belfast of any street or easement.
2. Subdividers shall submit to the Board, as part of the Final Plan, detailed construction drawings showing a plan view, profile, and typical cross-section of the proposed streets and existing streets within 300 feet of any proposed intersections. The plans shall include the following information.
 - A. Date, scale, and magnetic or true north point.
 - B. Intersections of the proposed streets with existing streets.
 - C. Roadway and right-of-way limits, including edge of pavement, edge of shoulder, sidewalks and curbs.
 - D. Kind, size, location, material, profile and cross-section of all existing and proposed drainage structures, streets and their location with respect to the existing natural waterways and proposed drainage ways.
 - E. Complete curve data shall be indicated for all horizontal and vertical curves.
 - F. Turning radii at all intersections.
 - G. Centerline gradients.
 - H. Locations of all existing overhead and underground utilities to include but not be limited to water, sewer, electricity, telephone, lighting, and cable television.
3. Where the subdivider proposes improvements within existing public streets, the proposed design and construction details shall be approved in writing by the Highway Superintendent or the Maine Department of Transportation, as appropriate.

4. Where the subdivision streets are to remain private roads, the following words shall appear on the recorded plan.

“ All roads in this subdivision shall remain private roads to be maintained by the developer or the lot owners and shall not be accepted or maintained by the City.

Section II Street Design Standards

1. These design standards shall be met by all streets within subdivisions, and shall control the roadway, shoulders, curbs, sidewalks, drainage systems, culverts, and other appurtenances.
2. Streets shall be designed to discourage through traffic on minor streets within a residential subdivision.
3. Where a subdivision borders an existing narrow street (not meeting the width requirements of the standards for streets in these regulations) or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land in the subdivision, the plan shall indicate reserved areas for widening or realigning the road marked “Reserved for Road Realignment (Widening) Purposes.” Land reserved for such purposes may not be included in computing lot area or setback requirements of the Zoning Ordinance. When such widening or realignment is indicated on the Official Map, the reserve area shall not be included in any lot, but shall be reserved to be deeded to the City or State.
4. Any subdivision expected to generate average daily traffic of 200 trips per day or more, shall have at least two street connections with existing public streets, streets shown on an Official Map, or streets on an approved subdivision plan for which performance guarantees have been filed and accepted. Any street with an average daily traffic of 200 trips or more, shall have at least two street connections leading to existing public streets, streets shown on an Official map, or streets on an approved subdivision plan for which performance guarantees have been filed and accepted. See appendix “D” for design standards.
5. The centerline of the roadway shall be the centerline of the right-of-way.
6. Dean End Streets. In addition to the design standards above, dead-end streets shall be constructed to provide a cul-de-sac turn-around with the following requirements for radii. Property line: 65 feet; outer edge of pavement: 50 feet; inner edge of pavement: 30 feet. Where the cul-de-sac is in a wooded area prior to development, a stand of trees shall be maintained within the center of the cul-de-sac. When, because of design considerations dealing with traffic usage future possible expansions, esthetic or environmental considerations or other considerations of a significant nature, excluding costs of the developer, the Board determines that another type of turn around should be utilized, e.g. a “hammer head turn around”, instead of a cul-de-sac, then such turn around may be approved, if it otherwise protects the public health, safety and welfare

and is not contrary to the purposes of this ordinance. The Board may require the reservation of a twenty foot easement in line with the street to provide continuation of pedestrian traffic or utilities to the next street. The Board may also require the reservation of a fifty foot easement in line with the street to provide continuation of the road where future subdivision is possible.

7. Grades, Intersections, and Street Distances.

A. Grades of all streets shall conform in general to the terrain, so that cut and fill are minimized while maintaining the grade standards above.

B. All changes in grade shall be connected by vertical curves in order to provide the following minimum stopping sight distances based on the street design speed. See Appendix "E".

C. Where new street intersections or driveway curb-cuts are proposed, sight distances, as measured along the road onto which traffic will be turning, shall be based upon the posted speed limit and conform to the table. Sight distance shall be measured from the drivers seat of a vehicle a minimum of 10 feet behind the curb line or edge of shoulder, with the height of the eye 3-1/2 feet, to the top of an object 4-1/2 feet above the pavement. See appendix "F". Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

D. Cross (four cornered) street intersections shall be avoided insofar as possible, except as shown on the Comprehensive Plan or at other important traffic intersections. A minimum distance of two hundred feet shall be maintained between centerlines of side streets.

8. Sidewalks. Sidewalks shall be installed within all subdivisions within urban compact area. Where installed, sidewalks shall meet these minimum requirements. See Amendment in back of Ordinance.

A. Bituminous Sidewalks.

- a. The crushed aggregate base course shall be no less than eight inches thick.
- b. The hot bituminous pavement surface course shall be no less than two inches after compaction.

B. Portland Cement Concrete Sidewalk.

- a. The sand base shall be no less than six inches thick.
- b. The Portland Cement concrete shall be reinforced with six inch square, number 10 wire mesh and shall be no less than four inches thick.

9. Granite, concrete or bituminous curbing shall be installed on a thoroughly compact gravel base of six inches minimum thickness. Bituminous curbing shall be installed on the base course of the pavement. The specified pavement width above shall be measured between the curbs.

Section III Street Construction Standards.

1. Minimum thickness of material after compaction. See Appendix "G".
2. Preparation.
 - A. Before any clearing has started on the right-of-way, the center line and the side lines of the new road shall be staked or flagged at fifty foot intervals.
 - B. Before grading is started, the entire right-of-way shall be cleared of all stumps, roots, brush, and other objectionable material. All tree stumps shall be removed from the right-of-way.
 - C. All organic materials shall be removed to a depth of two feet below the sub-grade of the roadway. On soils which have been identified by the City Engineer as not suitable for roadways, the subsoil shall be removed from the street site to a depth of two feet below the sub-surface and replaced with materials meeting the specifications for gravel aggregate sub-base below.
 - D. Except in a ledge cut, side slopes shall be no steeper than a slope of three feet horizontal to one foot vertical, and shall be graded, loamed, limed, fertilized, and seeded according to the specifications of the erosion and sedimentation control plan. Where a cut results in exposed ledge a side slope no steeper than four feet vertical to one foot horizontal is permitted.
 - E. All underground utilities shall be installed prior to paving to avoid cuts in the pavement. Building sewers and water service connections shall be installed to the edge of the right-of-way prior to paving.
3. Bases and Pavement. See Amendment in back of this Ordinance.
 - A. Bases.
 - a. The Aggregate Sub-base Course shall be gravel of hard durable particles free from vegetative matter, lumps or balls of clay and other deleterious substances.
 - b. The Aggregate Base Course shall be gravel of hard durable particles free from vegetative matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 3 inch square mesh sieve shall meet the

requirements set forth in Appendix "I". Aggregate for the base shall contain no particles of rock exceeding two inches in any dimension.

- B. Pavement joints. Where pavement joins an existing pavement, the existing pavement shall be cut along a smooth line and form a neat, even, vertical joint.
- C. Curbs and Gutters. Curbs and gutters shall be installed within the urban compact area, or within any areas designated in the Capital Improvements Plan or Comprehensive Plan as areas of compact development.
- D. Pavements. (when required by Planning Board)
 - a. Minimum standards for the base layer of pavement shall be the M.D.O.T. specifications for plant mix grade B with an aggregate of no more than 1 inch maximum.
 - b. Minimum Standards for the surface layer of pavement shall meet M.D.O.T. specifications for plant mix grade C with an aggregate size no more than $\frac{3}{4}$ inch maximum.

Section IV Storm Water Management Design Standards.

1. Adequate provision shall be made for disposal of all storm water generated within the subdivision, and any drained ground water through a management system of swales, culverts, underdrains and storm drains. The storm water management system shall be designed to conduct storm water flows to existing water courses or storm drains.
 - A. Where a subdivision is traversed by a stream, river, or surface water drainageway, or where the Board feels that surface water run-off to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a Registered Professional Engineer.
 - B. Drainage easements for existing water-courses or proposed drainage ways shall be provided at least thirty feet wide, conforming with the lines of existing natural drainage.
 - C. All components of the storm management system shall be designed to limit peak discharge to predevelopment levels for every storm between the 2-year and the 50-year, 24-hour duration, frequencies, based on rainfall data for Portland, Maine. When the subdivision discharges directly to a major water body, peak discharge may be increased from predevelopment levels provided downstream drainage structures are suitably sized.

- D. The minimum pipe size for any storm drainage pipe shall be twelve inches. Maximum trench width at the pipe crown shall be the outside diameter of the pipe plus two feet. Pipe shall be bedded in a fine granular material containing no stones larger than 3 inches, lumps of clay, or organic matter, reaching a minimum of six inches below the bottom of the pipe extending to six inches above the top of the pipe.
2. The storm management system shall be designed to accommodate upstream drainage, taking into account existing conditions and approved or planned developments not yet built and shall include a surplus design capacity factor of 25% for potential increases in upstream run-off.
 3. Downstream drainage requirements shall be studied to determine the effect of the proposed subdivision. The storm drainage shall not overload existing or future planned storm drainage systems downstream from the subdivision. The subdivider shall be responsible for financing any improvements to existing drainage systems required to handle the increased storm flows.
 4. Catch basins shall be installed where necessary and located at the curb line.
 5. Outlets shall be stabilized against soil erosion by stone riprap or other suitable materials to reduce storm water velocity. Wherever the storm drainage system is not within the right-of-way of a public street, perpetual easements shall be provided to the City allowing maintenance and improvement of the system.
 6. Where soils require a sub-surface drainage system, the drains shall be installed and maintained separately from the storm water drainage system.

Section V. Storm Drainage Construction Standards.

1. Materials

- A. Reinforced Concrete Pipe. Reinforced Concrete Pipe shall meet the requirements of ASTM designated C-76 (AASHTO M 170) Pipe classes shall be required to meet the soil and traffic loads with a safety factor of 1.2 on the .01 inch crack strength with a Class B bedding. Joints shall be of the rubber gasket type meeting ASTM Designation C-70, or of an approved performed plastic jointing material such as "Ramnek". Perforated Concrete Pipe shall conform to the requirements of AASHTO for the appropriate diameters.
- B. Asbestos Cement Pipe. Asbestos Cement Pipe shall meet the requirements of ASTM Designation C-428 (AASHTO M 189). Pipe classes shall be required to meet the soil and traffic loads with a safety factor of 1.5 on the crushing strength. Joints shall be of the rubber sealed type meeting ASTM Designation D-1869-63, or of an approved performed plastic sleeve type.

- C. Corrugated Metal Pipe. Corrugated Metal Pipe shall be bituminous coated meeting the requirements of AASHTO Designation 190 Type C for iron or steel pipe of AASHTO Designation M 196 for aluminum alloy pipe for sectional dimensions and type bituminous coating. Pipe gauge shall be as required to meet the soils and traffic loads with a deflection of not more than 5%.
- D. ABS Pipe. ABS (Acrylonitrile-butadiene-styrene) composite pipe and fittings shall conform to the requirements of AASHTO M 264 and AASHTO M 265. Perforated pipe shall conform to the requirements of AASHTO M 36, Type III.
- E. Corrugated Plastic Pipe. Corrugated Plastic Pipe shall conform to the requirements of AASHTO M-252.
- F. Manholes. Manholes shall be of precast truncated cone section construction meeting the requirements of ASTM Designation C 478 or precast concrete manhole block construction meeting the requirements of ASTM Designation C 139, radial type. Bases may be cast in place 3,000 psi 28 day strength concrete or may be of precast concrete, placed on a compacted foundation of uniform density. Metal frames and traps shall be set in full mortar bed and with tops shall conform to the requirements of AASHTO M 103 for carbon steel casting, AASHTO M 105, Class 30 for gray iron castings or AASHTO m 183 (ASTM A283, Grade B or better) for structural steel.
- G. Catch Basins. Catch Basins shall be of precast concrete truncated cone section construction meeting the requirements of ASTM Designation C478 or precast concrete manhole block construction meeting the requirements of ASTM Designation C139, radial type. Castings shall be square cast iron sized for the particular inlet condition with the gratings perpendicular to the curb line. Bases may be cast in place 3,000 psi 28 day strength concrete or may be of precast concrete, placed in a compacted foundation of uniform density. Metal frames and traps shall be set in a full mortar bed with and with tops shall conform to the requirements of AASHTO m 103 for carbon steel castings, AASHTO M 105, Class 30 for gray iron castings or AASHTO M 183 (ASTM A 283, Grade B or better) for structural steel.

2. Drain inlet alignment shall be straight in both horizontal and vertical alignment unless specific approval of a curvilinear drain is obtained in writing from the Board, after consultation with the Municipal Engineer.
3. Manholes shall be provided at all changes in vertical or horizontal alignment and at all junctions. On straight runs, manholes shall be placed at a maximum of 400 foot intervals.
4. Upon completion each catch basin or manhole shall be cleaned of all accumulation of silt, debris or foreign matter and shall be kept clean until final acceptance.

Section VI Additional Improvements and Requirements

1. Erosion Control. The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
2. Cleanup. Following street construction, the developer or contractor shall conduct a thorough clean-up of stumps and other debris from the entire street right-of-way. If on site disposal of the stumps and debris is proposed, the site shall be indicated on the Plan, and be suitably covered with fill and topsoil, limed, fertilized and seeded.
3. Street Names, Signs and Lighting. Streets which join and are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate, nor bear phonetic resemblance to the names of existing street within the Municipality, and shall be subject to the approval of the Board. No street names shall be the common given name of a person. The developer shall reimburse the Municipality for the costs of installing street name, traffic safety and control signs. Street lighting shall be installed as approved by the Board.

Section VII Certification of Construction. “As built” plans shall be submitted to the Code Enforcement Officer. Upon completion of street construction a written certification signed by a professional engineer registered in the State of Maine shall be submitted to the code enforcement officer at the expense of the applicant, certifying that the proposed way meets or exceeds the design and construction requirements of this ordinance.

CHAPTER FOUR

PERFROMANCE GUARANTEES

Section I. Types of Guarantees. With submittal of the application for Final Plan approval, the subdivider shall provide one of the following performance guarantees for an amount adequate to cover the total construction costs of all required improvements, taking into account the time span of the construction schedule and the inflation rate for construction costs.

1. Either a certified check payable to the City or a savings account or certificate of deposit naming the City as owner, for the establishment of an escrow account.
2. A performance bond payable to the city issued by a surety company, approved by the City manager and City Attorney.
3. An irrevocable letter of credit from a financial institution establishing funding for the construction of the subdivision, from which the City may draw if construction is inadequate, or incomplete. This letter shall be in a form satisfactory to the City Attorney.

The conditions and amount of the performance guarantee shall be determined by the Planning Board with the advice of the City engineer, Highway Superintendent, Code Enforcer, and/ or city Attorney.

Section II. Performance Bond. A performance bond shall detail the conditions of the bond, the method for release of the bond or portions of the bond to the subdivider, and the procedures for collection by the City. The bond documents shall specifically reference the subdivision for which approval is sought.

Section III. Release of guarantee. Prior to the release of any part of the performance guarantee, the Code Enforcement Officer shall determine to his satisfaction, in part upon the report of the city Engineer and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested.

Section IV. Default. It, upon inspection, the city engineer of the Code Enforcement Officer finds that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, they shall so report in writing to the Municipal officers, the Board and the subdivider or builder. The Municipal Officers or Code Enforcement officer shall take any steps necessary to preserve the City's rights upon default under this chapter.

CHAPTER FIVE

WAIVERS

Section I. Where 4/5 of the voting members of the Board present makes written findings of fact that there are special circumstances of a particular lot proposed to be subdivided, it may waive portions of the submission requirement or the standards unless otherwise indicated in the regulations, to permit a more practical and economical development, provided the public health, safety, and welfare are protected and provided the waivers do not have the effect of nullifying the intent and purpose of the Official map, the Comprehensive Plan, the Zoning ordinance, or this ordinance and provided the criteria is of the State Subdivision Law are met.

Section II. Where 4/5 of the voting member present makes written findings of fact that due to special circumstances of a particular lot proposed to be subdivided, the provision of certain required improvements is not requisite to provide for the public health, safety or welfare, or are inappropriate because of inadequate or lacking connecting facilities adjacent to or in proximity of the proposed subdivision, it may waive the requirement for such improvements, subject to appropriate conditions.

Section III. In granting waivers to any provisions of this ordinance, the Board shall require such conditions as will assure the objectives of this ordinance are met.

Section IV. Waivers to be shown on final Plan. When Board grants a waiver to any of the standards of this ordinance, the final Plan shall indicate the waivers granted and the date on which they were granted.

APPENDIX A

<u>Operating Speed (mph)</u>	<u>Safe Sight Distance Left (ft)</u>	<u>Safe Sight Distance Right (ft)</u>
20	130	130
30	220	260
40	380	440
50	620	700

APPENDIX B

MINIMUM STANDARDS FOR CORNER CLEARANCE

<u>Access Type</u>	<u>Minimum Corner Clearance (feet)</u>	
	<u>Signalized</u>	<u>Unsignalized</u>
Low Volume	150	50
Medium Volume	150	50
High Volume	500	250
Special Case		
Right turn in only	50	50
Right turn out only	100	50
Right turn in or out only	100	50

Where the minimum standard for a full access drive cannot be met, only a special case access shall be permitted. If based on the above criteria, full access to the site cannot be provided on either the major or minor streets, the site shall be restricted to partial access. Alternately, construction of a shared access drive with an adjacent parcel is recommended.

APPENDIX C
MINIMUM ACCESS SPACING

Access Type	Minimum Spacing to Property Line (DPL) 1 (feet)	Minimum Spacing to Adjacent Access by Access Type (2) DSP (3)				
		Low (feet)	Medium (feet)	High w/o RT* (feet)	High w/RT** (feet)	Special Case (feet)
Low volume	5	***				
Medium Volume	10	-	75			
High Volume (w/o RT)*	75	-	75	150		
High Volume (w/RT)**	75	-	75	250	500	
Special Case	10	-	75	75	75	40****

1) Dpl measured from point of tangency of access to projection of property line on roadway edge.

2) For two more accesses serving a single parcel, or from a proposed access from an existing access .

3 Dpl measured from point of tangency of access to point of tangency of adjacent access.

* High volume access without right turn channelization

** High Volume access with right turn channelization

*** Low volume accesses are not permitted in combination with other access types on a single lot

**** Right turn-in-only upstream of right-out-only. Right-turn-out followed by right-turn-in not allowed.

APPENDIX D

<u>Description</u>	<u>Arterial</u>	<u>Collector</u>	<u>Private</u>	
			<u>Minor</u>	<u>Right of Way</u>
Minimum Right of Way Width	80	50	50	50
Minimum Pavement Width	44	24	22	20
Sidewalk Width	8	5	5	n/a
Minimum Grade	.5%	.5%	.5%	n/a
Maximum Grade*	5%	6%	8%	10%
Minimum Centerline Radius	500	230	150	n/a
Minimum Tangent between Curves of reverse alignment	200	100	50	n/a
Roadway Crown	¼ ft	¼ ft	¼ ft	n/a
Minimum angle of street intersections**	90	90	75	75
Maximum grade within 75ft of intersection	2%	2%	2%	n/a
Minimum curb radii at intersections	30	20	15	n/a
Minimum r/o/w radii at intersections	20	10	10	10
Minimum width of shoulders (each side)	5	3	3	3
	<u>Industrial/ Commercial</u>			
	60			
	30			
	8			
	5%			
	5%			
	400			
	200			
	¼ ft			
	2%			
	30***			
	20			
	9			

* Maximum grade may be exceeded for a length of 100 feet or less.
 ** Street intersection angles shall be as close to 90 degrees as feasible but no less than the listed angle.
 *** Should be based on turning radii of expected commercial vehicles, but no less than 30 feet

APPENDIX E

Design speed (mph)	20	25	30	35
Stopping speed Distance (ft)	125	150	200	250

Stopping sight distance shall be calculated with a height of eye at 3.5 feet and the height of object at 0.5 feet.

APPENDIX F

Posted Speed Limit (mph)	25	30	35	40	45	50	55
Sight distance (ft)	250	300	350	400	450	500	550

Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

APPENDIX G

<u>Street materials</u>	<u>Minimum Requirements</u>				
	<u>Arterial</u>	<u>Collector</u>	<u>Minor</u>	<u>Private Right of Way</u>	<u>Industrial/ Commercial</u>
Aggregate Sub-base Course (max. sized stone 4")	18"	18"	18"	12"	18"
Crushed Aggregate Base Course	4"	3"	3"	3"	4"
Hot Bituminous Pavement					
Total Thickness	3 ¼"	2 ½"	2 ½"	2 ½"	3"
Surface Course	1 ½"	1"	1"	1"	1 ¼"
Base Course	1 ¾"	1 ½"	1 ½"	1 ½"	3 ¾"

APPENDIX H

<u>Sieve Designation</u>	<u>Percentage by Weight Passing Square Mesh Sieves</u>
½ inch	45-70%
¼ inch	30-55%
No. 40	0-20%
No. 200	0-5%

Aggregate for the base shall contain no particles of rock exceeding two inches in any dimension.

Note: The proposed language below represents a complete overhaul of Chapter 94 Subdivision. There is no markup for this chapter as it represents a complete replacement.

CITY OF BELFAST CHAPTER 94 SUBDIVISION ORDINANCE

CHAPTER ONE Purposes, Authority, Definitions, Statutory Review Criteria, and Administration

Section I - Purposes:

The purpose of this subdivision ordinance is to encourage the most appropriate use of land, provide for the orderly development of the City and protect and preserve the health, safety, and general welfare of the citizens of the City of Belfast including the future occupants of such subdivisions, whether residential, commercial, or industrial.

This Ordinance shall be used to ensure that new development meets the goals and follows guidance in the adopted comprehensive plan and provide for a consistent and efficient process for the review of proposed subdivisions.

This ordinance is adopted pursuant to and consistent with Maine Revised Statutes Title 30A, Part 2, Subpart 6-A, Chapter 187, Subchapter 4 Subdivisions.

Section II - Definitions:

The definitions of words and terms used in this chapter shall be as set forth in Chapter 66 General Provisions.

Section III - Statutory Review Criteria:

When reviewing any application for a subdivision, as defined by Article 3, the Planning Board shall find that the following criteria as found in Title 30-A M.R.S.A. §4404 have been met, as well as all applicable provisions of the Zoning Ordinance and other applicable sections of the City Code of Ordinances. When reviewing any subdivision for approval, the Planning Board shall consider the following criteria and, before granting approval, must determine that:

- 1. Pollution.** The proposed subdivision will not result in undue water or air pollution. In making this determination, it shall at least consider:

- A. The elevation of land above sea level and its relation to the floodplain;
 - B. The nature of soils and subsoils and their ability to adequately support waste disposal;
 - C. The slope of the land and its effect on effluents;
 - D. The availability of streams for disposal of effluents; and
 - E. The applicable state and local health and water resource rules and regulations.
2. **Sufficient water.** The proposed subdivision has sufficient water available for the reasonable foreseeable need of the subdivision.
 3. **Municipal water supply.** The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used.
 4. **Erosion.** The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
 5. **Traffic.** The proposed subdivision will not create unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed and, if the proposed subdivision requires driveways or entrances onto a state or state aid highway, located outside the urban compact area of an urban compact municipality, the Department of Transportation has provided documentation indicating that the driveways or entrances conform to Title 23, section 704 and any rules adopted under that section;
 6. **Sewage disposal.** The proposed subdivision will provide for adequate sewage, and will not cause an unreasonable burden on municipal services if they are utilized.
 7. **Municipal solid waste.** The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized.
 8. **Aesthetic, cultural and natural values.** The proposed subdivision will not have an undue adverse effect of the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Maine Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline. Open space should remain largely consistent and connected with existing patterns.
 9. **Conformity with local ordinances and plans.** The proposed subdivision conforms to the adopted zoning ordinance, subdivision ordinance, comprehensive plan, development plan or land use plan, if any. In making this determination, the Planning Board may interpret these ordinances and plans.

10. Financial and technical capacity. The subdivider has adequate financial and technical capacity to meet the standards of this section.

11. Surface water; outstanding river segments. Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet (in the Shoreland Zone as described in the most recently adopted Shoreland Zoning Map) of wetland, freshwater wetland, great pond or river as defined in Title 38, Chapter 3, Subchapter I, Article 2-B1, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

A. When lots in a subdivision have frontage on an *outstanding river segment*, the proposed subdivision plan must require principal setback from the normal high-water mark of 500 feet.

1. To avoid circumventing the intent of this provision, whenever a proposed subdivision adjoins a shoreland strip narrower than 250 feet which is not lotted, the proposed subdivision shall be reviewed as if lot lines extended to the shore.

2. The frontage and set-back provisions of this paragraph do not apply either within areas zoned as general development or its equivalent shoreland zoning, Title 38, Chapter 3, Subchapter I, Article 2-B, or within areas designated by ordinance as densely developed. The determination of which areas are densely developed must be based on a finding that existing development met the definition requirements of Section III of this Chapter.

12. Ground water. The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.

13. Flood areas. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the Applicant, whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plot approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least two feet above the 100-year flood elevation.

14. Storm Water. The proposed subdivision will provide for adequate stormwater management.

15. River, stream or brook. Any river, stream or brook within or abutting the proposed subdivision shall be identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in Title 38, Section 480-B, Subsection 9.

16. Freshwater wetlands. All freshwater wetlands within the proposed subdivision shall be identified on any maps submitted as part of the application, regardless of the size of these wetlands.

17. Spaghetti-lots. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in Title 38, section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1.

18. Phosphorus. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.

19. Municipal boundaries. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

20. Lands subject to liquidation harvesting. Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, M.R.S.A section 8869, subsection 14. If a violation of rules adopted by the Maine Forest Service to substantially eliminate liquidation harvesting has occurred, the Planning Board must determine prior to granting approval for the subdivision that 5 years have elapsed from the date the landowner under whose ownership the harvest occurred acquired the parcel. The Planning Board may request technical assistance from the Department of Conservation, Bureau of Forestry to determine whether a rule violation has occurred, or the Board may accept a determination certified by a forester licensed pursuant to Title 32, chapter 76. If the Department agrees to provide assistance, it shall make a finding and determination as to whether a rule violation has occurred. If the Department notifies the Planning Board that it will not provide assistance, the Board may require a subdivision Applicant to provide a determination certified by a licensed forester. For the purposes of this subsection, "liquidation harvesting" has the same meaning as in Title 12, M.R.S.A section 8868, subsection 6 and "parcel" means a contiguous area within one municipality, township or plantation owned by one person or a group of persons in common or joint ownership.

21. Chapters Two through Five of the Subdivision Ordinance. The subdivision must comply with the general standards of Chapters Two through Five of the Subdivision Ordinance.

Section IV - Municipal Review & Regulation

This section governs municipal review of proposed subdivisions.

1. Authority.

- A. These standards have been prepared in accordance with the provisions of Title 30-A MRSA, §4403.
- B. These standards shall be known and may be cited as “Subdivision Regulations of the City of Belfast, Maine.”

2. Administration.

- A. The Planning Board of the City of Belfast, hereinafter called the Board, and the Planning and Codes staff shall administer these regulations.
- B. The provisions of these regulations shall pertain to all land and buildings proposed for subdivision within the boundaries of the City of Belfast.
- C. Multifamily dwellings subject to subdivision review shall be subject to review and approval by the Planning Board pursuant to requirements of Chapter 90, Site Plan in lieu of Chapter 94 Subdivision.

3. Amendments.

- A. These regulations may be amended by the Belfast City Council.
- B. A public hearing shall be held prior to the adoption of any ordinance amendment. Notice of the hearing shall be provided in accordance with the City Code of Ordinances for Ordinance Amendments.
- C. The Planning Board may after a public hearing, propose additional reasonable regulations governing subdivisions which shall control until amended, repealed or replaced by regulations adopted by the City Council action. Notice of the hearing shall be provided in accordance with the City Code of Ordinances for Ordinance Amendments. Pursuant to 30-A M.R.S.A. § 4402 of the Belfast City Ordinance.

4. Review Procedure. These regulations provide for a multistage application review procedure.

- A. Sketch Plan (when required by the City or requested by an Applicant)
- B. Preliminary plan; and
- C. Final Plan.

The Preliminary and Final Plan review stages shall meet the time requirements of section 5 and 6, although only one public hearing shall be required for any single subdivision review. The Planning Board strongly recommends that Applicant consider two duly noticed public hearings for subdivision reviews that require more than one meeting.

5. Application. This section governs the procedure to be followed after receiving an application for a proposed subdivision.

A. When an application is received, Planning and Codes staff determine which review process shall be followed:

- 1) *Sketch Plan* – A Sketch Plan review shall always be available to an Applicant of any subdivision or subdivision amendment proposal. A Sketch Plan review shall be required for any subdivision proposal over 30 acres or consisting of 15 lots or more.
- 2) *Minor Subdivision review* – A Minor Subdivision review shall consist of a single meeting, unless a Sketch Plan review is requested by the Applicant, and shall be available to any subdivision with 6 or less proposed lots that does not contain any interior access roads or streets. In the case of a single meeting, the Preliminary and Final Plan reviews shall be merged.
- 3) *Major Subdivision review* – A Major Subdivision review shall consist of a Preliminary and Final Plan review (separate meetings) and shall be required for any subdivision proposal with 7 or more lots or contains any interior access roads or streets.
- 4) Once the process has been determined, base fees for the subdivision shall be paid before moving forward.
- 5) The Planning Board may move to table an application for more information at any time in this process

B. Within 30 days after receiving an application, Planning and Codes staff shall notify the Applicant in writing either that the application is complete or, if the application is incomplete, indicate the specific additional material needed to complete the application.

C. After Planning and Codes staff have determined that a complete application has been filed, they shall notify the Applicant and the Planning Board shall begin its full evaluation of the proposed subdivision. The Applicant shall file 12 copies of all material to be submitted to the Planning Board for their review.

D. Planning and Codes staff shall notify by mail all abutting property owners of the proposed subdivision, and the clerk and the reviewing authority of municipalities that abut or include any portion of the subdivision, specifying the location of the proposed subdivision and including a general description of the project.

6. **Public hearing:** The Planning Board shall hold a public hearing on an application for subdivision approval within 60 days after the Planning and Codes staff have determined that they have received a complete application. Planning and Codes staff shall give notice of the date, time and place of the hearing:
 - A. To the Applicant; and
 - B. Published, at least 2 times, in a newspaper having general circulation in the municipality in which the subdivision is proposed to be located. The date of the first publication must be at least 7 days before the hearing.
7. **Decision: time limits.** The Planning Board shall, within 30 days of a Final Plan review, or within any other time limit that is otherwise mutually agreed to, issue an order:
 - A. Denying approval of the proposed subdivision;
 - B. Granting approval of the proposed subdivision; or
 - C. Granting approval upon terms and conditions that it considers advisable to:
 1. Satisfy the criteria listed in Section III.
 2. Satisfy any other regulations adopted by the reviewing authority; and
 3. Protect and preserve the public's health, safety and general welfare.
8. **Burden of proof; findings of fact.** In all instances, the burden of proof is upon the Applicant. In issuing its decision, the reviewing authority shall make findings of fact establishing that the proposed subdivision does or does not meet the criteria described in Section III.

Section V – Sketch Plan Meeting and Site Visits.

1. Purpose. The purposes of the sketch plan meeting and site visits are for the Applicant to present general information regarding the proposed subdivision to the Board and receive the Board's comments prior to the expenditure of substantial sums of money on surveying, soils identification, and engineering by the Applicant.

2. Sketch Plan Meeting Procedure.

A. The Applicant shall present the Sketch Plan and make a verbal presentation regarding the site and the proposed subdivision.

B. Following the Applicant's presentation, the Board may ask questions, point out potential problems or issues for future discussions, and make suggestions to be incorporated by the Applicant into the subsequent application. Substantive, lengthy discussions about compliance with review standards or the consideration of waiver

requests shall be postponed until the subsequent review of the full application.

C. The date of any Site Visit is selected.

3. Sketch Plan Submissions. The following pertains to Sketch Pan submissions:

- A. The Applicant shall submit 12 copies of the sketch plan and any supplemental material that is to be considered with this plan at least 14 days prior to a regularly scheduled Planning Board meeting, in order to be placed on the Board's agenda. However, there shall be no guarantee on any agenda, as all agendas are first come, first served.
- B. The sketch plan shall show, in simple sketch form, the proposed layout of streets, lots, buildings and other features in relation to existing conditions. The sketch plan shall include a locator map that shows adjacent properties and other contextual information.
- C. The sketch plan, which does not have to be engineered and may be a freehand penciled sketch, shall show site conditions such as steep slopes, wet areas and vegetative cover in a general manner. All drawings shall be made to a defined scale.
- D. The sketch plan shall be supplemented with a written project narrative, with general information to describe or outline the existing conditions of the site and a full description of the proposed development.
- E. The narrative should include general proposals for how any common areas and infrastructure will be managed and maintained.
- F. It is recommended that the sketch plan be superimposed on or accompanied by a survey of the proposed property to be developed.

The sketch plan shall be accompanied by:

- G. A sketch plan application form, and a sketch plan application fee.
- H. A sketch plan of the lots and any roads in the proposed subdivision.
- I. A copy of a portion of the U.S.G.S. topographic map of the area showing the outline of the proposed subdivision; or a topographic map of the subdivision with 2' contours.
- J. A copy of that portion of the Waldo County Soil Survey covering the proposed subdivision, showing the outline of the proposed subdivision development.

4. Site Visits. The Board may hold a Site Visit of the property. The Applicant may place "flagging" at the centerline of any proposed streets, and at the approximate intersections of

the street centerlines and lot corners, prior to the Site Visit. If the proposed project includes buildings, the approximate corners of building footprints may be “flagged.” The Board may choose not to conduct Site Visits when there is inclement weather or snow on the ground. Site Visits shall be noticed as required by 1 M.R.S.A. §§401-410, and the public shall be allowed to accompany the Board. Minutes shall be taken in the same manner as for regular meetings.

5. Rights not Vested. The sketch plan meeting, the submittal or review of the sketch plan or any Site Visit shall not be considered the initiation of the review process for the purposes of bringing the plan under the protection of Title 1 M.R.S.A., §302.

6. Preliminary and Final Plan Review required. After a Sketch Plan review is completed, all subdivisions shall be required to go through Preliminary and Final Plan reviews as described later in this Chapter.

Section VI - Submission for Preliminary Plan.

1. Purpose. The purpose of the Preliminary Plan review by the Planning Board is to apply specific Review Criteria and other requirements in Chapter 94 Subdivision and hold a public hearing for a proposed subdivision.

2. Preliminary Plan Meeting Procedure.

A. The Applicant shall present the Preliminary Plan and make a verbal presentation regarding the site and the proposed subdivision.

B. Following the Applicant’s presentation, the Board may ask questions, point out potential problems or issues for future discussions, and make suggestions to be incorporated by the Applicant into the Final Plan application. The Board should review compliance with review standards, consideration of waiver requests, and direct the Applicant for additional information required for the Final Plan review.

3. Preliminary Plan Submissions.

The following are required to be included with any Preliminary Plan:

A. The Applicant shall submit 12 copies of the sketch plan and any supplemental material that is to be considered with this plan at least 14 days prior to a regularly scheduled Planning Board meeting, in order to be placed on the Board’s agenda. However, there shall be no guarantee on any agenda, as all agendas are first come, first served.

B. Soil information on the property to be subdivided.

C. Two-foot contour map for the property to be subdivided.

D. Soil test information for each proposed lot, for sub-surface wastewater disposal

system unless waived by the Board.

- E. List of all abutters with mailing address.
- F. A statement from the Water District as to availability of City Water, if City Water is to be used.
- G. Copy of letter to R.S.U. 71 notifying them of the number of units in the proposed subdivision.
- H. Letter from Sewerage Treatment Plant regarding "capacity" if City sewer is to be used.
- I. Letter from the Director of Public Works or the Wastewater Treatment Plant operator regarding the availability of sewer lines to tie into, if applicable.
- J. Copy of draft of Proposed Covenants and Restrictions to be placed upon the subdivision, if any. Copy of existing covenants, restrictions or easements on land to be subdivided.
- K. Scaled plans shall include:
 - a. Proposed lots.
 - b. Proposed lots are to be numbered and lot dimensions and area to be noted.
 - c. Name of subdivision, file# (which will be assigned when application is determined to be complete & fee has been paid).
 - d. Owner of subdivision.
 - e. Boundary survey, of the proposed subdivision and the parcel from which the subdivision is created if created by deed within two years prior to the application. The plan shall include a locator map that shows adjacent properties and other contextual information.
 - f. Location of any existing structures (if applicable)..
 - g. Location of any ponds, stream, wetlands, freshwater, wetland and flood hazard areas (if applicable).
 - h. Location of shoreland zone limit (if applicable.)
 - i. Map and lot number from Assessor's Tax Map.
 - j. Names of all abutters noted on the Plan.
 - k. Book and page number (Waldo County Registry of Deeds) of the property to be subdivided.
- L. A copy of current deed and evidence of legal standing.
- M. A letter from the tax office shall be submitted stating that all taxes on the parcel of land being subdivided have been paid.
- N. Narrative responses to all Review Criteria in Section III.

Section VII - Final Plan.

1. Purpose. The purpose of the Final Plan review by the Planning Board is to apply specific Review Criteria and other requirements in Chapter 94 Subdivision and come to a final determination of compliance. A public hearing may also be included for a proposed subdivision.

2. Final Plan Meeting Procedure.

A. The Applicant shall present the Final Plan and make a verbal presentation regarding the site and the proposed subdivision.

B. Following the Applicant's presentation, the Board may ask questions of the Applicant to clearly understand all material. The Board should review and determine compliance with review standards, finalize any waiver requests, and take final action on a proposed subdivision application.

3. Final Plan Submissions.

Following notification from the Planning Board of its preliminary findings and acceptance of a Preliminary Plan, the subdivider may proceed with the development of a final plan as outlined below and shall include any other specific information requested by the Planning Board. This final plan must be submitted within ninety (90) days after the Planning Board has granted preliminary approval and at least fourteen (14) days prior to a regular Planning Board meeting, in order to be placed on the Board's agenda. However, there shall be no guarantee on any agenda, as all agendas are first come, first served. The Planning Board may grant an extension of up to 90 days.

The following are required to be included with any Final Plan:

1. The Final Plan submitted for review shall consist of 12 prints of the final plan with a scale of not less than 100 feet to the inch and contained on prints which are 24" x 36" and containing the following:
 - A. Name of Subdivision, City of Belfast, Owner's Name, Engineer's Name, Map and Lot.
 - B. Book & page number from Waldo County Registry of Deeds of the property within the subdivision.
 - C. Boundaries of entire tract from which the subdivision is or was part within 2 years next prior to filing the subdivision application.
 - D. Names of abutting land owners.
 - E. Scale

- F. Date
 - G. Designation of true north or magnetic north.
 - H. Lines, dimensions, area and designation of each proposed lot and any public or common area within the subdivision and those areas, title to which, is reserved by the subdivider.
 - I. Sufficient data to determine readily the location, bearing and length of every lot line, street & way line, boundary line and to reproduce such lines upon the ground. Where applicable, these should be referred to monuments included in the state system of plane coordinates, and in any event should be tied to reference points previously established by a public authority (e.g. a street).
 - N. Name, location, width, radius of curves of all proposed and existing highways, roads and streets. All dimensions shall be shown in feet and decimals of a foot.
 - O. Location of features, natural and man-made, affecting the subdivision, such as water bodies, streams, swamps, wooded areas, railroads, ditches, buildings, wetlands, freshwater wetlands, etc.
 - P. Location of utilities - water, sewer, electric, telephone, etc., with description of each.
 - Q. Any covenants or deed restrictions intended to cover all or part of the subdivision.
 - R. Permanent reference markers set at all corners and angle points of the boundaries of the original tract to be subdivided. All lot corner markers shall be permanently located.
 - S. List any Subdivision Restrictions.
 - T. Suitable space to record, on the plan, final approval by the Planning Board, with conditions if any, and the date of such approval.
 - U. Any proposed private or public road names, subject to approval by City Council.
 - V. Signature Block for Planning Board Chair.
2. The final plan must be recorded by the Applicant at the Waldo County Registry of Deeds within 90 days of final plan approval and prior to the sale of any lot.

Section VIII-Exceptions

This Ordinance does not apply to:

1. **Previously approved subdivision.** Proposed subdivisions approved by the planning

board or the municipal officials before September 23, 1971 in accordance with the laws then in effect;

2. **Previously existing subdivisions.** Subdivision in actual existence on September 23, 1971 that did not require approval under prior law; or
3. **Previously recorded subdivisions.** A subdivision, a plan of which had been legally recorded in the proper registry of deeds before September 23, 1971.

Section IX - Enforcement

The municipality or the Code Enforcement Officer may institute proceedings to prosecute or enjoin a violation of this ordinance.

1. Sales or other conveyances. No person may sell, lease, develop, build upon or convey for consideration, or offer or agree to sell, lease, develop, build upon or convey for consideration any land or dwelling unit in a subdivision which has not been approved by the municipal reviewing authority of the municipality where the subdivision is located and recorded in the proper registry of deeds.
 - A. No registrar of deeds may record any subdivision plat or plan which has not been approved under this ordinance. Approval for the purpose of recording must appear in writing on the plat or plan. All subdivision plats and plans required by this ordinance must contain the name and address of the person under whose responsibility the subdivision plat or plan was prepared.
 - B. Whenever the initial approval or any subsequent amendment of a subdivision is based in part on the granting of a variance from any applicable subdivision approval standards, that fact shall be expressly noted on the face of the subdivision plan to be recorded in the registry of deeds.
 1. In the case of an amendment, if no amended plan is to be recorded, a certificate shall be prepared in recordable form and recorded in the registry of deeds. This certificate shall:
 - a. Indicate the name of the current property owner;
 - b. Identify the property by reference to the last recorded deed in its chain of title; and
 - c. Indicate the fact that a variance, including any conditions on the variance, has been granted and the date of the granting.
 2. The variance is not valid until recorded as provided in this paragraph. Recording must occur within 90 days of the final subdivision approval or the variance is void.

- C. No Code Enforcement Officer may issue any permit for a building or use within a land subdivision unless the subdivision has been approved under this ordinance and unless all conditions of the approval has been met.
 - D. Any person who sells, leases, develops, builds upon, or conveys for consideration, offers or agrees to sell, lease, develop, building upon or convey for consideration any land or dwelling unit in a subdivision which has not been approved under this ordinance shall be penalized in accordance with 30 A M.R.S.A. Section 4452, as from time to time amended or recodified.
 - E. Any person who after receiving approval from the Planning Board and recording the plan at the registry of deeds, constructs or develops the subdivision, or transfers any lot, in a manner other than depicted on the approved plans or amendments shall be penalized in accordance with 30 A M.R.S.A., as from time to time amended or recodified.
2. **Permanent marker required.** No person may sell or convey any land in an approved subdivision unless all permanent markers are set at each lot corner of the lot sold or conveyed. The term "permanent marker" includes but is not limited to, the following:
- A. A granite monument;
 - B. A concrete monument;
 - C. An iron pin
 - D. A drill hole in ledge
3. **Utility installation.** No public utility, water district sanitary district or any utility company of any kind may install services to any lot or dwelling unit in a subdivision, unless written authorization attesting to the validity and currency of all local permits required under this chapter has been issued by the appropriate municipal officials. Following installation of service, the company or district shall forward the written authorization to the municipal officials indicating that installation has been completed.

Section X - Revision to existing plat or plan

Any application for subdivision approval which constitutes a revision or amendment to a subdivision plan which has been previously approved shall indicate that fact on the application and shall identify the original subdivision plan being revised or amended. In reviewing such application, the Belfast Planning Board shall make findings of fact establishing that the proposed revisions do or do not meet the criteria of Section III.

- 1. **Recording.** If a subdivision plat or plan is presented for recording to a register of deeds and that plat or plan is a revision or amendment to an existing plat or plan, the register shall:
 - A. Indicate on the index for the original plat or plan that it has been superseded by

another plat or plan:

- B. Reference the book and page or cabinet and sheet on which the new plat or plan is recorded; and
- C. Ensure that the book and page or cabinet and sheet on which the original plat or plan is recorded is referenced on the new plat or plan.

Section XI COST

Fee to be determined by the Belfast City Council.

CHAPTER TWO GENERAL STANDARDS

In reviewing applications for a subdivision, the Planning Board shall consider the following general standards and make findings that each has been met prior to any final approval. In all instances the burden of proof shall be upon the Applicant.

Section I Conformance with Comprehensive Plan

All proposed subdivisions shall be in conformity with the Comprehensive Plan of the City of Belfast and with the provisions of all pertinent federal, state and local codes, ordinance, rules and/or regulations.

Section II Land not Suitable for Development

All Net Buildable Area shall be considered suitable for development. Net Buildable Area is defined by the City as the area of a lot that does not include any of the following:

- 1) Areas of Special Flood Hazard as identified by the Federal Emergency Management Agency,
- 2) Area (land) below the normal high annual tide or normal high watermark of a waterbody,
- 3) Area (land) that would be classified as a freshwater wetland of special significance as such is defined by the State Department of Environmental Protection,
- 4) Area (land) that is part of a right-of-way or access easement that serves more than one other lot or is part of a utility easement granted to the City, Belfast Water District, Waldo County, or Central Maine Power or similar utility company.

Section III Lots

1. All lots shall meet the minimum requirements of the Belfast Zoning Ordinance for the zoning district in which they are located. The lot configuration should be designed to allow maximum access to solar energy on building sites with suitable orientation. Planned Unit Development subdivisions shall meet specific requirements outlined in Chapter 102 that may allow for alternative lot sizes and configurations.
2. Lot configuration and area shall be designed to provide for adequate off-street parking and service facilities based upon the type of development contemplated. Wherever practicable parking areas shall be laid out to coincide with building locations to maximize solar energy gain of the building.
3. The subdivision of tracts into parcels with more than twice the required minimum for lot size be laid out in such a manner as either to provide for or preclude future re-subdivision.
4. Where public utilities could be extended to the subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.
5. No re-subdivision of any lot in an approved subdivision or change in boundary of any lot in an approved subdivision shall be permitted without Planning Board review and approval.
6. If a lot on one side of a stream, tidal water, road or other similar barrier fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the stream, tidal water or road to meet the minimum lot size.
7. The ratio of lot length to width shall not be more than five to one. Flag lots and other odd shaped lots on which narrow strips are joined to other parcels in order to meet minimum lot size requirements or to defeat the intent of this ordinance are prohibited.

Section IV Electrical Utilities

Electrical Utilities must be noted on the plan and installed at the expense of the developer.

Section V Water Supply

1. When a subdivision is to be served by a public water system, the complete supply, including fire hydrants, shall be installed at the expense of the subdivider.
 - A. The subdivider shall provide a written statement from the Belfast Water District that adequate water for domestic, life safety and firefighting purposes can be provided without placing an undue burden on the source, facilities or distribution system involved. The subdivider shall be responsible for paying the costs of system improvement necessary to serve the subdivision. The Planning Board may request the Belfast Water District Engineer to review and report on the water supply system submitted by the subdivider at the Applicant's expense.

- B. The size and location of mains, gate valves, hydrants and service connections shall be reviewed and approved in writing by the Belfast Water District and the Belfast Fire Chief.
 - C. Fire hydrants shall be installed as determined by the Planning Board following consultation with the Belfast Fire Chief.
2. When the location of a subdivision does not allow for a financially reasonable connection to a public water supply system, the Board may allow the use of individual wells or a private community water system.
- A. Dug wells shall be permitted only if it is demonstrated to be not feasible to develop other ground water sources, and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.
 - B. If a central water system is provided by the subdivider, the location and protection of the source, and the design, construction and operation of the system and shall conform to the standards of the Maine Drinking Water Rules (10-144 Chapter 231) as from time to time amended or recodified.
 - C. The subdivider may be required to construct ponds and dry hydrants to provide for adequate water storage for fire-fighting purposes. An easement shall be granted to the municipality granting access to and maintenance of the dry hydrants where necessary.
3. The Planning Board may request that the Belfast Water District Engineer review and report on the water supply system submitted by the subdivider at the Applicant's expense.
4. See Chapter 102 Zoning, Article IX Performance Standards, Division 7. Supplemental Performance Standards For a Multi-family Housing or Flex Housing Project for additional subsurface wastewater and drinking water standards.

Section VI Sewage Disposal

1. Public System

- A. A sanitary sewer system shall be installed at the expense of the subdivider when there is a public sanitary sewer line located within 1000 feet of the proposed subdivision at its nearest point and other barriers to installation are not present as determined by the Planning Board. The Applicant shall provide the Planning Board with a certificate from the Belfast Wastewater Treatment Plant Supervisor that there is currently sufficient capacity to service the subdivision as proposed. In addition, the Applicant shall provide the Planning Board with a certified statement from the

City Engineer that the collection and transmission facilities proposed to be constructed and utilized providing service to the subdivision, are adequate for the proposed division. Prior to obtaining the certified statement, the Applicant shall make certification as above provided, with construction plans showing installation of the sewer lines and all related facilities that will need to be installed to service the proposed subdivision. The submission shall initially be made to the Planning Board. No certification as above shall be considered by the Planning Board unless the certification has been made subsequent to review by the City Engineer of said plans.

- B. The Planning Board may have an independent engineer review and approve in writing the construction drawings for the sewage system at the Applicant's expense. These plans shall also be subject to the review of the Director of the Public Works Department.

2. Private System

- A. The developer shall submit evidence of soil suitability for sub-surface sewage disposal prepared by a Maine Licensed Site Evaluator in full compliance with the requirements of the State of Maine Sub-surface Wastewater Disposal Rules. In addition, on lots in which the limiting factor has been identified as being within 24 inches of the surface, a second site with suitable soils shall be shown as a reserve area for future replacement of the disposal area. The reserve area shall be shown on the plan and restricted so as not to be built upon. No subsurface wastewater disposal sewer system shall be permitted off the lot.
- B. In no instance shall a disposal area be permitted on soils or on a lot which requires a New System Variance from the Sub-surface Wastewater Disposal Rules.
- C. Separation distance between all wells and subdivision wastewater disposal system shall be a minimum of 100 feet. See Chapter 102 Zoning, Article IX Performance Standards, Division 7. Supplemental Performance Standards For a Multi-family Housing or Flex Housing Project for additional subsurface wastewater and drinking water standards.

Section VII Surface Drainage

Surface Drainage shall be installed according to Chapter 98 Technical Standards.

Section VIII Land Features

- 1. Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.

2. To prevent soil erosion in shoreline areas, tree cutting in the strip extending one hundred feet inland from any such areas or boundaries shall be limited in accordance with the Belfast Shoreline Zoning Ordinance and applicable Maine State Statutes.

Section IX Construction in Flood Hazard Areas.

When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency, the plan shall indicate that all principal structures on lots in the subdivision shall be constructed with their lowest floor, including the basement, a minimum of one foot above the 100 year flood elevation. Such a restriction shall be included in the deed to any lot which is included or partially included in the flood hazard area.

Section X Impact on Ground Water

1. When a hydrogeologic assessment is submitted or requested the assessment shall contain at least the following information.
 - A. A map showing the basic soil types.
 - B. The depth to the water table at representative points throughout the subdivision.
 - C. Drainage conditions throughout the subdivision.
 - D. Data on the existing ground water quality, either from test wells in the subdivision or from existing wells on neighboring properties.
 - E. An analysis and evaluation of the effect of the subdivision on ground water resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the subdivision, at the subdivision boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance. For subdivisions within watershed of a pond, projections of the subdivision's impact on found water phosphate concentrations shall also be provided.
 - F. A map showing the location of any existing subsurface wastewater disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries.

Section XI Access Control and Traffic Impacts

1. General. Provisions shall be made for vehicular access to the subdivision and circulation within the subdivision in such a manner as to safeguard against hazards to traffic and pedestrians in existing streets and within the subdivision, to avoid traffic congestion on any streets and within the subdivision. More specifically, access and circulation shall also conform to the following standards and the design criteria in Chapter 98 Technical Standards.

A. Vehicular access to the subdivision shall be arranged to avoid adverse traffic impacts on existing local residential streets.

B. Where a lot has frontage on two or more streets, the access to the lot shall be provided to the lot across the frontage to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians. This provision shall not be interpreted as prohibiting multiple access drives for any lot or subdivision.

C. The street giving access to the subdivision and neighboring streets which can be expected to carry traffic to and from the subdivision shall have traffic carrying capacity and be suitably improved to accommodate the amount and types of traffic generated by the proposed subdivision. No subdivision shall increase the volume capacity ratio to any street above 0.9 nor reduce the street's Level of Service to "D" or below. Reference Chapter 98 Technical Standards, Article V Traffic Control and the term Unreasonable Congestion in Chapter 66.

D. Where necessary to safeguard hazards to traffic and pedestrians and/or to avoid traffic congestion, provisions shall be made for turning lanes, traffic directional islands, frontage roads, and traffic controls within public streets.

E. Access ways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street.

F. Where topographic and other conditions allow, provision shall be made for circulation access connections to adjoining lots of similar existing or potential use:

a. When such access connection will facilitate fire protection services as approved by the Fire Chief; or

b. When such access will enable the public to travel between two existing or potential uses, generally open to the public, without need to travel upon a street.

2. Subdivision Access Design for Subdivisions entering onto Arterial Streets.

When access to a subdivision is an Arterial Street, the street design and construction standards of Chapter 98 Technical Standards shall be met.

**CHAPTER THREE
STREET AND STORMWATER DRAINAGE
CONSTRUCTION STANDARDS**

Section I General Requirements

1. Street and Stormwater Drainage shall be constructed in accordance with Chapter 98 Technical Standards.
2. The Planning Board shall not approve any subdivision unless proposed streets and stormwater management systems are designed in accordance with Chapter 98 Technical Standards. Approval of the Final Plan by the Board shall not be deemed to constitute or be evidence of acceptance by the City of Belfast of any street or easement.
3. Subdividers shall submit to the Board, as part of the Final Plan, detailed construction drawings showing a plan view, profile, and typical cross-section of the proposed streets and existing streets within 300 feet of any proposed intersections. The plans shall include the following information.
 - A. Date, scale, and magnetic or true north point.
 - B. Intersections of the proposed streets with existing streets.
 - C. Roadway and right-of-way limits, including edge of pavement, edge of shoulder, sidewalks and curbs.
 - D. Kind, size, location, material, profile and cross-section of all existing and proposed drainage structures, streets and their location with respect to the existing natural waterways and proposed drainage ways.
 - E. Complete curve data shall be indicated for all horizontal and vertical curves.
 - F. Turning radii at all intersections.
 - G. Centerline gradients.
 - H. Locations of all existing overhead and underground utilities to include but not be limited to water, sewer, electricity, lighting, and communications.
3. Where the subdivider proposes improvements within existing public streets, the proposed design and construction details shall be approved in writing by the Director of Public Works and City Engineer or the Maine Department of Transportation, as appropriate.

4. Where the subdivision streets are to remain private roads, the following words shall appear on the recorded plan.

“ All roads in this subdivision shall remain private roads to be maintained by the developer or the lot owners and shall not be accepted or maintained by the City.

Section II Street Design Standards

1. The Chapter 98 Technical Standards shall be met by all streets within subdivisions, and shall control the roadway, shoulders, curbs, sidewalks, drainage systems, culverts, and other appurtenances.
2. Streets shall be designed to discourage through traffic on minor streets within a residential subdivision.
3. Where a subdivision borders an existing narrow street (not meeting the width requirements of the standards for streets in these regulations) or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land in the subdivision, the plan shall indicate reserved areas for widening or realigning the road marked “Reserved for Road Realignment (Widening) Purposes.” Land reserved for such purposes may not be included in computing lot area or setback requirements of the Zoning Ordinance. When such widening or realignment is indicated on the approved subdivision plan, the reserve area shall not be included in any lot, but shall be reserved to be deeded to the City or State.
4. Any subdivision expected to generate average daily traffic of 400 trips per day or more, shall have at least two street connections with existing public streets, streets shown on an Official Map, or streets on an approved subdivision plan for which performance guarantees have been filed and accepted. Any street with an average daily traffic of 400 trips or more, shall have at least two street connections leading to existing public streets, streets shown on an Official map, or streets on an approved subdivision plan for which performance guarantees have been filed and accepted. See Chapter 98 Technical Standards for design standards.
5. The centerline of the roadway shall be the centerline of the right-of-way.
6. Dead End Streets. Dead end streets shall include turnaround areas constructed to the design standards in Chapter 98 Technical Standards with either a cul-de-sac or hammer head style turn around.
7. Grades, Intersections, and Street Distances.
 - A. Grades of all streets shall conform in general to the terrain, so that cut and fill are minimized while maintaining the grade standards above.

B. All changes in grade shall be connected by vertical curves in order to provide the minimum stopping sight distances based on the street design speed. See Chapter 98 Technical Standards.

C. Where new street intersections or driveway curb-cuts are proposed, sight distances, as measured along the road onto which traffic will be turning, shall be based upon the posted speed limit and conform to the table. Sight distance shall be measured from the drivers seat of a vehicle a minimum of 10 feet behind the curb line or edge of shoulder, with the height of the eye 3-1/2 feet, to the top of an object 4-1/2 feet above the pavement. See Chapter 98 Technical Standards. Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

D. Cross (four cornered) street intersections shall maintain a minimum distance of two hundred feet between centerlines of side streets.

8. Sidewalks. Sidewalks shall be installed within all subdivisions within the urban compact area. Where installed, sidewalks shall meet minimum requirements. See Chapter 98 Technical Standards for design standards.

Section III Street Construction Standards.

1. Streets shall be constructed in accordance with Chapter 98 Technical Standards.

Section IV Storm Water Management Design Standards.

1. Adequate provision shall be made for disposal of all storm water generated within the subdivision, and any drained ground water through a management system of swales, culverts, underdrains and storm drains. The storm water management system shall be designed to conduct stormwater flows to existing water courses or storm drains.
 - A. Where a subdivision is traversed by a stream, river, or surface water drainageway, or where the Board feels that surface water run-off to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a Registered Professional Engineer.
 - B. Drainage easements for existing water-courses or proposed drainage ways shall be provided at least thirty feet wide, conforming with the lines of existing natural drainage.
 - C. All components of the storm management system shall be designed to limit peak discharge to predevelopment levels for every storm between the 2-year, 10-year, 25-year and the 50-year, 24-hour duration, frequencies, based on

rainfall data for Belfast, Maine. When the subdivision discharges directly to a major water body, peak discharge may be increased from predevelopment levels provided downstream drainage structures are suitably sized.

- D. Reference Chapter 98 Technical Standards for additional specifications. The minimum pipe size for any storm drainage pipe shall be fifteen inches, unless soil cover is lacking. Maximum trench width at the pipe crown shall be the outside diameter of the pipe plus two feet. Pipe shall be bedded in a fine granular material containing no stones larger than 3 inches, lumps of clay, or organic matter, reaching a minimum of six inches below the bottom of the pipe extending to six inches above the top of the pipe.
2. The storm management system shall be designed to accommodate upstream drainage, taking into account existing conditions and approved or planned developments not yet built and shall include a surplus design capacity factor of 10% for potential increases in upstream run-off.
 3. Downstream drainage requirements shall be studied to determine the effect of the proposed subdivision. The storm drainage shall not overload existing or future planned storm drainage systems downstream from the subdivision. The subdivider shall be responsible for financing any improvements to existing drainage systems required to handle any increased storm flows.
 4. Catch basins shall be installed where necessary and located at the curb line.
 5. Outlets shall be stabilized against soil erosion by stone riprap or other suitable materials to reduce stormwater velocity. Use of level spreaders or other dispersion for point discharges is required. Wherever the storm drainage system is not within the right-of-way of a public street, perpetual easements shall be provided to the City allowing maintenance and improvement of the system.

Section V. Storm Drainage Construction Standards.

Storm drainage systems shall be constructed in compliance with Chapter 98 Technical Standards.

Section VI Additional Improvements and Requirements

1. Erosion Control. The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
2. Cleanup. Following street construction, the developer or contractor shall conduct a through clean-up of stumps and other debris from the entire street right-of-way. If on site disposal of the stumps and debris is proposed, the site shall be indicated on the Plan, and be suitably covered with fill and topsoil, limed, fertilized and seeded.

3. Street Names, Signs and Lighting. Streets which join and are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not be duplicated, nor bear phonetic resemblance to the names of existing streets within the Municipality and shall be subject to approval by the Belfast E911 Addressing Officer and City Council. No street names shall be the common given name of a person. The developer shall be responsible for installing street names, traffic safety and control signs. Street lighting shall be installed as approved by the Board.

Section VII Certification of Construction.

“As built” plans shall be submitted to the Code Enforcement Officer. Upon completion of street construction, a written certification signed by a professional engineer registered in the State of Maine shall be submitted to the code enforcement officer at the expense of the Applicant, certifying that the proposed way meets or exceeds the design and construction requirements of this ordinance.

CHAPTER FOUR

PERFORMANCE GUARANTEES

Section I. Types of Guarantees.

With submittal of the application for Final Plan approval, the subdivider shall provide one of the following performance guarantees for an amount adequate to cover the total construction costs of all required improvements, taking into account the time span of the construction schedule and the inflation rate for construction costs.

1. Either a certified check payable to the City or a savings account or certificate of deposit naming the City as owner, for the establishment of an escrow account.
2. A performance bond payable to the city issued by a surety company, approved by the City manager and City Attorney.
3. An irrevocable letter of credit from a financial institution establishing funding for the construction of the subdivision, from which the City may draw if construction is inadequate, or incomplete. This letter shall be in a form satisfactory to the City Attorney.

The conditions and amount of the performance guarantee shall be determined by the Planning Board with the advice of the City engineer, Director of Public Works, Code Enforcer, and/or City Attorney.

Section II. Performance Bond.

A performance bond shall detail the conditions of the bond, the method for release of the bond or portions of the bond to the subdivider, and the procedures for collection by the

City. The bond documents shall specifically reference the subdivision for which approval is sought.

Section III. Release of guarantee.

Prior to the release of any part of the performance guarantee, the Code Enforcement Officer shall determine to his satisfaction, in part upon the report of the City Engineer and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested.

Section IV. Default.

If, upon inspection, the City Engineer of the Code Enforcement Officer finds that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, they shall so report in writing to the Municipal officers, the Board and the subdivider or builder. The Municipal Officers or Code Enforcement officer shall take any steps necessary to preserve the City's rights upon default under this chapter.

CHAPTER FIVE

WAIVERS

Section I. Where a simple majority of the voting members of the Board present makes written findings of fact that there are special circumstances of a particular lot proposed to be subdivided, it may waive portions of the submission requirement or the standards unless otherwise indicated in the regulations, to permit a more practical and economical development, provided the public health, safety, and welfare are protected and provided the waivers do not have the effect of nullifying the intent and purpose of the Official map, the Comprehensive Plan, the Zoning ordinance, or this ordinance and provided the criteria is of the State Subdivision Law are met.

Section II. Where a simple majority of the voting member present makes written findings of fact that due to special circumstances of a particular lot proposed to be subdivided, the provision of certain required improvements is not requisite to provide for the public health, safety or welfare, or are inappropriate because of inadequate or lacking connecting facilities adjacent to or in proximity of the proposed subdivision, it may waive the requirement for such improvements, subject to appropriate conditions.

Section III. In granting waivers to any provisions of this ordinance, the Board shall require such conditions as will ensure the objectives of this ordinance are met.

Section IV. Waivers to be shown on Final Plan. When Board grants a waiver to any of the standards of this ordinance, the Final Plan shall indicate the waivers granted and the date on which they were granted.

Guidance language that will not appear in the Code is in green.

Note: The appendices below are proposed to be solely located in Chapter 98. These appendices were formerly located in Chapter 94 Subdivision as well as in specific code sections of Chapter 98, with several inconsistencies and missing standards. The tables below represent a complete overhaul at the direction of the Planning Board, thus they would completely replace existing sections and are not marked up.

APPENDICES TO CHAPTER 98

APPENDIX A – SIGHT DISTANCES

(to be used for entrances for Arterial Streets)

Operating Speed (mph)	Safe Sight Distance Left (ft)	Safe Sight Distance Right(ft)
20	130	130
30	220	260
40	380	440
50	620	700

APPENDIX B
 MINIMUM STANDARDS FOR CORNER CLEARANCE

MINIMUM CORNER CLEARANCE (feet)		
Access Type	Signalized	Unsignalized
Low Volume	150	50
Medium Volume	150	50
High Volume	500	250
Special Cases		
Right turn in only	50	50
Right turn out only	100	100
Right turn in or out only	100	100

Where the minimum standard for a full access drive cannot be met, only a special case access shall be permitted. If based on the above criteria, full access to the site cannot be provided on either the major or minor streets, the site shall be restricted to partial access. Alternately, construction of a shared access drive with an adjacent parcel is recommended.

APPENDIX C
MINIMUM ACCESS SPACING

Access Type	Minimum Spacing to Property Line DPL (1) (feet)	Low (feet)	Minimum Spacing to Adjacent Access by Type (2) DSP (3)			
			Medium (feet)	High w/o RT* (feet)	High w/RT** (feet)	Special Case (feet)
Low Volume	5	***				
Medium Volume	10	-	75			
High Volume (w/o RT)*	75	-	75	150		
High Volume (w/RT)**	75	-	75	250	500	
Special Case	10	-	75	75	75	40****

- 1) DPL measured from point of tangency of access to projection of property line on roadway edge.
- 2) For two more accesses serving a single parcel, or from a proposed access from an existing access .
- 3) DSP measured from point of tangency of access to point of tangency of adjacent access.

* High volume access without right turn channelization

** High Volume access with right turn channelization

*** Low volume accesses are not permitted in combination with other access types on a single lot

**** Right turn-in-only upstream of right-out-only. Right-turn-out followed by right-turn-in not allowed.

APPENDIX D – STREET AND LANE SUMMARY

Description	Arterial	Collector	Residential	Rural/Urban Lane	Private Right of Way	Industrial/ Commercial
Minimum Right of Way Width	80'	60'	50'	50'	50'	60'
Minimum Pavement Width	44'	34'	30'	20'	20'	32' with parking, 26' without parking
Sidewalk Width	8'	5'	5'	None / 5'	TBD if required	8'
Minimum Grade	.5%	.5%	.5%	.5%	.5%	5%
Maximum Grade*	5%	6%	7%	8%	10%	5%
Minimum Centerline Radius	500'	230'	190'	150'	150'	400'
Minimum Tangent between Curves of reverse alignment	200'	100'	75'	50'	50'	200'
Roadway Crown	¼" per ft	¼" per ft	¼" per ft	¼" per ft	¼" per ft	¼" per ft
Minimum angle of street intersections**	90 degrees	90 degrees	85 degrees	75 degrees	75 degrees	90 degrees
Maximum grade within 75ft of intersection	2%	2%	2%	2%	2%	2%
Minimum curb radii at intersections	30'	20'	18'	15'	15'	30'***

Minimum r/o/w radii at intersections	20'	10'	10'	10'	10'	20'
Minimum width of shoulders (each side)	5'	3'	3'	3'	3'	9'

- * Maximum grade may be exceeded for a length of 100 feet or less.
- ** Street intersection angles shall be as close to 90 degrees as feasible but no less than the listed angle.

APPENDIX E – STOPPING SIGHT DISTANCE

Design speed (mph)	20	25	30	35
Stopping Distance (ft)	125	150	200	250

Stopping sight distance shall be calculated with a height of eye at 3.5 feet and the height of object at 0.5 feet.

APPENDIX F – SIGHT DISTANCES FOR NON-ARTERIAL STREETS
(to be used for entrances for non-Arterial Streets)

Posted Speed Limit (mph)	25	30	35	40	45	50	55
Sight Distance (ft)	250	300	350	400	450	500	550

Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

APPENDIX G – STREET AND LANE CONSTRUCTION SPECIFICATIONS

Street Materials	Minimum Requirements				
	Arterial	Collector	Rural/Urban Lane	Private Right of Way	Industrial/Commercial
Aggregate Sub-base Course (MDOT Type D)	18"	12"	12"	12"	18"
Aggregate Base Course (MDOT Type A)	6"	6"	6"	3"	6"
Hot Bituminous Pavement Surface Course	1 ½" (12.5mm)	1 ½" (12.5mm)	1 ½" (12.5mm)	1"	1 ½" (12.5mm)
Base Course	2 ½" (19mm)	2 ½" (19mm)	2 ½" (19mm)	1 ½"	2 ½" (19mm)
Total Thickness	4"	4"	4"	2 ½"	4"

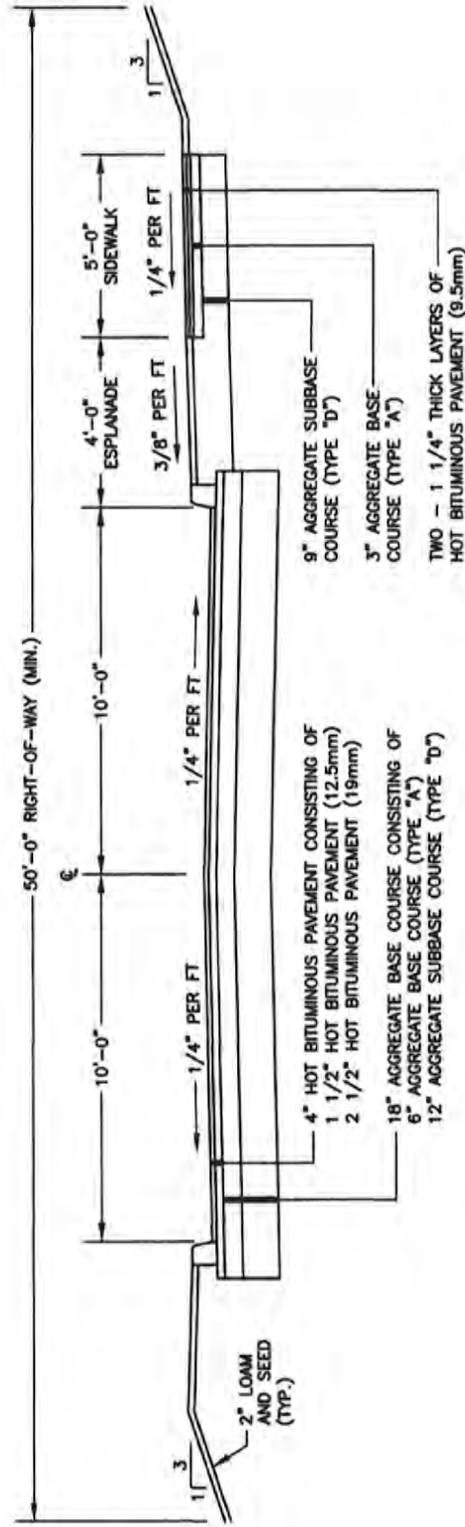
Note: The following figures would completely replace the 'Street Design Figures' in Chapter 98 Technical Standards

City of Belfast

Street Design Figures

Figure 1 – Urban Lane Section

ADT RANGE
0-250

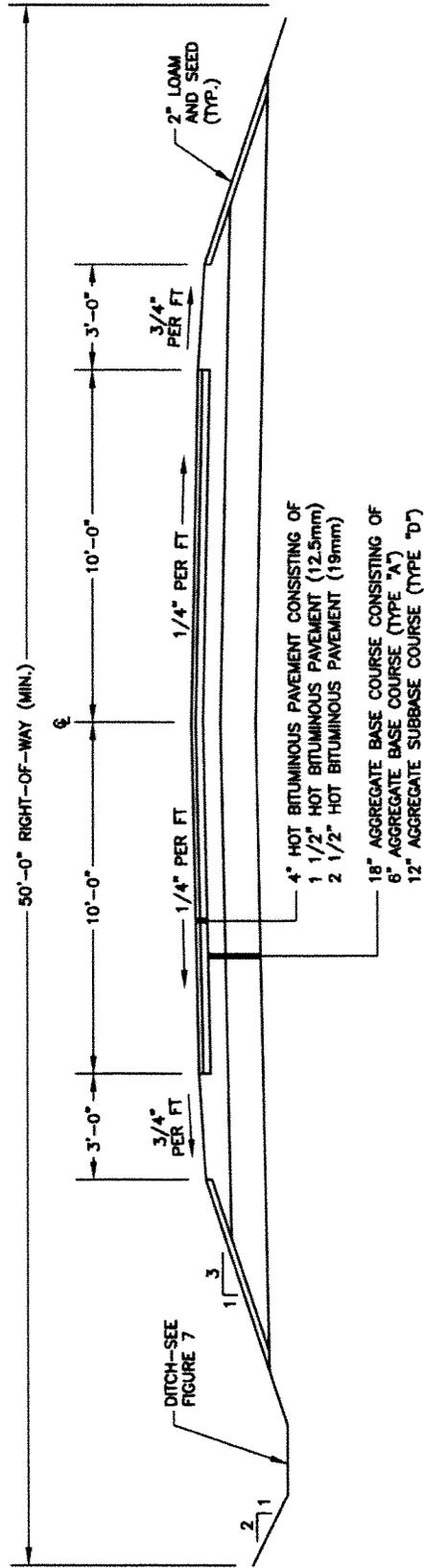


NOTES:

1. Concrete curb shall be in accordance with MaineDOT specifications, Section 609. The final curb reveal shall be 6 1/2", Therefore an 8" curb mold shall be used to place the curb on the binder course.
2. Loam and seed shall be in accordance with MaineDOT specifications, Section 615 (Loam) and Section 618 (Seeding), apply seeding Method #1 in lawn areas, Method #2 in other areas.
3. Aggregate base and subbase shall be in accordance with MaineDOT specifications, Section 304.
4. Hot bituminous pavement shall be in accordance with MaineDOT specifications, Division 400.
5. Aggregate in section shown must be drained by using underdrain or extending the base to a ditch.
6. If no roadway parking is permitted, and posted speed is not more than 25 mph; then the ADT range now becomes 0-500. Roadway width shown is the minimum allowed.
7. Sidewalk aggregate may also be 12" of Type "A" Gravel.

Figure 1A – Rural Lane Section

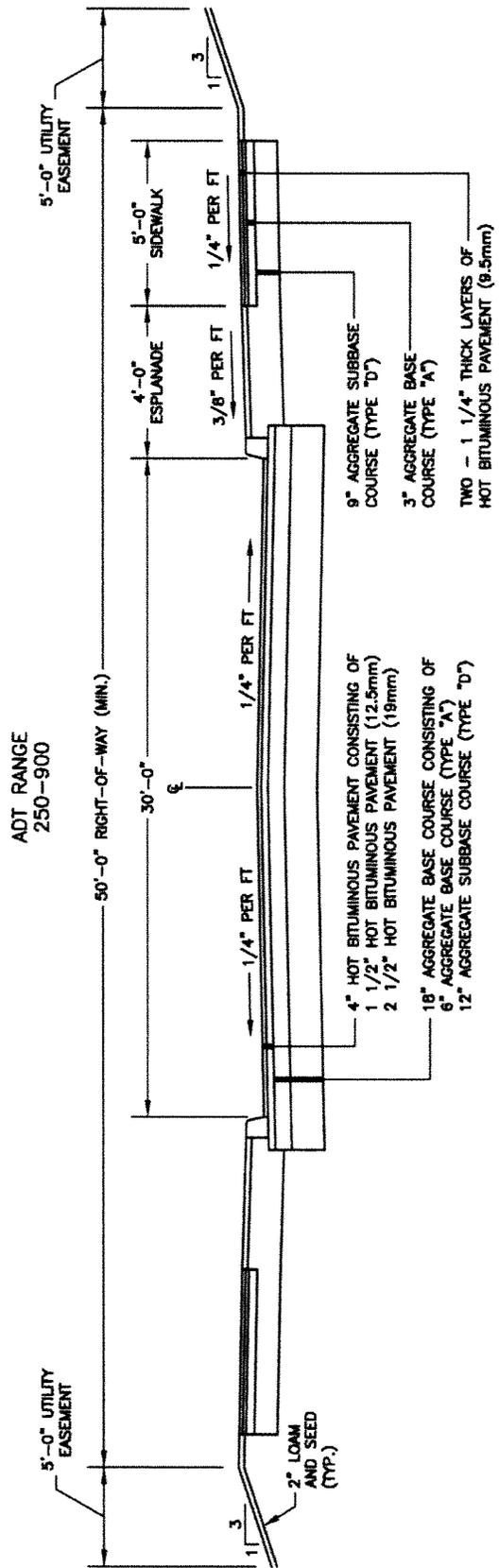
ADT RANGE
0-500



NOTES:

1. Loam and seed shall be in accordance with MaineDOT specifications, Section 615 (Loam) and Section 618 (Seeding), apply seeding Method #1 in lawn areas, Method #2 in other areas.
2. Aggregate base and subbase shall be in accordance with MaineDOT specifications, Section 304.
3. Hot bituminous pavement shall be in accordance with MaineDOT specifications, Division 400.
4. No roadway parking is permitted. Outside of the urban compact zone with a posted speed of not more than 40 mph, then this design can be used where an ADT range of 0-900 is expected. Roadway and Shoulder width shown is the minimum allowed.

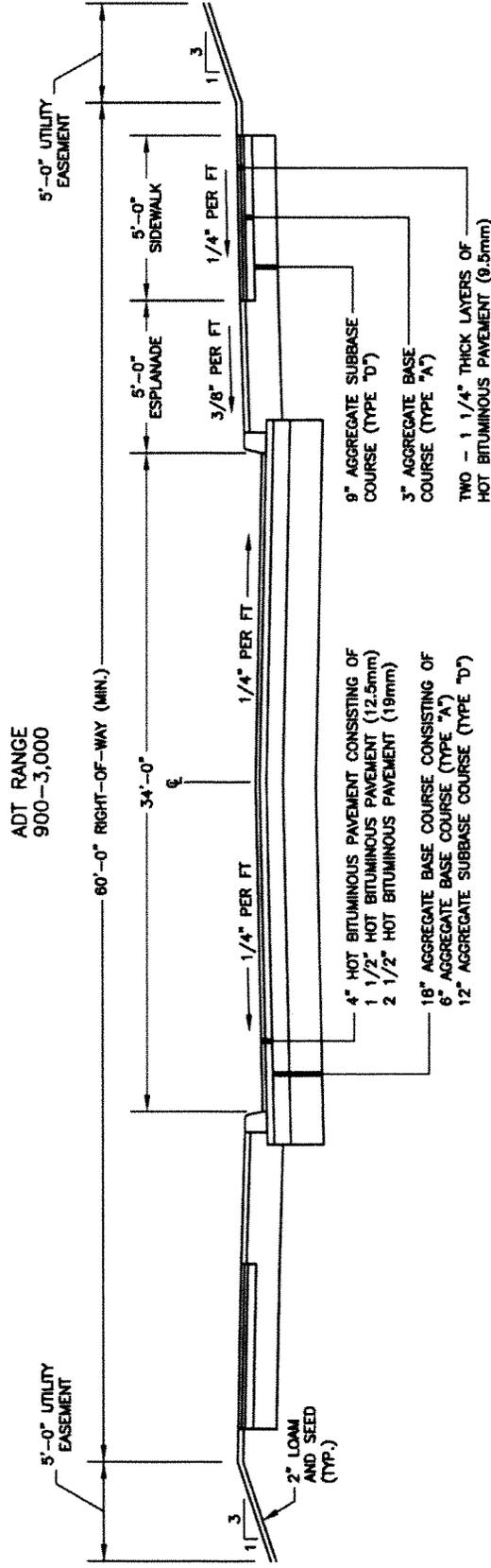
Figure 2 – Residential Street Section



NOTES:

1. Concrete curb shall be in accordance with MaineDOT specifications, Section 609. The final curb reveal shall be 6 1/2", Therefore an 8" curb mold shall be used to place the curb on the binder course.
2. Loam and seed shall be in accordance with MaineDOT specifications, Section 615 (Loam) and Section 618 (Seeding), apply seeding Method #1 in lawn areas, Method #2 in other areas.
3. Aggregate base and subbase shall be in accordance with MaineDOT specifications, Section 304.
4. Hot bituminous pavement shall be in accordance with MaineDOT specifications, Division 400.
5. Aggregate in section shown must be drained by using underdrain or extending the base to a ditch.
6. Sidewalk aggregate may also be 12" of Type "A" Gravel.

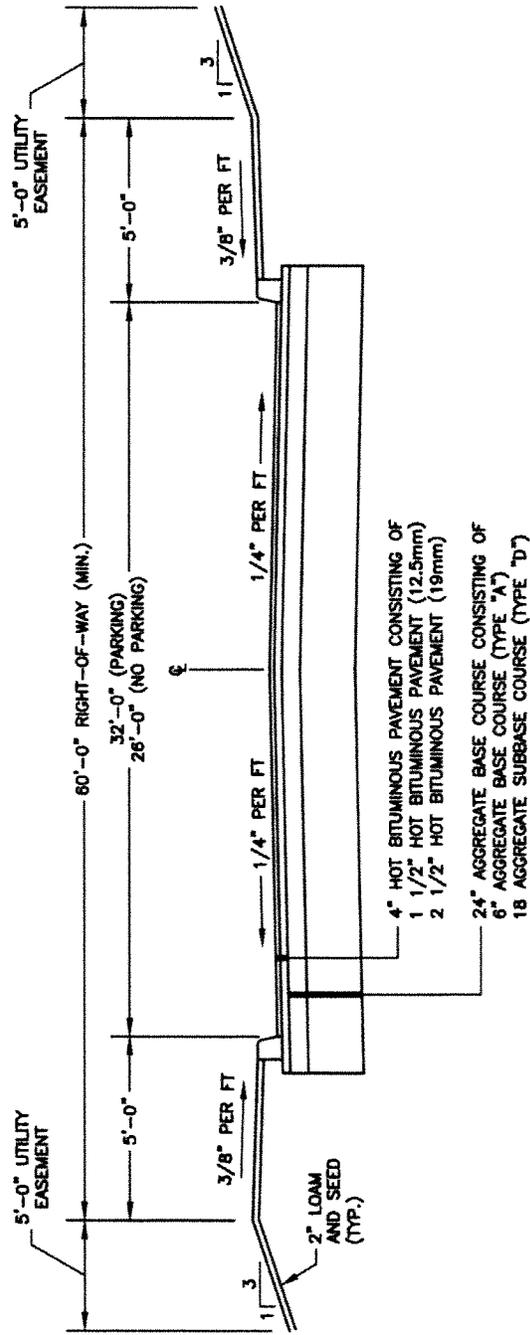
Figure 3 – Collector Street Section



NOTES:

1. Concrete curb shall be in accordance with MaineDOT specifications, Section 609. The final curb reveal shall be 6 1/2", Therefore an 8" curb mold shall be used to place the curb on the binder course.
2. Loam and seed shall be in accordance with MaineDOT specifications, Section 615 (Loam) and Section 618 (Seeding), apply seeding Method #1 in lawn areas, Method #2 in other areas.
3. Aggregate base and subbase shall be in accordance with MaineDOT specifications, Section 304.
4. Hot bituminous pavement shall be in accordance with MaineDOT specifications, Division 400.
5. Aggregate in section shown must be drained by using underdrain or extending the base to a ditch.
6. Sidewalk aggregate may also be 12" of Type "A" Gravel.

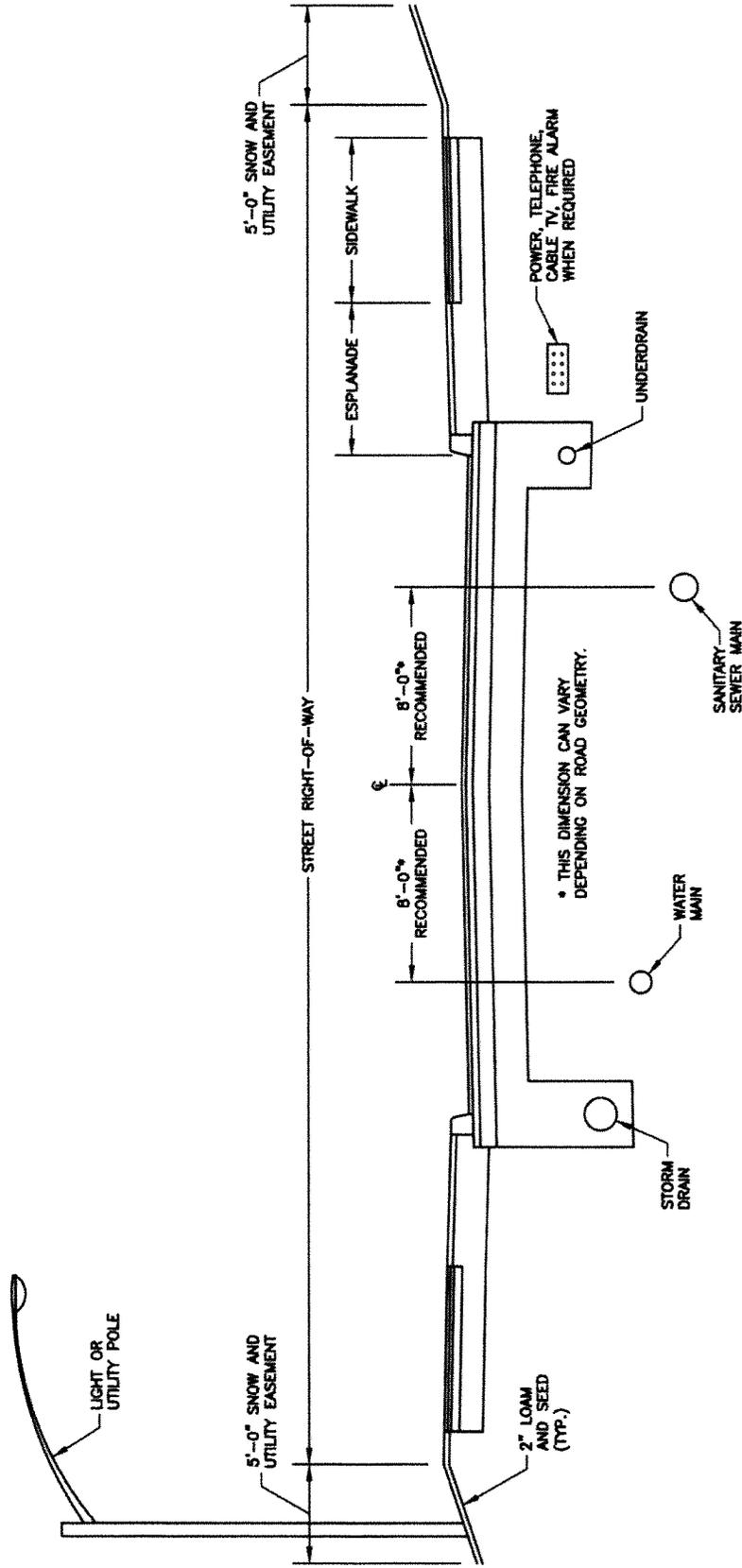
Figure 4 – Industrial and Commercial Street Section



NOTES:

1. Concrete curb shall be in accordance with MaineDOT specifications, Section 609. The final curb reveal shall be 6 1/2", Therefore an 8" curb mold shall be used to place the curb on the binder course.
2. Loam and seed shall be in accordance with MaineDOT specifications, Section 615 (Loam) and Section 618 (Seeding), apply seeding Method #1 in lawn areas, Method #2 in other areas.
3. Aggregate base and subbase shall be in accordance with MaineDOT specifications, Section 304.
4. Hot bituminous pavement shall be in accordance with MaineDOT specifications, Division 400.
5. Aggregate in section shown must be drained by using underdrain or extending the base to a ditch.

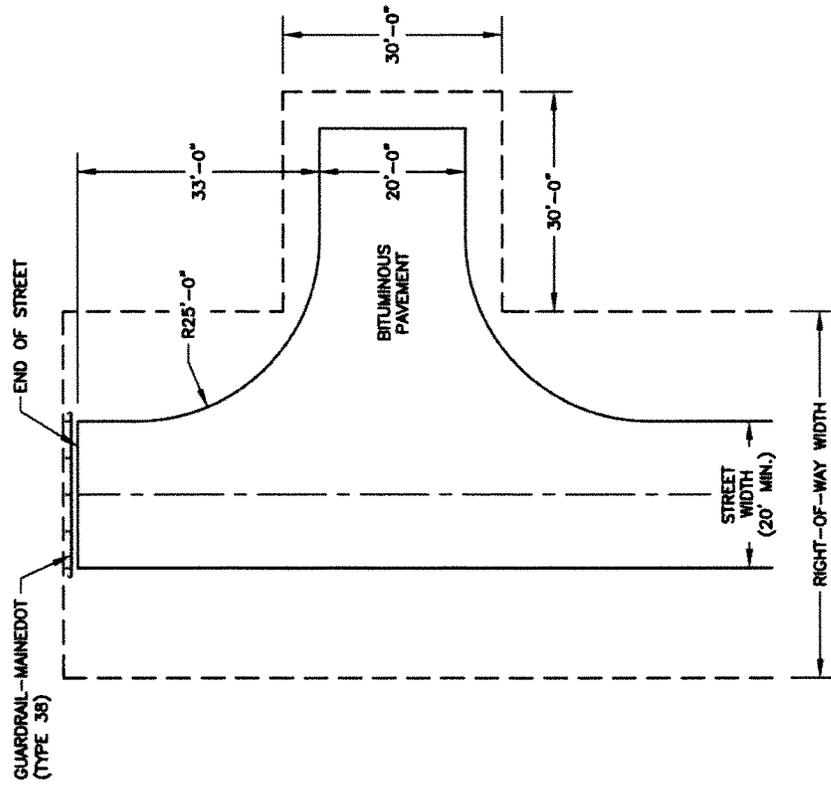
Figure 5 – Location of Utilities



NOTES:

1. Wired utilities shall be placed under the esplanade(s) adjacent to the street and shall be no less than 30" deep, when required. If design is completed by utility, submit to City for review.
2. Depth of sanitary and storm sewers shall be in accordance with Belfast Sewer Ordinance standards.
3. Depth and sizing of water mains shall be in accordance with Belfast Water District standards.
4. Warning tape shall be placed 12" below finished grade in the trench above each utility as it is being installed.
5. The location of these utilities may be changed with the approval of the City Engineer. Any deviation of these utilities from the above standard layout will require an as-built survey plan of the utilities, to be placed on file with the City as a requirement for final acceptance of the project.

Figure 6 – T Turnaround Detail



NOTES:

1. This configuration to be utilized for both temporary or approved permanent T configuration turnaround.

Figure 6A – Cul-De-Sac Detail

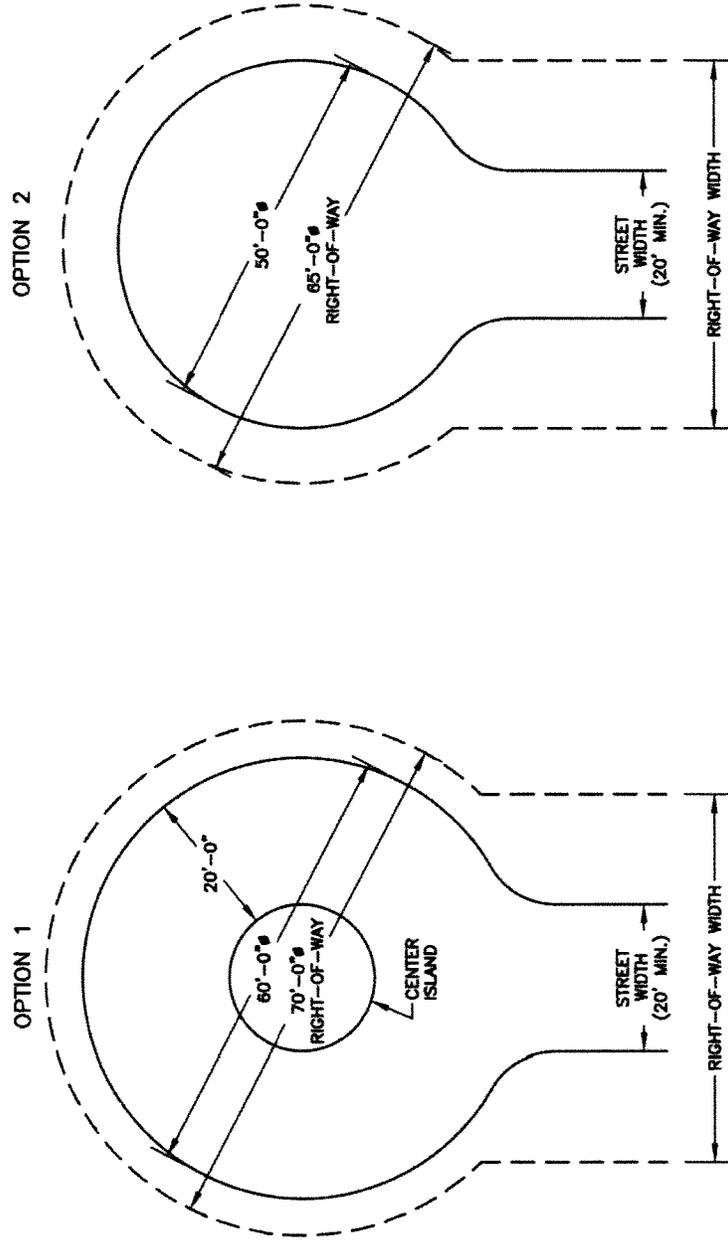
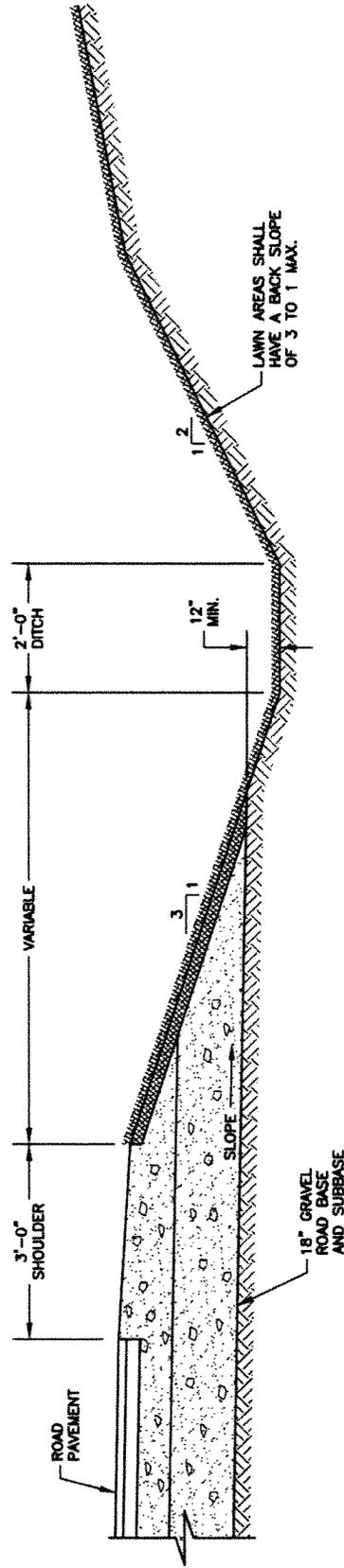


Figure 7 – Road Ditch Section



NOTES:

1. Slopes and ditches shall be loamed and seeded with a minimum of 2" loam and mulched.
2. Ditches shall have a slope of no less than 1.5% and ditches with slopes greater than 6% shall be lined with erosion control fabric (or other approved methods).
3. Ditch grades between minimum stated above and 0.5% will be allowed if strict construction control is adhered to and is approved by the City Engineer.
4. A bottom of ditch width of 1' will be allowed if strict construction control is adhered to, calculations are provided to prove that the ditch can handle the flow and approved by the City Engineer.
5. Bottom elevation of ditch to be one foot below the bottom of the gravel road subbase elevation.
6. Back slope grades of ditches may be 2 to 1 if site topography significantly increases limits of disturbance if approved by City Engineer.

Black language remains unchanged.
Proposed new language is in red.
Proposed deleted language is in ~~blue-strikethrough~~.
Guidance language that will not appear in the Code is in green.

Note: This Ordinance was amended to include many of the technical standards removed from Chapter 94 Subdivision and make the City Code of Ordinances more consistent. The Board consulted with the City Engineer, Planning and Codes staff, and reviewed written and oral comments from the public.

CHAPTER 98 TECHNICAL STANDARDS

DIVISION 2 WAIVERS

Sec. 98-51. Waiver of submission requirements. [Ord. No. 68-1999, § 9.1, 5-18-1999]

The Planning Board, upon a positive vote of ~~three-fourths~~ **a simple majority** or more of the voting members and issuance of written findings of fact, may waive portions of the submission requirements identified in this chapter. Waivers must be due to special circumstances of a particular site plan, subdivision or similar project to which this chapter applies, and shall satisfy the following criteria:

- (1) The public health, safety and welfare shall be protected;
- (2) The intent and purpose of the comprehensive plan, the zoning regulations (chapter 102), the site plan regulations (chapter 90), the shoreland zoning regulations (chapter 82), the floodplain regulations (chapter 78, article II), the subdivision ordinance or this chapter shall not be nullified; and
- (3) Specific regulations in this chapter shall not prohibit the granting of a waiver.

Sec. 98-52. Waiver of improvement requirements. [Ord. No. 68-1999, § 9.2, 5-18-1999]

The Planning Board, upon a positive vote of ~~three-fourths~~ **a simple majority** or more of the voting members and issuance of written findings of fact, may waive specific standards or a requirement for an applicant to provide certain required improvements identified in this chapter. Waivers are intended to allow a more practical and economical development and shall be due to special circumstances of a particular site plan, subdivision or similar project to which this chapter applies, and shall satisfy the following criteria:

- (1) The public health, safety and welfare shall be protected;
- (2) The intent and purpose of the comprehensive plan, the zoning regulations (chapter 102), the site plan regulations (chapter 90), the shoreland zoning regulations (chapter 82), the floodplain regulations (chapter 78, article II), the subdivision ordinance or this chapter shall not be nullified; and
- (3) Specific regulations in this chapter shall not prohibit the granting of a waiver; and
- (4) Shall satisfy one or more of the following criteria:
 - a. Be deemed inappropriate because of inadequate or lacking connecting facilities in the

proximity of the proposed development;

- b. Be deemed inappropriate because of the surrounding development and character of the area in which the project is proposed; or
- c. Be deemed inappropriate because of conflicts with the zoning regulations (chapter 102), site plan regulations (chapter 90), shoreland zoning regulations (chapter 82), floodplain regulations (chapter 78, article II), or subdivision ordinance.

Sec. 98-53. Procedure. [Ord. No. 39-1998, § 9.3, 12-1-1998]

The applicant shall submit all requests for waivers to the Planning Board in writing. Waivers may only be granted in accordance with sections 98-51 and 98-52. When granting waivers, the board shall establish conditions so that the purposes of this chapter are met.

Sec. 98-54. Waivers to be shown on final plan. [Ord. No. 68-1999, § 9.4, 5-18-1999]

All waivers granted by the board in accordance with section 98-52 shall be identified on the final plan.

Sec. 98-55. through Sec. 98-80. (Reserved)

Note: Section 98-85 is to be mostly removed from the Ordinance because the same information appears as appendices to the Chapter 98 Technical Standards. In working on the summary tables of these technical standards, several inconsistencies were discovered and removed and corrected where applicable.

Sec. 98-85. Street and lane summary; ~~street design figures. [Ord. No. 39 1998, §§ 3.2.4, 3.2.4.2, 12-1-1998]~~

(a) ~~Street and lane summary. The following table provides a summary of the design requirements for streets and lanes. This table, and the street and line drawings in this section, replace appendices D and G found in the subdivision ordinance. The table is to be used with the appropriate figure.~~

Description	Urban Lane	Rural Lane	Residential Street	Collector Street	Industrial/Commercial Street
Reference drawing	Figure 1	Figure 1A	Figure 2	Figure 3	Figure 4
Minimum right-of-way (feet)	40	50	50	60	60
Minimum pavement (feet)	24	20	30	34	32
Minimum shoulders (2)	Included	3 feet	Included	Included	Included
Sidewalk ^d	Yes	No/Yes	Yes	Yes	No/Yes
Minimum grade	0.5%	0.5%	0.5%	0.5%	0.5%
Maximum grade	10%	10%	8%	6%	6%
Minimum centerline radius (feet)	75	75	110	175	250
Minimum tangent between curves ^a	Variable	Variable	Variable	Variable	Variable
Roadway crown	2%	2%	2%	2%	2%
Street intersection angle (minimum)	75°	75°	75°	90°	90°
Grade within 75 feet of main road	-3% to +3%	-3% to +3%	-3% to +3%	-3% to +3%	-3% to +3%
Minimum curb radius at intersection (feet)	15	15	15	20	20
Minimum right-of-way radius (feet)	20	20	20	20	30
Curbed section	Yes	No	Yes	Yes	Yes
Parking status	See figure 1	See figure 1A	Both sides	Both sides	None

^a (a) See section 98-83(2). A standard of good engineering practice is required where no specification exists.

^b Curbed section with no parking permitted consists of two ten-foot traffic lanes, plus three feet either side of lanes, for a total of 26 feet of pavement. Using a rural section (non-curbed) with no parking requires a three-foot gravel shoulder with two ten-foot paved traffic lanes (with parking use six-foot gravel shoulders).

^c For aesthetic effect, increasing vegetated area, and for phosphorous reduction, it is permitted to place two inches of loam on the gravel base in the shoulder area for the purpose of maintaining a mowed grass area.

^d See section 98-90 for sidewalk specifics.

^e An urban lane section (featuring curbs and closed drainage) can be used in the rural zones, and a rural lane section (featuring gravel shoulders and open ditches) can be used in the urban zones. The names of such are taken from the predominant usage for that zone.

(b) Drainage system requirements. Closed drainage systems are required for all curbed streets. Ditches may be allowed where the lot layout provides an average lot frontage of at least 200 feet. If the portion of the lot abutting the ditch is to be lawn, a 3:1 minimum backslope will be required.

(c) Figures. Street design figures referred to in this chapter are as follows:¹

Editor's Note: The Street Design Figures are included as appendices to this chapter

ARTICLE IV

Street Construction Specifications

Sec. 98-121. Applicability; references to state standards; measurement units. [Ord. No. 39-1998, ch. 4, 12-1-1998]

The standards and specifications in this article shall apply to all new street construction within the City. Whenever the state department of transportation specification is required, it shall mean the latest revised specification as most recently published. The latest revision of these specifications is written in metric units (primary system) with imperial units (secondary system). It is intended that all plans and documents created for the City utilize imperial units as the primary system, until such time as metric conversion is convenient.

Sec. 98-122. Utility installations. [Ord. No. 39-1998, § 4.1, 12-1-1998]

- (a) All underground utilities shall be installed in conformance with the standards and specifications as set forth by the district or company regulating the utility. Proper horizontal and vertical control for the installation of the utilities shall be maintained to ensure that they are installed in conformance with the locations shown on the plans.
- (b) For new street construction, underground building sewers, water lines, power lines, telephone lines, cable television lines, conduits for utilities, foundation drains or other storm drain line service connections shall be installed to the right-of-way line prior to paving. See figure 5, Location of Utilities, in section 98-85.

Sec. 98-123. Construction preparation. [Ord. No. 39-1998, § 4.2, 12-1-1998]

- (a) Before any clearing in the right-of-way is to begin, the clearing limits are to be plainly marked at fifty foot intervals, or as necessary to delineate such limits.
- (b) Before any fill or cut operation is started, the entire right-of-way shall be cleared of all stumps, roots, brush, and other objectionable material. All ledges, large boulders, and tree stumps shall be removed from the right-of-way or as shown on the plans.

Sec. 98-124. Subgrade. [Ord. No. 39-1998, § 4.3, 12-1-1998]

- (a) All organic materials shall be removed to a depth of two feet below the subgrade of the roadway. Rocks and boulders visible at subgrade and exceeding six inches in size shall also be removed. Subsoils which have been identified by the City engineer as not suitable for roadways shall be removed from the street site to a depth of two feet below the subgrade and replaced with material meeting the specifications for gravel aggregate subbase as noted in this article.
- (b) As an alternative, the City engineer may approve the use of a geotextile fabric which meets the MDOT specifications under sections 620 and 722 (Stabilization Geotextile).
- (c) Except in a ledge cut or for bridge approaches, side back slopes shall be no steeper than a slope of ~~two~~ **three** feet horizontal to one-foot vertical, and shall be graded, loamed, limed, fertilized, and seeded according to the specifications of the erosion and sedimentation control plan. **Alternative slopes may be allowed by the City Engineer to keep work within the**

limits of a right of way. Where a cut results in an exposed ledge or in cases such as bridge approaches, a side slope no steeper than four feet vertical to one-foot horizontal is permitted. There shall be a snow shelf provided in ledge cut areas with a minimum width of six feet behind the curb.

- (d) The subgrade is to be shaped so as to drain the base. No irregularities which cause water to be trapped will be allowed.

Sec. 98-125. Aggregate base and subbase. [Ord. No. 39-1998, § 4.4, 12-1-1998]

- (a) The base course must drain to a ditch or to underdrain. See Street Design 1, 1A, 2, 3, and 4 in this Chapter. The aggregate sub-base course shall be **MDOT Type D. sand or gravel of hard, durable particles free from vegetative matter, lumps or balls of clay and other unsuitable substances. The gradation of the part that passes a three-inch square mesh sieve shall meet the following grading requirements:**

MDOT Type B

Sieve Designation	Percentage by Weight Passing Square Mesh Sieve
1/2 inch	35%—75%
1/4 inch	25%—60%
No. 40	0%—25%
No. 200	0%—5%

~~Aggregate for subbase shall contain no particles of rock exceeding four inches in any dimension.~~

- (b) The aggregate base course shall be sand or gravel of hard, durable particles free from vegetative matter, lumps or balls of clay and other unsuitable substances. **The aggregate sub-base course shall be MDOT Type A. The gradation of the part that passes a three-inch square mesh sieve shall meet the following grading requirements:**

MDOT Type A

Sieve Designation	Percentage by Weight Passing Square Mesh Sieve
1/2 inch	45%—70%
1/4 inch	30%—55%
No. 40	0%—20%
No. 200	0%—5%

~~Aggregate for the base shall contain no particles of rock exceeding two inches in any dimension.~~

- (c) Copies of the sieve analysis results of the samples of base and subbase aggregate to be used shall be submitted to the City engineer for review no later than one week before the placement of any gravel in the street.
- (d) Gravel shall be placed and compacted in accordance with the MDOT standard specifications, section 304.03 (Placing).
- (e) Compaction tests shall be taken at locations along the road as specified by the City engineer. All costs associated with the compaction tests shall be paid by the developer. No pavement shall be placed until the compaction tests have been reviewed and approved by the City engineer.

Sec. 98-126. Street and sidewalk pavement. [Ord. No. 39-1998, § 4.5, 12-1-1998]

- (a) Streets. **(When required by the Planning Board).**
 - (1) **Minimum standards for the base layer of pavement shall be the MDOT specifications for 12.5mm for residential and 19mm for commercial/industrial and collector streets, plant mix with an aggregate size no more than 1 inch maximum. ~~The binder course shall be type B and the finish course shall be type C pavement.~~**
 - (2) **Minimum Standards for the surface layer of pavement shall meet MDOT specifications for plant mix 12.5mm with an aggregate size no more than 3/4 inch maximum. ~~Hot bituminous pavement materials and placement for streets shall be in accordance with the MDOT specifications, division 400 (Pavements).~~**
- (b) Sidewalks. Sidewalks shall be constructed in conformance with the MDOT specifications, section 608.04 (Hot Bituminous Sidewalk). See typical street sections for base and pavement design, figures 1 through 4 in section 98-85.
- (c) **Pavement joints. Where pavement joins an existing pavement, the existing pavement shall be cut along a smooth line and form a neat, even, vertical joint. Tack coat shall be applied between joints.**

Sec. 98-127. Curbing. [Ord. No. 39-1998, § 4.6, 12-1-1998]

- (a) Granite curb, bituminous curb, and stone edging (type 1, type 3, and type 5 respectively) shall conform to the MDOT specifications for curbing under section 609.
- (b) Islands located within rights-of-way and at the center of the cul-de-sac shall be curbed with type 5 curbing.
- (c) All intersection radii shall be curbed with type 1 circular vertical curbing.
- (d) **Closed drainage systems. Closed drainage systems shall be installed within the urban compact area, or within any areas designated in the Comprehensive Plan as areas of compact development.**

Sec. 98-128. Culverts. [Ord. No. 39-1998, § 4.7, 12-1-1998]

Any culverts installed in the roadway to handle cross drainage shall be **made of the following materials:**

- A. Reinforced Concrete Pipe.** Reinforced Concrete Pipe shall meet the requirements of ASTM designed C-76 (AASHTO M 170) Pipe classes shall be required to meet the soil and traffic loads with a safety factor of 1.2 on the .01-inch crack strength with a Class B bedding. Joints shall be of the rubber gasket type meeting ASTM Designation C.
- B. Corrugated Metal Pipe.** Corrugated Metal Pipe shall be bituminous coated meeting the requirements of AASHTO Designation M190 Type C for iron or- steel pipe of AASHTO Designation M 196 for aluminum alloy pipe for sectional dimensions and type bituminous coating. Pipe gauge shall be as required to meet the soils and traffic loads with a deflection of not more than 5%, and a minimum of 16 gauge for pipes less than 24" in diameter and 14 gauge for pipes greater than 24" in diameter.
- C. ADS Pipe.** Smooth interior HDPE pipe made of high-density polyethylene resin meeting AASHTO M252 or M294 with external coupler joints meeting ASTM D3212 or equal.

~~HDPE (high density polyethylene) pipe such as ADS N-12 or equal. Minimum cover over pipes shall be 24 inches unless otherwise approved by City, and the pipe shall be installed on a bed of compacted gravel a minimum of eight inches in depth. The backfill material for the pipe shall meet the standards for type B gravel, aggregate base. Backfill shall be compacted in six inch lifts to a density of 95%, modified proctor test. Culverts are to be designed to meet AASHTO HS20 loading requirements, and to handle the storm requirements of any governing approval agency. Other agencies may require permits.~~

Sec. 98-129. Construction plans. [Ord. No. 39-1998, § 4.8, 12-1-1998]

Plans for street construction shall be designed by a registered professional engineer, currently licensed in the state, who will stamp all engineering plans submitted to the City. Any plans dealing with survey work must be stamped by a registered land surveyor, currently licensed in the state. The developer, or his agent, is solely responsible for any defect in the development plan which affects any individual or the general public, and shall hold the City or its agents harmless, regardless of any acceptance of any plan or portion thereof. The plans shall contain the following:

- (1) Plan view. The plan view shall be plotted on a twenty-four-inch by thirty-six-inch sheet size and shall include all of the following:
 - a. Centerline with stationing at fifty- and one-hundred-foot stations;
 - b. Horizontal control points such as point of curvature, point of tangency, point of reverse curvature, point of curvature on a curve with stations and curve data;
 - c. Radius points for intersections, **hammer head turnarounds** and culs-de-sac with station and offset locations;
 - d. Proposed street name (requires approval of the City Council);
 - e. All aboveground utilities (hydrants, power and/or telephone pole locations);
 - f. Catch basin locations if required;

- g. Curb and sidewalk lines;
 - h. Right-of-way and easement lines;
 - i. Proposed monuments;
 - j. Any proposed entrance locations;
 - k. Outstanding physical features (such as brooks, streams, or gullies affected by the street);
 - l. North arrow;
 - m. Benchmark locations; and
 - n. Descriptions with reference to datum, match lines, lot numbers, and any other information pertinent to the project.
- (2) Profile. The profile shall include:
- a. Both existing and proposed grade, vertical control points such as PVC, PVT, and PVI with stations and elevations listed;
 - b. Design grades;
 - c. Vertical curve lengths;
 - d. Fifty- and one-hundred foot stations with existing and proposed grades;
 - e. Scale;
 - f. Grid line elevations in righthand and lefthand margins;
 - g. Catch basin locations and rim elevations; and
 - h. Any other information pertinent to the project.
- (3) Cross sections. Cross sections shall include:
- a. Both existing and proposed grade;
 - b. Centerline station and elevation;
 - c. Side slopes;
 - d. Right-of-way lines;
 - e. Scale;
 - f. Grid line elevations at right and left of each section; and
 - g. Any other information pertinent to the project.

Cross sections shall be shown at least at every fifty-foot station.

- (4) Scale.
- a. The scale of the plan and profile sheets shall be:

1. One inch equals 20 feet or one inch equals 40 feet horizontal; and
2. One inch equals two feet, one inch equals four feet, or one inch equals five feet vertical.

A scale of one inch equals 50 feet horizontal may be used with the approval of the City engineer.

- b. Cross sections shall be drawn with the same vertical scale as the horizontal scale. The following scales are permitted:
 1. One inch equals two feet.
 2. One inch equals four feet.
 3. One inch equals five feet.

A scale of one inch equals 10 feet is not allowed.

- c. The scale shall be clearly marked on the plan and shall be in written and bar scale form. Sheet size shall be 24 inches by 36 inches, and the grid, if used, shall be 10 squares to the inch.

(5) Contours. The detail sheet shall include a separate contour plan showing existing grades at a contour interval of two feet minimum; the road layout and centerline stationing shall be shown. The origin (from what data) of the depicted contours shall be indicated on the plan.

(6) Details.

- a. The detail sheets shall include, but not be limited to, the following information:
 1. Typical cross section (preferred scale of one inch equals five feet horizontal and vertical).
 2. Typical underdrain trench section.
 3. Handicap wheelchair [access] detail.
 4. Sedimentation and erosion control details.
 5. Curb type detail.
- b. Standard detail sheets shall include:
 1. Erosion and sedimentation details;
 2. Stormwater control details;
 3. Catch basin rim installation details; and
 4. Any related site improvement details.
- c. Separate intersection details (including culs-de-sac and temporary turnarounds) shall be shown at a scale of one inch equals 10 feet. These plans shall detail drainage design for these areas and may require several spot elevations to clearly explain construction details.

Sec. 98-130. through Sec. 98-150. (Reserved)

**ARTICLE V
Traffic Control**

Sec. 98-151. Traffic/parking study required. [Ord. No. 39-1998, § 5.1, 12-1-1998]

The City engineer may request the developer to submit a prepared traffic and/or parking impact report for any proposed development where the proposed development is calculated to generate an increase of more than 35 new vehicle trips during the peak hour (times when the highest traffic volumes are recorded, generally 7:00 to 9:00 a.m. and 3:00 to 6:00 p.m.). This standard sets the threshold for determining when a traffic/parking study is required. The traffic generation calculation will be performed by the developer's engineer using data contained in the 1982 edition (or current edition) of the Institute of Transportation Engineers Trip Generation Handbook, which is on file in the City code enforcement office. A parking assessment may be requested when the proposed development can be expected to have a total parking demand of 30 spaces or more as determined by values contained in the 1985 (or current edition) of the Institute of Transportation Engineers handbook titled "Parking Generation," which is also on file in the City code enforcement office. The developer will be required to retain a state-registered professional engineer, specializing in traffic/transportation engineering, to complete any necessary studies. All issues and questions raised by the City will be adequately responded to as determined by the City engineer. The planning board may request a traffic study even if the increase is less than 35 new vehicle trips, if it is determined by the City engineer that one is warranted.

Sec. 98-152. Traffic impact standards. [Ord. No. 39-1998, § 5.2, 12-1-1998]

- (a) Vehicular access to developments shall be from streets or roads that have adequate capacity to accommodate the additional traffic generated by the development. Level of service after development at intersections on major access routes to the development and at the intersection of any development access drive or proposed street shall be at a minimum at pre-development levels of service. The developer shall mitigate development impacts that result in a reduced level of service.
- (b) For development that will result in a reduction in level of service, the level of service restriction may be lowered by the City engineer after consultation with the state department of transportation, if applicable, and upon written recommendation from the public safety committee. At a minimum, recommendations shall be based upon adopted goals and policies.
- (c) The City engineer may waive and/or modify any of the requirements of this section if the developer's certified traffic engineer can demonstrate that they are not necessary because of size, type, or location of the development and/or because other traffic impact analysis methods or procedures are equally effective.

Sec. 98-153. Procedure for conducting traffic impact analysis. [Ord. No. 39-1998, § 5.3, 12-1-1998]

The procedure for conducting a traffic impact analysis is as follows:

- (1) Inventory existing and proposed land use.
 - a. Existing land use. Site location and setting are important in determining the potential

impacts of development on a given site. The site description shall include the following:

1. Exact physical location of the proposed development.
 2. Physical characteristics such as land configuration, unique features, water bodies, trees, developable acres, and topography.
 3. Existing land uses, including zoning and land use classification.
 4. Land uses of adjacent property.
- b. Proposed land use. Adopted comprehensive plans, community development plans, long range plans, or similar documents shall be reviewed when inventorying proposed land uses. This will provide an indication of the type and direction of future development that is generally acceptable to the community and that may be facilitated by community facilities such as streets, sewers, and water lines. Quantification of trip generation shall also be developed.

(2) Inventory existing and proposed transportation system.

- a. Existing transportation system. An understanding of the nature and function of the existing and proposed transportation system in the area near a proposed development site is essential for predicting traffic patterns, performing the traffic analysis, and developing necessary improvement alternatives. The following information shall be provided:
1. Current and proposed street network, including functional classification, route jurisdiction, and the number of moving traffic lanes.
 2. Geometrics and characteristics, especially at critical intersections, including such items as curb parking and potential street improvements.
 3. Intersection traffic control.
 4. Signal timing and system operation at signalized intersections.
 5. Existing or proposed intersection and development access points and configurations.
 6. Existing and proposed rights-of-way.
 7. Available hourly traffic counts.
 8. Peak period turning movements at critical intersections.
 9. Accident information.
 10. Transit routes/headways.
 11. Transit stops/station locations.
- b. Proposed transportation system.

1. Comprehensive transportation plan.
 2. Future improvements, committed and planned.
- (3) Forecasted nonsite traffic volumes. Nonsite traffic consists of through traffic volumes, having neither an origin nor a destination in the vicinity of the development, and traffic generated by developments adjacent to and affected by, or having an impact on, the proposed development. Methods used to determine nonsite traffic volumes shall include use of the following:
- a. Comprehensive transportation plan or related data projections; check land use and socioeconomic information.
 - b. Typical annual growth rates; provide sufficient historic volume information and develop factors to apply to existing counts.
 - c. Estimate development-generated units of measure and rates for components.
- (4) Site-related traffic.
- a. Divide activities associated with development into components.
 - b. Identify trip generation units of measure and rates for components.
 - c. Estimate development-generated units of measure and rates for components.
 - d. Identify the critical hours of analysis such as the adjacent street morning and evening peak hours and/or the proposed development peak hour of activity.
 - e. Trip distribution: The trips generated shall then be distributed to the transportation system on the basis of land use, population or employment, distance, accessibility, and any local factors affecting distribution. The distribution should reflect conditions for the analysis year, and the methodology should be well documented.
 - f. Modal split: If the magnitude of the development is significant, a determination of the mode of travel may be necessary. The determination of trips generated is most likely in terms of vehicle trips; therefore, an assessment of vehicle occupancy shall be performed to convert vehicle-trips to person-trips. Then, the alternative modes of travel shall be analyzed as to their attractiveness to development-generated traffic.
 - g. Trip assignments: Trips for various transportation modes shall be assigned to existing and proposed transportation networks based on available system capacity, convenience, and other relevant criteria. Traffic assignments shall reflect logical routing and realistic roadway capacity potential.
- (5) Traffic analysis.
- a. Combine non-site and site-related traffic (i.e., the traffic volumes for the various stages of the proposed development and the determined analysis periods: morning, evening, and/or development peak hours, estimated in previous steps, in order to obtain estimates of total projected traffic volumes).

- b. Capacity analyses shall be conducted for all critical intersections and access points during peak traffic periods. Critical intersections usually fall into the following categories:
 - 1. All major intersections within a certain distance of the development as agreed to by the City engineer.
 - 2. All affected intersections where development traffic would increase the volume to a level that would warrant improvements.
 - 3. All affected intersections that operate or would, after development, operate below design levels of service.
 - c. The results of the capacity analyses shall be used to identify street and road segments and intersections near the development that are or will, after development, be deficient in capacity; and to identify safety-related constraints.
- (6) Street/road and access improvements. The previous information is then used to identify and evaluate improvements that can be made to maintain acceptable levels of service and to help decision-makers to determine whether the impact of the proposed development on the surrounding area is acceptable. Level of service D shall be considered appropriate for urban design unless otherwise indicated by the City engineer. The 1988 growth management plan, section 3.3.3, defines levels of service. The following elements shall be addressed as applicable:
- a. External street/road system improvements.
 - 1. Review of design vehicle requirements.
 - 2. New streets/roads, lanes.
 - 3. New or modified interchangers.
 - 4. Additional through lanes.
 - 5. Turn lanes (including storage lengths).
 - 6. Acceleration/deceleration and bypass lanes.
 - 7. New signals.
 - 8. Modification of existing signals.
 - b. Internal street system.
 - 1. Review of design vehicle requirements.
 - 2. Lane requirements.
 - 3. Traffic control.
 - 4. Driveway design.

- c. Evaluation of improvements.
 - 1. Impact on operating characteristics.
 - 2. Cost.

Sec. 98-154. Driveways and access control generally. [Ord. No. 39-1998, § 5.4, 12-1-1998]

- (a) Vehicle storage area; base requirements for driveways. Driveways not subject to other standards shall have a vehicle storage area for purposes of safely entering onto the street or lane, adjacent to the shoulder of the road. This area shall be 20 feet in length for the width of the drive, and have grades of not more than 6%, up or down, from the edge of the shoulder. An existing structure whose proximity to the right-of-way is such that it prohibits this relationship will be exempt. Minimum base requirement for a driveway is 18 inches of aggregate base course. Regular usage of a driveway, in a working operation, by commercial trucks over 23,000 GVW requires 24 inches of gravel base.
- (b) Curb openings in residential districts. No permit for a permanent street curb opening in a residential district shall be issued for a use which is not listed as a permitted use or permitted use requiring planning board review in that district. Residential districts are outlined in chapter 102.
- (c) Authority of City engineer. The City engineer is authorized and directed to **determine recommend** locations and widths for driveways in the City in accordance with the standards specified in this section. **Issuance of driveway permits and ultimate authority shall be the jurisdiction of the Public Works Director on local roads and inside the urban compact area or the Maine Department of Transportation on state and state aid highways.**
- (d) Surfacing. All new surface for curb cuts or driveway openings within the right-of-way will be bituminous hot top, and such work shall extend to the rear of the sidewalk line only. All costs for such cuts shall be borne by the property owner, and, if the City does the work, the work will be paid for in advance on a per-foot basis as approved by public works director.
- (e) Drainage. For drainage requirements, see article VI of this chapter.
- (f) Single- and two-family driveways (up to four parking spaces).
 - (1) Width. Any site shall have a minimum twelve-foot driveway. Where multifamily dwellings are proposed, a minimum twenty-foot driveway shall be required.
 - (2) Location. Wherever possible, driveways shall be located on the lot in a manner to provide a minimum twenty-foot spacing between existing or proposed driveways.
- (g) Commercial, industrial and multifamily driveways (three units or more).
 - (1) Width of one-way driveways. Any site with driveway access to a street shall have a minimum fifteen-foot-wide driveway for one-way ingress or egress. Driveways shall permit traffic to enter and leave the site simultaneously without conflict in aisles, parking or maneuvering areas. Both the entrance and exit drives shall be marked with appropriate signage. Maximum driveway width shall not exceed 24 feet.
 - (2) Width of two-way driveways. Any site with driveway access to a street shall have a minimum twenty-four-foot wide and maximum thirty-five-foot wide driveway for two-

way ingress and egress.

- (3) Curbing.
 - a. Where driveways enter on an existing street, the full radius of the driveway shall be curbed if necessary.
 - b. The radius shall be a minimum of 15 feet. Where truck traffic is anticipated, the radius may be increased up to a maximum of 25 feet based on the turning radius of the vehicles anticipated to enter and exit the site.
 - c. If curb cuts or culverts are required, they will be as approved by the City engineer, and installed by public works department at the developer's cost.
- (4) Maneuvering area. The area within the site to which a driveway provides access shall be of sufficient size to allow all necessary functions for loading, unloading and parking maneuvers to be carried out on the site and completely off the street right-of-way.
- (5) Location and spacing. The location and spacing of driveways shall be determined as follows:
 - a. Along local streets, access driveways to corner lots shall be located a minimum of 35 feet from the intersection of the projection of the right-of-way line to the centerline of the driveway, except as otherwise provided in this section.
 - b. Along arterial, collector and industrial streets, access driveways to corner lots shall be located a minimum of 150 feet from the intersection of the projection of the right-of-way line to the centerline of the driveway, except as otherwise provided in this section.
 - c. Along arterial, collector and industrial streets, minimum acceptable spacing between double or multiple driveways shall meet the following criteria:

Speed Limit (mph)	Minimum Separation (feet)
30	125
35	150
40	185
45	230

Distances between adjacent one-way driveways with the ingress drive separated from the egress drive may be 1/2 the distance shown in this subsection.

- d. Driveways shall be located in the most appropriate location, based on the existing and proposed adjacent and opposing driveways and land use.

- (6) Number of driveways.
 - a. One one-way driveway shall be permitted for ingress and one for egress purposes to any development per street frontage. These may be combined at one location.
 - b. A joint access driveway shall be considered as adequate access for any two adjacent sites and shall be encouraged.
 - (7) Off-street vehicular circulation. An off-street facility shall have full internal vehicular circulation and storage. Vehicle circulation shall be completely contained within the facility, and vehicles located within one portion of the facility shall have access to all other portions without using the adjacent street system.
 - (8) Off-street truck maneuvering. Where the use of a parcel includes truck loading, parking or service facilities, adequate space shall be provided such that all truck maneuvering is performed off the street. The design truck shall be one most appropriate for the operation.
- (h) Ingress lanes (slip lanes).
- (1) Ingress left-turn lane. A twelve-foot-wide left-turn lane with appropriate storage and transition, based on the Institute of Traffic Engineers accepted standards, shall be provided at each driveway where the peak hour inbound left-turn volume is 30 vehicles or more.
 - (2) Ingress right-turn lanes. For any site, a twelve-foot-wide right-turn lane with appropriate storage and transition, based on the Institute of Traffic Engineers accepted standards, shall be provided at each driveway where the highway average daily traffic exceeds 10,000 vehicles per day, permitted highway speeds exceed 35 miles per hour, and driveway volume exceeds 1,000 vehicles per day with at least 40 right-turn movements during peak periods. For any site, a right-turn lane as described in this subsection shall be provided at each driveway where right-turn ingress volumes exceed 75 vehicles per peak hour.
- (i) Maximum length of driveway.
- (1) The maximum length of a driveway within the area zoned for shore land protection shall be 500 feet.
 - (2) A driveway may have any length, as it could access a parking lot or a single-unit residence at a distance from the street. Any one-lane driveway over 500 feet in length must provide a fifty-foot by ten-foot passing lane at five-hundred-foot intervals for the purpose of passing emergency vehicles running in the opposite direction to traffic.
- (j) Driveways with steep slopes. For any driveway with any slopes steeper than 12%, the applicant must provide a statement or plan that addresses maintenance (especially winter maintenance), erosion, and drainage. Should there be a question of safety (emergency vehicles, access use, etc.), then the approval of the City public safety director is required.

Sec. 98-155. Sight distance. [Ord. No. 39-1998, § 5.5, 12-1-1998]

Where driveways or roadways are proposed to enter onto an existing street, vehicular sight distance shall conform to the recommended sight distance listed in this section, and shall not be less than the minimum sight distance standard. The minimum sight distance standards are taken from table 5-4, page 127 of the Institute of Transportation Engineers Handbook, current edition, titled Transportation and Land Development, which is on file in the City services engineering bureau. Vehicular sight distance shall be calculated with the height of eye at 3.5 feet and the height of an object at 3.5 feet.

Posted Speed Limit	Recommended Sight Distance (feet)	Minimum Sight Distance (feet)
25 mph	250	150
30 mph	300	200
35 mph	350	250
40 mph	400	325
45 mph	450	400
50 mph	500	475

Sec. 98-156. Parking spaces and aisles. [Ord. No. 39-1998, § 5.7, 12-1-1998; Ord. of 1-5-2010(1)]

- (a) Parking space requirements. The standard parking space requirements are outlined in article VIII of this chapter.
- (b) Aisles. Vehicular access shall be provided by one or more aisles. Minimum widths of aisles shall comply with section 98-242 standards.

Sec. 98-157. Standards for construction of parking lots or parking areas. [Ord. No. 39-1998, § 5.8, 12-1-1998; Ord. of 1-5-2010(1)]

Where off-street parking is required or provided, the following standards shall apply:

- (1) Driveways shall be designed in accordance with the traffic standards for driveways; see section 98-154.
- (2) When surfacing permanent lots, there shall be a minimum 12 inches of gravel base below the pavement. If heavy vehicles (GVW 23,000 pounds or greater) routinely use the parking lot after final construction, the depth of base shall be 24 inches, or as determined by proper engineering analysis and subject to approval by the City engineer. For all parking lots:
 - a. All water shall be drained from the base material by ditching or underdrain.
 - b. No grading or geometry that allows trapped water in the base shall be permitted.
 - c. In the case of slopes draining down to the parking lot, perimeter drains shall be required.

- (3) A storm drain system is required such that stormwater shall not cross any public sidewalk or street. The parking lot shall be graded so that there is no standing water.
- (4) When parking lots abut the street, a continuous curb guard or wheel stop, at least six inches in height and permanently anchored, shall be provided and maintained for a width of at least three feet along that part of the lot line abutting the street. Alternatively, a continuous bumper guard of adequate strength, at least 20 inches in height, shall be provided and maintained, so that bumpers of vehicles cannot project beyond its face towards the street or lot line involved.
- (5) The surface of parking lots and parking areas must be paved, except parking areas that are used exclusively for a single-family or two-family residence.

Notwithstanding this requirement, the Planning Board has the authority to waive this requirement and to allow the use of a crushed stone surface for any parking lot or parking area that satisfies one or more of the following criteria:

- a. A parking lot that serves 10 or less vehicles;
- b. A parking lot which serves a use that experiences a low turnover in parking demand;
- c. A parking lot that serves a periodic or occasional type of use, such as but not limited to a church;
- d. A parking lot that mostly serves as an overflow parking area;
- e. A parking lot located in a predominately rural area, or which is located on a property which fronts on an unpaved road; or
- f. Circumstances similar to the above which the Planning Board finds appropriate.

Sec. 98-158. Off-street loading bays. [Ord. No. 39-1998, § 5.9, 12-1-1998]

Each loading bay shall have minimum dimensions of 50 feet by 14 feet and be located either within a building or outside and adjoining an opening in the building, except that, in the case of hospitals, nursing homes and convalescent homes, the off-street loading area provided for ambulances and other emergency vehicles shall be exempt from the minimum dimension requirement but shall be of sufficient width and depth to permit safe and convenient access and egress from the loading area. Every part of such loading bay shall be located completely off the street. In any case where trucks, trailers, or other motor vehicles larger than the dimensions of the minimum loading bay habitually serve the building in question, additional space shall be provided so that each vehicle shall park or stand completely off the street.

Sec. 98-159. through Sec. 98-180. (Reserved)

ARTICLE VI
Water Quality

Sec. 98-181. Intent and applicability of article. [Ord. No. 39-1998, § 6.1, 12-1-1998]

The intent and applicability statements for this article are found in the zoning regulations, chapter 102.

Sec. 98-182. Classifications of drainage systems. [Ord. No. 39-1998, § 6.1.1, 12-1-1998]

The following are general standards based on the type of drainage system in existence in the development area:

- (1) Urban systems. Drainage facilities located within the bypass of the City shall include an enclosed underground system capable of effectively removing stormwater and groundwater from the street and adjacent areas. Discharge of drainage shall be into natural drainage courses or approved connection to an existing system capable of handling the increased flow. Direct connections to existing combined sewer systems is prohibited. Applicants for development requiring storm drain systems will be required to pay the cost of extending the storm drain system to the site if such extension is possible. If conditions warrant, and upon approval of the City Engineer ~~and/or code enforcement officer~~, the Planning Board may allow a combination of rural and urban drainage standards or utilize rural standards entirely.
- (2) Rural systems. Drainage facilities located within areas defined by this chapter as rural may, if approved by the City Engineer, consist of a system of culverts and open drainage channels capable of effectively carrying stormwater into natural drainage courses and dewatering the roadway subgrade.
- (3) Urban and/or rural systems. Drainage facilities located within areas defined by this chapter as urban and/or rural shall comply with subsections (1) and (2) of this section, as appropriate.

Sec. 98-183. Design and construction of drainage systems. [Ord. No. 39-1998, § 6.1.2, 12-1-1998]

- (a) Generally.
 - (1) A drainage system plan is required. See chapter 102.
 - (2) Stormwater management plans shall show means whereby the peak discharge for the developed site shall not exceed the peak discharge for the undeveloped site for the two-, twenty-five- **and fifty-year** storms. Emergency spillways shall be provided for storms in excess of the twenty-five-year storm.
 - (3) In the case of major subdivisions, street drainage shall be designed to detain stormwater through a number of means, with detention ponds as a last resort. All runoff entering the street drainage system from proposed lots shall not exceed the pre-development rate of runoff.
 - (4) Pipe inlet and outlet invert elevations shall be shown on the profiles of the drainage plan. Catch basin inlet grate elevations shall be shown on the plans.

- (5) All drainage systems within the development shall be designed to meet the criteria of the performance standards for a **two-year**, twenty-five-year **and a fifty-year** storm based on rainfall data as available. Flows shall be computed by appropriate methods, with design computations being submitted for review by the City Engineer and the highway superintendent. Other agencies may have different requirements.
 - (6) Upstream drainage shall be accommodated by an adequately sized drainage system through the proposed development for existing and future potential development in the upstream drainage area or areas tributary to the proposed development.
 - (7) Existing upstream and downstream drainage facilities shall be studied to determine the effect of the proposed development's drainage. The developer shall demonstrate to the satisfaction of the City engineer that the storm drainage from the proposed development will not, in any way, overload or damage existing storm drainage systems upstream or downstream from the proposed development.
 - (8) Where open ditches (other than street-side ditches), channels, streams, or natural drainage courses are used to collect, discharge, and/or transmit water through the development, an adequately sized, perpetual drainage easement shall be provided. The easement shall be centered as closely as possible to the middle of the watercourse and shall be no less than 30 feet in width in order to allow adequate ingress and egress for maintenance equipment.
 - (9) Where a drainage easement is to contain an open ditch, channel, stream or natural drainage course, the following shall apply:
 - a. The easement shall be cleared of all trees and brush and all stumps shall be removed to the extent necessary to allow adequate drainage and to provide vehicular access for maintenance where determined necessary.
 - b. The channel shall be constructed according to a plan which will show the following:
 1. The location and boundaries of the easement.
 2. Contour lines depicting the shape and slope of the channel.
 3. Typical cross section of the channel showing how the channel will be constructed to prevent erosion.
 - (10) Drainage easements shall be private, and adequate care and maintenance of the easements shall be a provision of the deeds and covenants of the respective private properties on which the easements are located unless otherwise permitted by the Planning Board.
 - (11) No clean water (stormwater) will be allowed to connect into any sanitary sewer system.
- (b) Urban systems.
- (1) Underdrain shall be installed on both sides of curbed streets, unless the base can drain to a ditch. Type C underdrain systems are allowed with appropriate design

considerations, and approval of City engineer. The City engineer may approve the installation of underdrain on only the uphill side of the street on streets traversing a slope or on only one side of the street in relatively flat areas if the developer's engineer can demonstrate that the street area surface water infiltration will be quickly drained from the street aggregate base/subbase and that groundwater will not reach the street aggregate base/subbase once the development is fully developed.

- (2) The minimum pipe size for closed conduit systems shall be eight inches in diameter, and the minimum size shall be 15 inches in diameter for open systems, except for type B underdrain pipe, which may be six inches in diameter.
- (3) The design of storm drains shall be on the basis of flowing full at a minimum velocity of 2.5 feet per second.
- (4) Three hundred fifty feet shall be considered as the maximum length for carrying stormwater in a street gutter to an intake at a catch basin otherwise approved by the City Engineer or the highway superintendent.
- (5) Catch basin inlet grate elevations shall be recessed two inches below gutter line grades.
- (6) No water shall be permitted to drain across a street or an intersection.
- (7) Catch basins or manholes shall be placed at all vertical and horizontal changes in the alignment or pipe, and at all junctions. However, in no case shall catch basins or manholes be placed at intervals exceeding 350 feet, unless otherwise approved by the **City Engineer** or highway superintendent.
- (8) A minimum of four feet of cover is required over the tops of all storm drain pipe, or frost protection must be provided subject to the approval of the ~~code enforcement officer or~~ City engineer.
- (9) House foundation perimeter drains and roof drains with backflow check-valves may be connected to the storm drainage system upon written approval by and under the supervision of the highway superintendent.

(c) Rural systems.

- (1) Streetside ditches and outlet channels shall be of a configuration and size to carry the contributory stormwater and subsurface flows from the streetway structure and streetside embankments. In all instances, the invert of the ditch shall be a minimum of six inches below the subgrade of the streetway extended to the shoulder, except as follows:
 - a. In areas of well-drained native soils, when approved by the City engineer; or
 - b. In areas where subsurface soils are of a nature requiring an underdrain system, in which case subgrades may be constructed to direct subsurface water to the storm drain system.
- (2) Ditches shall drain in a positive manner.

- (3) Streetside ditches shall be at a minimum grade of 1.5% or the grade required to handle the design flow, whichever is greater, unless otherwise approved by the City engineer. Grades between the minimum stated and 0.5% will be allowed only if strict construction control is adhered to, and as approved by the City Engineer.
- (4) Ditch linings shall be provided to protect the side slopes and bottom from erosion and scour. Minimum channel linings for corresponding longitudinal slopes shall conform to the following table:

0.5%—3.0%	Loam and seed
3.0%—6.0%	Loam and seed, protected by erosion control mesh
6.0%—8.0%	Sod placed over loam
Over 8.0%	Stone, masonry or bituminous concrete

- (5) Standards for culverts are as follows:
 - a. Cross culverts. Culverts crossing under roads or streets shall be sized to pass a twenty-five-year frequency storm from the contributing drainage area with a maximum hydrostatic head of two feet above the culvert inlet invert or three inches below the outside edge of the shoulder, whichever is the greater elevation.
 - b. Driveway culverts. Culverts shall be installed under any proposed or existing driveway that interrupts the natural or proposed longitudinal drainage along any street or road. Driveway culverts shall be of a size capable of passing a ten-year frequency storm from the contributing drainage area with a maximum hydrostatic head as specified in subsection (c)(5)a of this section. Driveway culverts shall be ADS or equal, unless otherwise approved by the director of public works, and have a minimum diameter of 12 inches. The final determination of the culvert size shall be made by the City engineer. Driveway culverts shall be installed on the grade of the streetside ditch line.
 - c. Minimum cover. The minimum cover over culverts in the roadway areas shall be 24 inches. The minimum cover over driveway culverts shall be 12 inches.
 - d. Ditch lines. Street-side ditch lines shall be extended laterally and lowered to accommodate culverts with inlet and/or outlet inverts below the normal grade of the ditch line.
- (d) Drainage system materials. The following materials shall be utilized for drainage system construction and shall conform to criteria established by the City highway superintendent and the City engineer, and sanitary district specifications:
 - (1) Reinforced concrete pipe. Concrete pipe shall be class IV reinforced concrete pipe meeting ASTM designation C-76.
 - (2) PVC pipe. All PVC pipe shall meet the requirements of SDR-35 of ASTM specification D-3034.

- (3) Corrugated metal pipe. Corrugated metal pipe and fittings shall be plain galvanized, aluminum or bituminous coated conforming to the requirements of MDOT specifications, section 707 (Metallic Pipe). Pipe gauge shall be as required to meet soil and traffic loads with a deflection of not more than 5%.
 - (4) Underdrain. Pipe for underdrain shall be perforated PVC-SDR-35 meeting the requirements of ASTM specification D-3034.
 - (5) Manholes. **Manholes shall be of precast truncated cone section construction meeting the requirements of ASTM Designation C 478. Metal frames and traps shall be set in full mortar bed and with tops shall conform to the requirements of AASHTO M 103 for carbon steel casting, AASHTO M 105, Class 30 for gray iron castings or AASHTO m 183 (ASTM A283, Grade B or better) for structural steel.**
 - ~~a. Manholes shall be precast concrete sections conforming to ASTM C478.~~
 - ~~b. Manhole steps shall be polypropylene plastic, M.A. Industries PS2-PF-SL or equal. The spacing between the steps shall be 12 inches.~~
 - ~~c. The manhole frame and cover shall be Etheridge No. E265S or equal. Covers shall be marked "Drain."~~
 - ~~d. Manholes shall have a minimum inside diameter of four feet in the barrel section and two feet in the cone or top slab ingress/egress opening.~~
 - ~~e. Manhole inverts shall be constructed of hard brick meeting federal specification SS-B-656 and shaped to the crown of the pipe.~~
 - ~~f. All openings in the manhole for receiving pipe shall have a neoprene boot meeting ASTM C-443.~~
 - (6) Catch basins. **Catch Basins shall be of precast concrete truncated cone section construction meeting the requirements of ASTM Designation C478. Castings shall be square cast iron sized for the particular inlet condition with the gratings perpendicular to the curb line. Metal frames and traps shall be set in a full mortar bed with and with tops shall conform to the requirements of AASHTO m 103 for carbon steel castings, AASHTO M 105, Class 30 for gray iron castings or AASHTO M 183 (ASTM A 283, Grade B or better) for structural steel.**
 - ~~a. Catch basins shall be pre-cast concrete sections conforming to ASTM C478.~~
 - ~~b. Cast iron catch basin frames and gratings shall be Lebaron type F, Etheridge type M or equal.~~
 - ~~c. Catch basins shall have a minimum two-foot sump for the retention of waterborne solids.~~
 - ~~d. Catch basins shall have a minimum inside diameter of four feet in the barrel section and two feet in the cone or top slab ingress/egress opening.~~
 - ~~e. All openings in the catch basin for receiving pipe shall have a neoprene boot meeting ASTM C-443.~~
- (e) Installation of drainage systems.

- (1) Drainage system construction shall conform to all City standards.
- (2) All trenching shall be accomplished in accordance with all appropriate state and federal safety standards.
- (3) The maximum trench width at the pipe crown shall be the outside diameter of the pipe plus two feet.
- (4) Pipe, excluding culvert pipe, shall be bedded in three-quarter-inch screened stone with a minimum depth of six inches below the pipe. The top of the stone shall be to the top of the pipe or above. A minimum of 12 inches of cover sand shall be placed over the top of the pipe. When the excavated trench bottom is not sufficiently firm to properly support the pipe, the City engineer may direct the developer to excavate below grade to suitable foundation material and backfill with additional three-quarter-inch screened stone.
- (5) All gravity pipe shall be laid with a laser device designed for the purpose unless other means are approved by the City engineer.
- (6) All catch basins and manholes shall be founded below the frost line on a minimum depth of six inches of three-quarter-inch screened stone compacted to a uniform density.
- (7) All drain outlets shall be terminated with riprap to prevent erosion. Facilities for energy dissipation shall be provided. Culvert pipe inlets shall be constructed so as to prevent or decrease damage to embankments and/or to improve the efficiency of the culvert. Inlet control devices shall be approved by the planning board.
- (8) Type B underdrain (six-inch diameter, for intercepting groundwater) shall be laid with the perforations down on a minimum six-inch bed of three-quarter-inch screened stone. The three-quarter-inch screened stone shall be brought to a point 12 inches above the top of the underdrain pipe. The remainder of the trench to the bottom side of the subgrade of the road shall be backfilled with clean granular material.
- (9) Drain inlet alignment shall be straight in both horizontal and vertical alignment.**
- (10) Manholes shall be provided at all changes in vertical or horizontal alignment and at all junctions. On straight runs, manholes shall be placed at a maximum of 400-foot intervals.**
- (11) Upon completion, each catch basin or manhole shall be cleaned of all accumulation of silt, debris or foreign matter and shall be kept clean until final acceptance.**

Sec. 98-184. Erosion and sediment control requirements. [Ord. No. 39-1998, § 6.1.3, 12-1-1998]

- (a) Generally. Chapter 102 outlines the intent and applicability of the standards in this section.
- (b) Performance standards.
 - (1) Erosion and sediments shall be controlled through appropriate management practices to prevent adverse downstream water quality impacts. Hydraulic calculation techniques and design standards for facilities to achieve this performance standard shall be of accepted methods and subject to approval of the code enforcement officer and City engineer.
 - (2) Natural and manmade drainageways and drainage outlets shall be protected from erosion

from water flowing through them. Drainageways shall be designed and constructed in order to carry water from a twenty-five-year storm or greater, and shall be stabilized with vegetation or lined with riprap.

- (c) Control measures to apply during all stages of activity. Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed soil at every phase of construction shall be minimized to reduce the potential for erosion.
- (d) Maintenance of facilities. The developer shall maintain all components of the erosion and sediment control and stormwater management system unless the system is formally accepted by the City, or sanitary district or is placed under the jurisdiction of a legally created property owners' association whose charter and powers require maintenance of the system, including adequate financing to carry out this responsibility.
- (e) Stabilization timelines.
 - (1) In general, all activities regulated by these standards shall be conducted after March 1 and before October 30 unless accomplished in conjunction with approved construction.
 - (2) Disturbed soil shall be stabilized within one week from the time it was last actively worked using temporary or permanent measures such as placement of riprap, sod, mulch or erosion control blankets, or other comparable measures.
 - (3) In all cases within the shoreland zones, permanent stabilization shall occur within nine months of the initial date of exposure.
 - (4) Fill sites shall be graded and seeded within 30 calendar days of their closure or by October 31 (whichever date occurs first). Fill sites may remain open after October 31 only by written permission of the code enforcement officer.
 - (5) Permanent revegetation of all disturbed areas, using native plant material wherever possible, shall occur:
 - a. Within 30 days from the time the areas were last actively worked;
 - b. For spring and summer activities, by October 31; or
 - c. For fall and winter activities, by June 15, except where precluded by the type of disturbance (e.g., riprap, road surfaces, etc.). The vegetative cover shall be maintained.
- (f) Adaptation to existing topography. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fill may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.
- (g) Anchoring of mulch. If mulch is likely to be moved because of steep slopes or wind exposure, it shall be anchored with netting, peg and twine, or other suitable method and shall be maintained until a catch of vegetation is established over the entire disturbed area.
- (h) Prevention of sedimentation of water. In addition to placement of riprap, sod, erosion control blankets or mulch, additional steps shall be taken, where necessary, in order to prevent sedimentation of the water. Evidence of sedimentation includes visible gully erosion,

discoloration of water by suspended particles and slumping of banks. Silt fences, staked hay bales and other sedimentation control measures, where planned for, shall be in place prior to commencement of work, but shall also be installed whenever necessary due to sedimentation.

- (i) Maintenance of temporary control measures. Mulch or other temporary erosion control measures shall be maintained until the site is permanently stabilized with vegetation or other permanent control measures.
- (j) Application of mulch. Where mulch is used, it shall be applied at a rate of at least one bale per 500 square feet and shall be maintained until a catch of vegetation is established.
- (k) Disposal of excavated materials. Any and all excavated material shall be removed to approved locations. The City shall provide a list of approved sites within the City limits.

Sec. 98-185. Submission requirements. [Ord. No. 39-1998, § 6.1.4, 12-1-1998]

The checklist of required submissions relative to this article is as follows:

- (1) Map submissions.
 - a. Location map with boundaries of the development clearly marked.
 - b. USGS topographic map, or larger-scale map when available or if necessary for clarification, with boundaries of the site clearly marked and drainage areas used for stormwater management calculations noted. Predevelopment drainage areas shall be noted. Post-development drainage areas shall be noted.
 - c. Topographic maps specifically for the project with:
 - 1. Pre-development contours noted.
 - 2. Post-development contours noted.
 - 3. Limits of clearing and grading noted.
 - 4. Location of stormwater control structures.
 - 5. Location of sediment and erosion control practices.
 - 6. Pre-development drainage patterns noted.
 - 7. Post-development drainage patterns noted.
 - 8. Flow lengths used in time-of-concentration calculations noted.
 - d. SCS medium intensity soils map with boundaries of the development clearly marked and drainage areas used for stormwater management calculations noted.
 - e. High-intensity soil survey for the development site.
- (2) Narrative submissions.
 - a. Description of the development, which shall:
 - 1. Describe the nature of the development.
 - 2. Describe present and post-development land use cover.

3. Describe which areas will be disturbed by construction.
 4. Describe adjacent areas which will be disturbed by construction.
 5. Describe areas on-site especially vulnerable to erosion.
 6. Describe the soils found on-site.
- b. Description of stormwater handling, which shall include the following:
1. Summary and analysis of existing stormwater movement.
 2. Analysis of post-development stormwater movement.
 3. Methods being proposed to control stormwater.
The method of calculation shall be noted.
- c. Description of erosion and sedimentation control, which shall list and describe the practices and structures to be used and shall:
1. Indicate how accelerated erosion will be minimized.
 2. Indicate how sedimentation will be minimized.
- d. Schedule of construction, including a schedule of installation/implementation of temporary and permanent sediment and erosion control structures and management practices.
- e. Description of inspection and maintenance for sediment and erosion control measures.
- (3) Design drawings and calculations.
- a. Detail drawing of any structural practices used that are not referenced.
- b. Calculations for stormwater management practices, which shall include the following:
1. Worksheets, showing assumptions used.
 2. Detention basins.
 3. Culverts.
 4. Ditches and waterways.
 5. Other calculations.
- c. Calculations for sediment and erosion control practices, which shall include the following:
1. Worksheets.
 2. Sediment basins.
 3. Diversions.
 4. Ditches and waterways.
 5. Other calculations.

Sec. 98-186. Resource publications for preparing erosion and sediment control plans. [Ord. No. 39-1998, § 6.1.5, 12-1-1998]

Resource publications (current revisions) for preparing erosion and sediment control plans are as follows:

- (1) The Maine Erosion and Sediment Control Handbook for Construction, prepared by the state department of environmental protection.
- (2) Stormwater Management Manual, prepared by the Greater Portland Council of Governments.
- (3) Technical Release 55, Urban Hydrology for Small Watersheds, R-55, June 1986, available from National Technical Information Service NTIS, U.S. Department of Commerce, Springfield, VA 22161, (703) 487-4650 (TR 20 may also be used).
- (4) Other publications, subject to approval of the stormwater management board.
- (5) Maine Erosion and Sediment Control Handbook for Construction Best Management Practices, prepared by Cumberland SWCD and the state department of environmental protection.

Sec. 98-187. General criteria for sediment and erosion control plans. [Ord. No. 39-1998, § 6.1.6, 12-1-1998]

General criteria for sediment and erosion control plans are as follows:

- (1) All denuded areas shall be stabilized.
- (2) All soil stockpiles shall be stabilized.
- (3) Permanent vegetation shall be established.
- (4) Adjacent properties shall be protected from sediment from the development.
- (5) Adjacent properties shall not be subjected to erosion due to increased runoff water from the development.
- (6) Cut and fill slopes shall be constructed and stabilized in a way to reduce erosion.
- (7) On-site waterways and outlets shall be stabilized.
- (8) Storm sewer inlets shall be protected from sediment.
- (9) If working in or crossing live streams, they shall be protected during construction.
- (10) Construction access routes shall be stabilized to include dust control.
- (11) Temporary sediment and erosion control structures shall be removed when the development is finished.
- (12) Maintenance of stormwater, sediment, and erosion control structures shall be addressed adequately.

Sec. 98-188. Appurtenances to erosion control measures. [Ord. No. 39-1998, § 6.1.7, 12-1-1998]

- (a) Riprap. MDOT specifications, section 610 (Stone Fill, Stone Blanket and Stone Ditch Protection), shall be applicable to this subject.
- (b) Erosion control blankets. MDOT specifications, section 613 (Erosion Control Blankets), shall be applicable to this subject.
- (c) Sodding. MDOT specifications, section 616 (Sodding), shall be applicable to this subject.
- (d) Loam. MDOT specifications, section 615 (Loam), shall be applicable to this subject. All esplanades, circular turnaround islands, ditch slopes, and other planting strip areas at the sides of streets shall receive at least four inches of loam.
- (e) Seeding. MDOT specifications, section 6.18 (Seeding), shall be applicable to this subject. Seeding method number 1 (Park Mixture) shall be used on areas specified in subsection (d) of this section.
- (f) Mulch. MDOT specifications, section 619 (Mulch), shall be applicable to this subject.
- (g) Geotextiles. MDOT specifications, section 620 (Geotextiles), shall be applicable to this subject.
- (h) Landscaping. MDOT specifications, section 621 (Landscaping) and section 622 (Transplanting Shrubs, Hedges and Trees), shall be applicable to this subject.
- (i) Dust control. MDOT specifications, section 637 (Dust Control), shall be applicable to this subject. Dust control shall be provided for all areas as necessary to prevent the visible emissions of dust in the air.

Sec. 98-189. through Sec. 98-210. (Reserved)

Black language remains unchanged.
Proposed new language is in red.
Proposed deleted language is in ~~blue strikethrough~~.
Guidance language that will not appear in the Code is in green.

Note: Section 98-85 is to be mostly removed from the Ordinance because the same information appears as appendices to the Chapter 98 Technical Standards. In working on the summary tables of these technical standards, several inconsistencies were discovered and removed and corrected where applicable.

CHAPTER 98 TECHNICAL STANDARDS

Sec. 98-85. Street and lane summary: ~~street design figures.~~ [Ord. No. 39-1998, §§ 3.2.4, 3.2.4.2, 12-1-1998]

(a) ~~Street and lane summary. The following table provides a summary of the design requirements for streets and lanes. This table, and the street and lane drawings in this section, replace appendices D and G found in the subdivision ordinance. The table is to be used with the appropriate figure.~~

Description	Urban-Lane	Rural-Lane	Residential-Street	Collector-Street	Industrial/Commercial-Street
Reference drawing	Figure 1	Figure 1A	Figure 2	Figure 3	Figure 4
Minimum right-of-way (feet)	40	50	50	60	60
Minimum pavement (feet)	24	20	30	34	32
Minimum shoulders (2)	Included	3 feet	Included	Included	Included
Sidewalk ^d	Yes	No/Yes	Yes	Yes	No/Yes
Minimum grade	0.5%	0.5%	0.5%	0.5%	0.5%
Maximum grade	10%	10%	8%	6%	6%
Minimum centerline radius (feet)	75	75	110	175	250
Minimum tangent between curves ^g	Variable	Variable	Variable	Variable	Variable
Roadway crown	2%	2%	2%	2%	2%
Street intersection angle (minimum)	75°	75°	75°	90°	90°
Grade within 75 feet of main road	-3% to +3%	-3% to +3%	-3% to +3%	-3% to +3%	-3% to +3%
Minimum curb radius at intersection (feet)	15	15	15	20	20
Minimum right-of-way radius (feet)	20	20	20	20	30
Curbed section	Yes	No	Yes	Yes	Yes
Parking status	See figure 1	See figure 1A	Both sides	Both sides	None

^a (a) See section 98-83(2). A standard of good engineering practice is required where no specification exists.

^b Curbed section with no parking permitted consists of two ten-foot traffic lanes, plus three feet either side of lanes, for a total of 26 feet of pavement. Using a rural section (non-curbed) with no parking requires a three-foot gravel shoulder with two ten-foot paved traffic lanes (with parking use six-foot gravel shoulders).

^c For aesthetic effect, increasing vegetated area, and for phosphorous reduction, it is permitted to place two inches of loam on the gravel base in the shoulder area for the purpose of maintaining a mowed grass area.

^d See section 98-90 for sidewalk specifics.

^e An urban lane section (featuring curbs and closed drainage) can be used in the rural zones, and a rural lane section (featuring gravel shoulders and open ditches) can be used in the urban zones. The names of such are taken from the predominant usage for that zone.

(b) Drainage system requirements. Closed drainage systems are required for all curbed streets. Ditches may be allowed where the lot layout provides an average lot frontage of at least 200 feet. If the portion of the lot abutting the ditch is to be lawn, a 3:1 minimum backslope will be required.

(c) Figures. Street design figures referred to in this chapter are as follows:¹

1. Editor's Note: The Street Design Figures are included as appendices to this chapter.

10.F



CITY OF BELFAST, MAINE 04915
131 Church Street

CODE ENFORCEMENT OFFICE

Phone: (207) 338-3370 ext.125
Fax: (207)338-2149
Email: ceo@cityofbelfast.org

MEMORANDUM

DATE: January 22, 2026

TO: Belfast Mayor, City Council, City Manager, City Attorney

FROM: Stephen Wilson, Code Enforcement Officer

Re: Proposed 80 K actions on various properties; 17 Back Searsport Road, 284 Swan Lake Ave, and 35 Oak Hill Road

Background Information:

17 Back Searsport Road, Map 22 Lot 040-A, this property has been under violation since October 2023 and has revised notices sent in October 2024 and July 2025 with no action or response, conditions continue to deteriorate and neighbor complaints continue. As of now the site appears to be occupied, has no active water service due to leaks and service shut off in January and no power since July. The last certified notice was claimed 7/31/2025.

284 Swan Lake Ave, Map 9 Lot 46-A has been under notice of violation since 5/19/2022, and was noticed again on 5/3/23, and 12/1/2025. There has been some minor effort for compliance like trash pickup but not enough to gain compliance. Now it has gotten so bad that there are 3 unpermitted campers and 2 unpermitted mobile homes on the site apparently with none of them having connection to septic or water, the house has no power or water, and it has a failing roof and walls but appears to be occupied. We had a report of a young man living in one of the trailers that lost his toes to frost bite last year. There appears to be a woman and her boyfriend in the newest camper and possibly someone in the front camper surrounded by piles of trash, Herbie Staples in the rear camper, and people possibly living in the other two mobile homes. A few years ago, the second house on the lot owned by Herbie Staples burned down. I am unsure just how many people are living on the property but there are no safe buildings to be occupied. In 2016 the City received a letter saying that there had been evidence of a Methamphetamine Production Laboratory that was seized on the property and that there may still be hazardous substances or waste onsite.

The property has a lot of junk and debris, cars, trucks, and went to the Planning Board in 1989 but apparently never got licensed or has failed to keep active licensing.

35 Oak Hill Road, Map 8 Lot 43-A is permitted as a single-family home with an in-law apartment. The dwelling is a mobile home with an addition as the in-law apartment. The original notice was for someone living in a camper year-round in the front yard, now that camper has been moved out back and someone appears to be living in it and a newer fifth wheel camper with an illegal propane tank hook up being occupied year-round in the driveway. Neither camper is

permitted nor allowed to be connected to the existing septic and campers are not allowed to be used as dwellings by local ordinance.

Per the N.F.P.A. 1192 Standard a camper is defined as:

3.3.53* Recreational Vehicle (RV). A vehicle or trailer camper that is primarily designed as temporary living quarters for recreational, camping, or seasonal use. It has its own motive power or is mounted on or towed by another vehicle, as regulated by the National Highway Traffic Safety Administration as a vehicle or vehicle equipment, does not require a special highway use permit for operation on the highways, and can be easily transported and set up on a daily basis by an individual.

As the standard states, a camper is designed and intended as temporary living quarters for recreational, camping or seasonal use. Their systems are not designed for daily, year-round living, they do not meet building codes. This heavy use can lead to damage, fire and even death.

Requested Council Action:

I am requesting the Council allow me to pursue 80-K actions against the afore mentioned properties and seek court orders for the property owners to be ordered to eliminate the violations and restore the properties to compliant condition. I am hoping this action will help persuade future similar property violators to volunteer to come into compliance without court action.

Thank you for your consideration,



Stephen Wilson

Code Enforcement Officer – Licensed Plumbing Inspector - Building Official



Property Information

Property ID 008-043-A
Location 35 OAK HILL RD
Owner SPRAGUE, BETTY C (dcd)

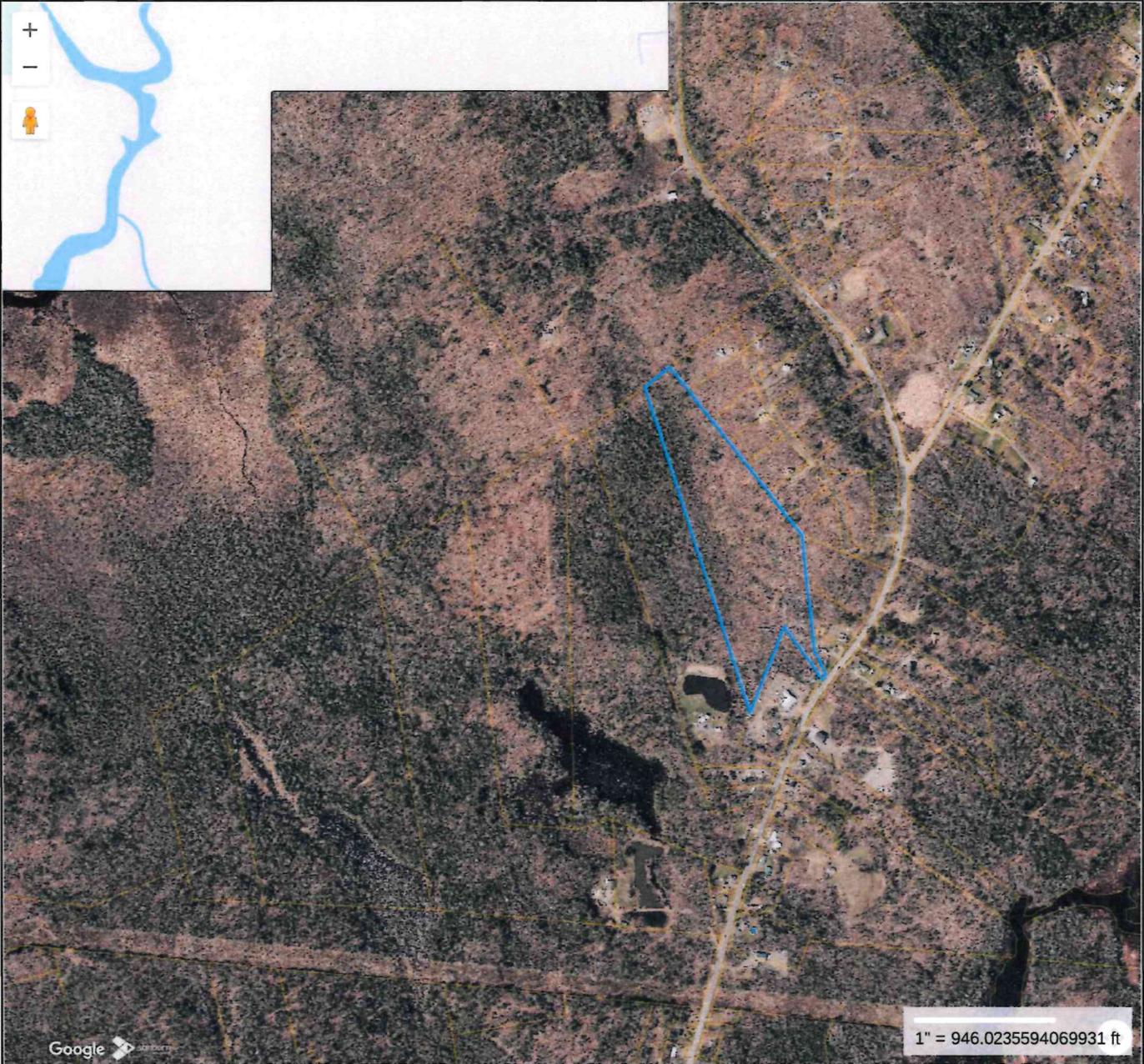


**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Belfast, ME makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated September 2024
 Data updated September 2024

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.



Property Information

Property ID 009-046-A-ON-2
Location 284 SWAN LAKE AVE
Owner STAPLES, ELIJAH



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Belfast, ME makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated September 2024
Data updated September 2024

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.



Property Information

Property ID 022-040-A
Location 17 BACK SEARSPORT ROAD
Owner PATTERSON, BETTY MARIE ESTATE



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Belfast, ME makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated September 2024
Data updated September 2024

Print map scale is approximate.
Critical layout or measurement activities should not be done using this resource.

10.G



CITY OF BELFAST

City Hall
131 Church Street
Belfast, Maine 04915

Thomas Kittredge
Economic Development Director

E-mail: economicdevelopment@cityofbelfast.org
Phone: (207) 338-3370, extension 116

From: Thomas Kittredge, Economic Development Director

To: Mayor Eric Sanders, City Councilor Christopher Bitely, City Councilor Paul Dean, City Councilor Neal Harkness, City Councilor Daniel Miller, City Councilor Mary Mortier, City Manager Erin Herbig, and Deputy City Manager Manda Cushman

For: Belfast City Council Meeting of February 3, 2026

Regarding: Request by the Economic Development Director to have the City Council authorize the issuance of a Request for Bids for the environmental remediation of the former Bradbury Manor property at 74 High Street.

In May of 2025, the City of Belfast learned it had been awarded a United States Environmental Protection Agency (USEPA) Brownfields Cleanup Grant in the amount of \$2,000,000, to fund proposed remediation activities, including the abatement of identified hazardous building materials and/or cleanup of impacted soils, for two of its properties, one located at 74 High Street, Belfast (also known as the former Bradbury Manor property) and the other located at 137 Church Street, Belfast (also known as the former Waldo County Superior Court House property).

Since the award of this funding, the City of Belfast has taken steps to move this project forward, specifically by hiring TRC as its Qualified Environmental Professional, holding a public meeting on October 23, 2025, conducting a 30-day comment period (which ended on November 10, 2025), and finalizing and submitting to USEPA a Decision Document, a Community Involvement Plan, and Analyses of Brownfields Cleanup Alternatives/Remedial Action Plans.

Most recently, TRC has submitted proposed cleanup action memos for both properties to USEPA, in support of the review of the project for compliance with Section 106 of the National Historic Preservation Act, and has developed bid specifications for the cleanup of 74 High Street. Once USEPA has concurred with the proposed cleanup action memo for 74 High Street, the City of Belfast will have the ability to issue a request for bids for the environmental remediation of that site.

At this time, the Economic Development Director requests that the City Council take the following actions:

1) Authorize the issuance of a Request for Bids for the environmental remediation for the former Bradbury Manor property at 74 High Street.

10.4



CITY OF BELFAST, MAINE 04915
131 Church Street

PLANNING AND CODES DEPARTMENT

Phone: (207) 338-3370 ext. 125

Fax: (207) 338-2419

Email:

planningandcodes@cityofbelfast.org

MEMORANDUM

DATE: January 27, 2026

TO: Belfast Mayor, City Councilors, City Manager

FROM: Bub Fournier, Director of Planning and Codes Department

RE: Request for the City Council to consider selling a portion of the former River Avenue right-of-way to an abutter

Background Information:

The Belfast Planning and Codes Department has been working with John McKeith who owns and manages the Belfast Center at 9 Field Street, a multi-use commercial building, since he purchased and began renovating the property in 2018.

More recently, Mr. McKeith purchased the adjacent lot downhill from the Belfast Center at 3 Field Street that was the site of a vacant, distressed building. Immediately after purchasing the property, the dilapidated home was demolished so that the site could be redeveloped.

At this time, Mr. McKeith has generated a proposal for the City to consider selling him the unused portion of the former River Avenue right-of-way adjacent to 3 Field Street. The proposal was initially vetted by City Engineer Mandy Holway and Public Works Director Kip Faulkner as well as myself to investigate any impacts on existing utilities or City operations. There are some City utilities in the vicinity, but City staff found that the proposal accommodates them. From a planning perspective, additional land for this abutter could increase the opportunity to develop more housing on the property.

Finding no issues with the proposal, I forwarded it to City Attorney Kristin Collins, who has

asked that I include the following details:

- 1) The City would need to take steps to discontinue any road rights existing within the property to be conveyed.
- 2) All existing public utilities or installations on the property would need to be covered by sufficient easements for their maintenance, repair or replacement.
- 3) A final deed, including any easements, to be retained by City, would need to be authorized by further Council action prior to closing.

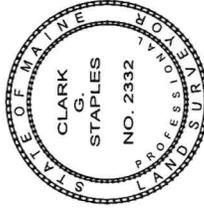
Requested Action: I request that the City Council authorize the City Manager to negotiate and enter a purchase and sale agreement to sell to Tidal Bay Management, LLC a portion of the Town's right of way at the end of River Avenue as depicted in the map included in the packet for this agenda item on the following terms:

Sale price not less than \$_____;

Any expenses incurred by the City in discontinuing the right-of way, preparing deeds and easements are to be paid by the buyer.



MAINE COORDINATE
SYSTEM OF 1983
EAST ZONE
(2011)EPOCH-2010.0000)



BOUNDARY SURVEY
LANDS OF
**TIDAL BAY
MANAGEMENT, LLC**
3 FIELD STREET
BELFAST, MAINE
WALDO COUNTY REGISTRY OF DEEDS
BOOK 5153, PAGE 87
AND
SURROUNDING LANDS



GOOD DEEDS
LAND SURVEYING & DEED RESEARCH
P.O. BOX 587
PROJ. 25332
109 MAIN STREET
BELFAST, ME 04915 DATE: 11-26-2025
(207) 338-5743

NOTES:

- (1) DOCUMENTS REFERENCED ON THIS PLAN ARE RECORDED IN THE WALDO COUNTY REGISTRY OF DEEDS UNLESS OTHERWISE NOTED.
- (2) NO SURVEYOR'S REPORT WAS PREPARED.
- (3) FIELD STREET IS DESCRIBED AS A 3 ROD (48.5 FOOT) WIDE STREET EXTENDING FROM HIGH STREET TO WALDO AVENUE ON PAGE 631 IN JOSEPH WILLIAMS' HISTORY OF THE CITY OF BELFAST, MAINE VOL. 1. NO RECORD OF FIELD STREET IS 3 RODS WIDE WAS FOUND. IT IS ASSUMED THIS PORTION OF FIELD STREET IS 3 RODS WIDE.
- (4) ON PAGE 642 IN JOSEPH WILLIAMS' HISTORY OF THE CITY OF BELFAST, MAINE VOL. 1 RIVER AVENUE IS DESCRIBED AS A 3 ROD (48.5 FOOT) WIDE STREET EXTENDING FROM PIERCE STREET 25 RODS AND 5 LINKS IN A NORTHERLY DIRECTION TO A STONE WALL BETWEEN LANDS OF EBEN PIERCE AND B.F. FIELD. THIS LAYOUT DOES NOT EXTEND TO FIELD STREET. THE RIGHT OF WAY OF RIVER AVENUE IN THE SUBJECT AREA HAS BEEN CREATED USING DEEDS IN THE SUBJECT CHAIN OF TITLE AND CHAIN OF TITLE OF PENOBSCOT McCURUM, LLC.

SURVEY STANDARD

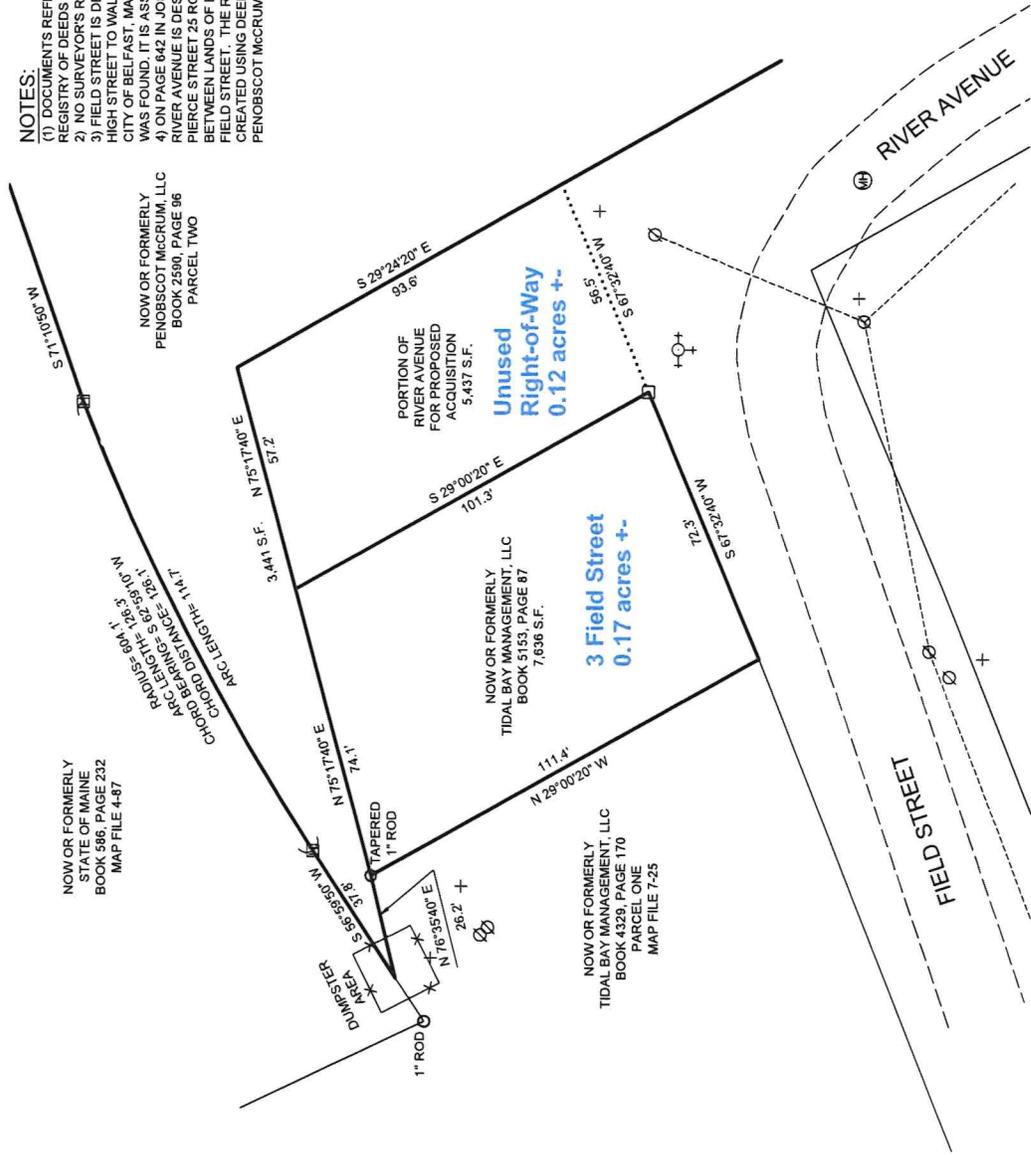
THIS PLAN WAS PREPARED FROM INFORMATION OBTAINED BY A SURVEY CONFORMING SUBSTANTIALLY TO THE REQUIREMENTS OF TECHNICAL STANDARDS CONTAINED IN CHAPTER 80, PART 2, OF THE RULES OF THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 2001.

Clark G. Staples

CLARK G. STAPLES, MAINE LICENSED
PROFESSIONAL LAND SURVEYOR No. 2332

LEGEND

- 3/4 INCH DIAMETER REBAR WITH IDENTIFICATION CAP SET
- MONUMENT FOUND AS LABELED
- STONE MONUMENT FOUND
- ▣ HIGHWAY MONUMENT FOUND
- ∅ UTILITY POLE
- + UTILITY POLE ANCHOR
- +○+ FIRE HYDRANT
- ⊕ MAN HOLE
- EDGE OF PAVEMENT
- x-x- WOODEN STOCKADE FENCE
- OVERHEAD WIRES
- PROPERTY LINE





THE BELFAST CENTER
OFFICE & CREATIVE SPACE
A DIVISION OF TIDAL BAY MANAGEMENT, LLC

January 14, 2026

Erin Herbig
City Manager
131 Church Street
City of Belfast
Belfast, ME. 04915

Re: Purchase Proposal of the Unused Right-of-Way at the Northwest End of River Avenue

Dear Erin,

In October 2025, I approached the City of Belfast about purchasing the small, unused right-of-way at the northwest end of River Avenue. This right-of-way abuts the small 3 Field Street property (Lot 46, Map 13) that I already own. My intent is to combine the two small parcels to create a single larger parcel on which we can build multiple units of new housing to benefit the Belfast community. A review of my initial proposal by the City engineer, the City lawyer and the Public Works director found no objection to moving forward with the plan. The right-of-way was apparently abandoned when Rt. 1 was built in the 1960's and has been unused and not generating any taxes for many years.

Helping People Succeed:

In 2018 I purchased The Belfast Center, often known as "The Red and White Building", located at 9 Field Street. At the time of purchase, the property had many deferred maintenance issues, was only 81% occupied, and people often reported feeling uncomfortable about going into the building. Over the past 7 years we have significantly improved The Belfast Center by updating offices and infrastructure, bringing the building into code compliance, attracting new businesses and making it an important hub for small business in the Mid-Coast region.

Our efforts have made a difference: The Belfast Center is now 100% occupied and it is becoming known as an incubator that helps new and young businesses get started in a safe and productive environment. Our tenants regularly tell me about their successes.

In September of last year, I purchased the 3 Field Street property referenced above and immediately removed the condemned house on the property that had been a problem for the City for the past 2 1/2 years. My intent is to build a small condo development to benefit both employees and employers in the Belfast community. The housing would meet a critical need, give people a start and help them to succeed in a safe, positive and productive environment -- just like what we have created at The Belfast Center.

Page 1 of 3



THE BELFAST CENTER
OFFICE & CREATIVE SPACE
A DIVISION OF TIDAL BAY MANAGEMENT, LLC

The 3 Field Street property is within easy walking or biking distance to downtown employment and retail, and the approximate .17-acre +/- lot is already zoned for a duplex. But it is only zoned for *one* duplex.

If the City of Belfast and I both are trying to address the housing issue in the area, it makes sense to combine the isolated and unused right-of-way with my abutting 3 Field Street parcel and create a slightly larger parcel of land that can be used for additional housing units.

Discovery:

At Bub Fournier's request, I hired at my cost Clark Staples of Good Deeds Land Surveying to survey the City's unused right-of-way. A copy of the survey is included in this proposal. The right-of-way size is 0.12 acres +/-.

The right-of-way is bordered on the southwest side by the 3 Field Street parcel that I own, and on the northwest and northeast sides by Penobscot McCrum LLC property.

The McCrum property to the northwest is narrow, and the hillside leading up to it is steep and accessible only by foot. There is a steep drop-off from the City's parcel on the northeast side down to what is now the field where the old McCrum potato processing factory once stood.

Street access to the unused right-of-way from River Avenue is inhibited by a fire hydrant and a utility pole. At the base of the utility pole is an area of buried electrical utilities. I spoke with Bub Fournier about the buried services, and he suggested that we maintain a minimum 15' easement around these utilities for future work and maintenance. That makes perfect sense, but together these two utility structures and the easement create a significant barrier between the street and the City's right-of-way. The only easy way to access the parcel is through the 3 Field Street property.

The 2023 Belfast Comprehensive Plan for housing states the following goals:

1. Encourage and promote affordable, decent housing opportunities for all who want to live in Belfast.
2. Creative solutions for closing the affordability gap for renters and owners.
3. A diversity of housing types for different types of households (eg. singles, families – with or without children, seniors, starter homes).
4. Code, permitting, and review processes that support the creation of affordable housing in the City of Belfast.
5. The creation of a housing partnership organization.



THE BELFAST CENTER
OFFICE & CREATIVE SPACE
A DIVISION OF TIDAL BAY MANAGEMENT, LLC

Valuation:

In December I met with Nancy Falvey, Associate Broker with Better Homes and Gardens Real Estate, The Masiello Group in Belfast and enlisted her help in establishing a fair market value for this parcel. Unfortunately, there are no recent comps for similar land (size and location) in town. Compounding the issue, as noted in the Discovery section above, is that the fire hydrant and electric utilities inhibit access from the street to the City's parcel. Nancy factored in the small size and the barriers to the unused right-of-way, and her recommendation for a price is below.

Proposal:

I would like to acquire this unused right-of-way from the City of Belfast, put it back on the tax roll, combine it with the 3 Field Street property and develop it for housing for the benefit of people of Belfast. Having already paid for the survey, I am willing to offer \$17,500.

By combining these two small parcels, together we can create an opportunity for a potential 4-6 unit condo development that would benefit both employees and employers in the area. We also address some of the stated goals of the Belfast Comprehensive Plan above including:

1. Encouraging affordable, decent housing opportunities,
2. Looking for creative solutions for closing the affordability gap for renters and owners,
3. Seeking a diversity of housing types for different types of households.

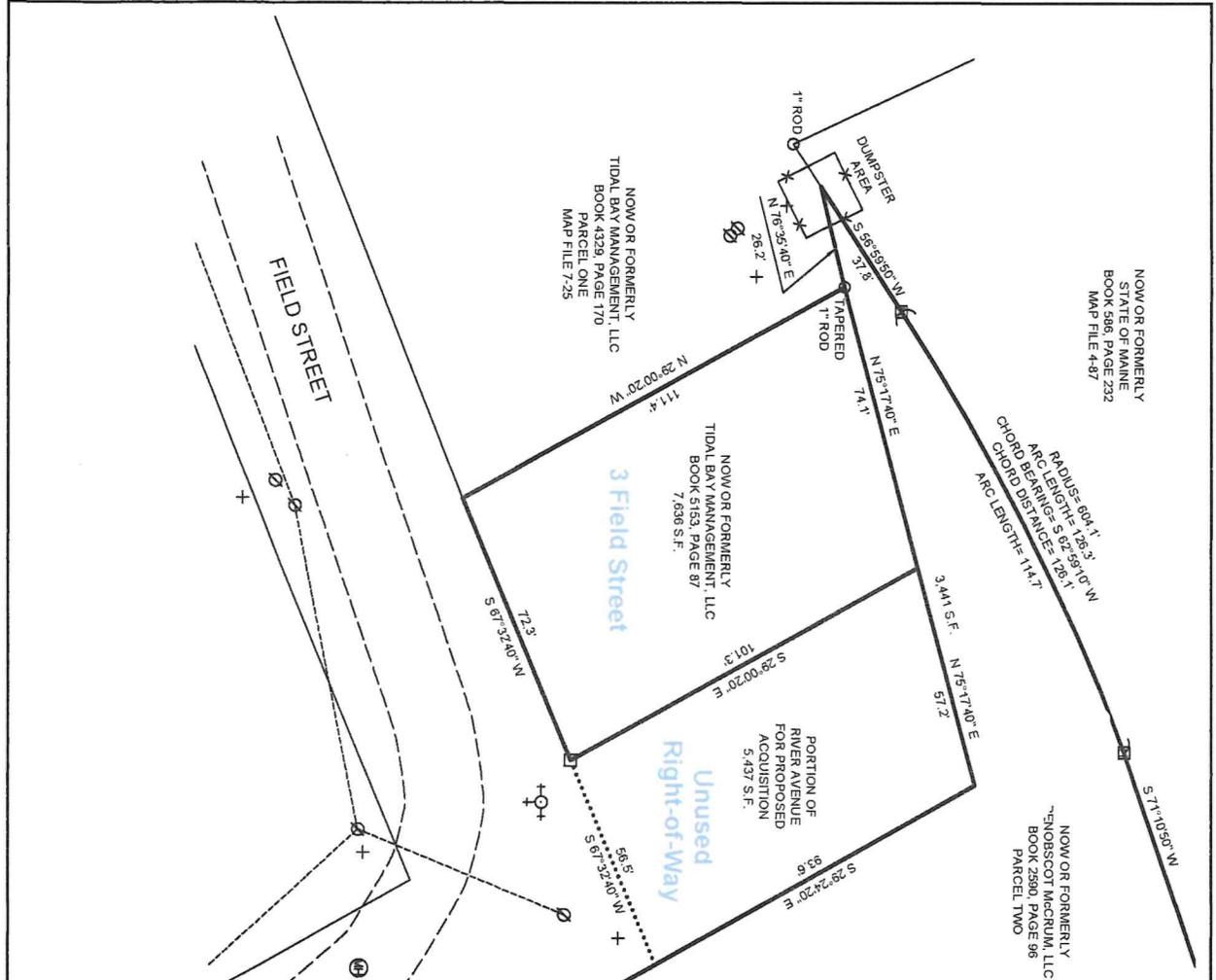
The development would be designed to help meet a critical need, give people a start and help them to succeed in a safe, positive and productive environment -- just like what we have created at The Belfast Center.

I understand that I will need to go through Contract Zoning to determine the design and the exact number of units that could be built on this combined parcel. But at the end of the day, combining my parcel with the City's unused right-of-way will substantially increase the number of housing units that can be built.

Thank you for considering. I am looking forward to collaborating with you on this project.

Respectively,

John McKeith
Member, The Belfast Center
A Division of Tidal Bay Management, LLC



NOW OR FORMERLY
 STATE OF MAINE
 BOOK 596, PAGE 232
 MAP FILE 4-87

RADIUS: 604.1'
 ARC LENGTH: 542.591010"W
 CHORD BEARING: 126.1
 CHORD DISTANCE: 126.1

NOW OR FORMERLY
 "ENOBSCOT MACRUM, LLC
 BOOK 2580, PAGE 86
 PARCEL TWO

- NOTES:**
- 1) DOCUMENTS REFERENCED ON THIS PLAN ARE RECORDED IN THE WALDO COUNTY REGISTRY OF DEEDS UNLESS OTHERWISE NOTED.
 - 2) NO SURVEYOR'S REPORT WAS PREPARED.
 - 3) FIELD STREET IS DESCRIBED AS A 3 ROD (99.5 FOOT) WIDE STREET EXTENDING FROM HIGH STREET TO WALDO AVENUE ON PAGE 6311 IN JOSEPH WILLIAMS' HISTORY OF THE CITY OF BELFAST, MAINE VOL. 1. NO RECORD OF THE PORTION EAST OF HIGH STREET WAS FOUND. IT IS ASSUMED THIS PORTION OF FIELD STREET IS 3 RODS WIDE.
 - 4) ON PAGE 642 IN JOSEPH WILLIAMS' HISTORY OF THE CITY OF BELFAST, MAINE VOL. 1 RIVER AVENUE IS DESCRIBED AS A 3 ROD (99.5 FOOT) WIDE STREET EXTENDING FROM PIERCE STREET 25 RODS AND 5 LINKS IN A NORTHERLY DIRECTION TO A STONE WALL BETWEEN LANDS OF EBEN PIERCE AND B. F. FIELD. THIS LAYOUT DOES NOT EXTEND TO FIELD STREET. THE RIGHT OF WAY OF RIVER AVENUE IN THE SUBJECT AREA HAS BEEN CREATED USING DEEDS IN THE SUBJECT CHAIN OF TITLE AND CHAIN OF TITLE OF PENOBSCOT MACRUM, LLC.

SURVEY STANDARD

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Clark G. Staples

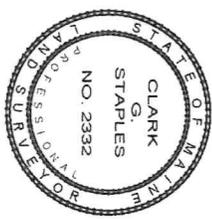
CLARK G. STAPLES, MAINE LICENSED
 PROFESSIONAL LAND SURVEYOR NO. 2332

LEGEND

- 3/4 INCH DIAMETER REBAR WITH IDENTIFICATION CAP SET
- MONUMENT FOUND AS LABELED
- STONE MONUMENT FOUND
- ▣ HIGHWAY MONUMENT FOUND
- ∅ UTILITY POLE
- + UTILITY POLE ANCHOR
- +⊕ FIRE HYDRANT
- ⊕ MAN HOLE
- EDGE OF PAVEMENT
- x-x- WOODEN STOCKADE FENCE
- OVERHEAD WIRES
- PROPERTY LINE



MAINE COORDINATE
 SYSTEM OF 1983
 EAST ZONE
 (2011)/EPOCH: 2010.00000



BOUNDARY SURVEY
 LANDS OF
TIDAL BAY MANAGEMENT, LLC
 3 FIELD STREET
 BELFAST, MAINE
 WALDO COUNTY REGISTRY OF DEEDS
 BOOK 5153, PAGE 87
 AND
 SURROUNDING LANDS

GOOD DEEDS
 LAND SURVEYING • DEED RESEARCH

R.O. BOX 587
 100 MAIN STREET
 BELFAST, ME 04915
 (207) 598-5743

PROJ. 25322
 DATE: 11-28-2025

10.I



CITY OF BELFAST

City Hall
131 Church Street
Belfast, Maine 04915

Thomas Kittredge
Economic Development Director

E-mail: economicdevelopment@cityofbelfast.org
Phone: (207) 338-3370, extension 116

From: Thomas Kittredge, Economic Development Director

To: Mayor Eric Sanders, City Councilor Christopher Bitely, City Councilor Paul Dean, City Councilor Neal Harkness, City Councilor Daniel Miller, City Councilor Mary Mortier, City Manager Erin Herbig, and Deputy City Manager Manda Cushman

For: Belfast City Council Meeting of February 3, 2026

Regarding: Request by the Economic Development Director to have the City Council authorize the hiring of McClure Engineering, to provide engineering services for an improvement project for the intersection of Maine Route 52 and US Route 1.

In 2025, the City of Belfast learned it had been selected for funding from the Maine Department of Transportation's Municipal Partnership Initiative Program, a streamlined program to address municipal requests that deal with transportation infrastructure issues on state and state-aid highways, encourage economic opportunities, and make improvements to infrastructure to increase its life or correct safety deficiencies. The City of Belfast was awarded (up to) \$300,000 in funding from this program, to which it must provide matching funds on a 1:1 basis. The proposed project that will utilize these grant and the City's matching funds is to create a dedicated left turn lane at the intersection of northbound ME Route 52 and/onto northbound US Route 1.

The City of Belfast issued a Request for Proposals for Engineering Services for this project on December 15, 2025, with a submission deadline of January 20, 2026. The major tasks required for engineers to provide for this project consisted of: 1) design; 2) stakeholder involvement; 3) cost estimates and schedule; 4) bidding; 5) construction management; 6) construction inspection; 7) reporting; and 8) certification.

The City received three proposals by the submission deadline. A working group consisting of Director of Code and Planning Bub Fournier, Economic Development Director Thomas Kittredge, and Deputy Economic Development Director Joellyn Warren reviewed and scored the submitted proposals, according to four evaluation criteria: 1) experience (25%); 2) project understanding, approach, and timeline (25%); cost of services (40%); and personnel and capacity (10%). At the conclusion of their reviewing and scoring, the working group developed a recommendation to hire McClure Engineering. McClure Engineering's proposal cost was \$73,270, which was the lowest of the three submitted proposals. Economic Development Director Thomas Kittredge verified multiple project references that were provided by McClure Engineering in their proposal.

At this time, the Economic Development Director requests that the City Council take the following actions:

- 1) Accept the working groups' recommendation to hire McClure Engineering to provide engineering services; and**
- 2) Authorize the City Manager to sign any and all documentation or paperwork required for the execution of a contract with McClure Engineering.**



**City of Belfast
Office of the Assessor
E911 Addressing Officer**

131 Church Street
Belfast, Maine 04915
Phone: (207) 338-3370, Ext 117
Email: assessing@cityofbelfast.org

10.5

January 27, 2026

**To: Mayor and Members of City Council
Request for Approval of Proposed Private Road Name**

Dear Mayor and City Council Members,

As an E911 Addressing Officer for the City of Belfast, I respectfully submit this request for Council approval of a proposed private road name.

Proposed Road Name: Waukeag Way

Location:

Traveling northwest on High St. the new road is located on the right directly across from the northeast end of John St. It is on Map 013 Lot 075. The final length has not been determined at this point.

Justification:

Per the landowners request the proposed name has been reviewed and is not a duplicate or phonetically similar to any existing road names in the 04915 E911 service area and it supports effective emergency response by ensuring accurate addressing and continued compliance with E911 standards.

A survey of the proposed road location is attached.

Please feel free to contact me with any questions or if further documentation is required.
Thank you for your consideration.

Sincerely,

Sheila Fountain, CMA-2
E911 Addressing Officer
Assessor's Assistant

10.K

Notification: 10105295103

CENTRAL MAINE POWER COMPANY

Work Order: 80100075479

APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: BELFAST, Maine

To the: [x] City

[] Town

[x] County of: WALDO, Maine

[x] Central Maine Power hereby applies for permission to:

[x] Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

[] Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

[x] Central Maine Power Company and CCI

jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: 44.423890, -69.019312

2. Road (State & CMP): RTE 3, MAIN STREET (BELMONT AVE)

3. Direction: EAST

4. Distance: 51 feet

5. Number of Poles: 1

[x] Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.

[] Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

[] Public Notice of this application has been given by publishing the text of the same

[x] Not Published

In: _____

On: _____

CENTRAL MAINE POWER COMPANY

CCI

By: EDWARD ADAMS

Date: 2025-12-23

By: Danielle Godin Date: 01/20/2026

For Stephen Polyot Right of Way Manager-Maine

CENTRAL MAINE POWER COMPANY

SKETCH TO ACCOMPANY APPLICATION FOR POLE OR UNDERGROUND LOCATIONS

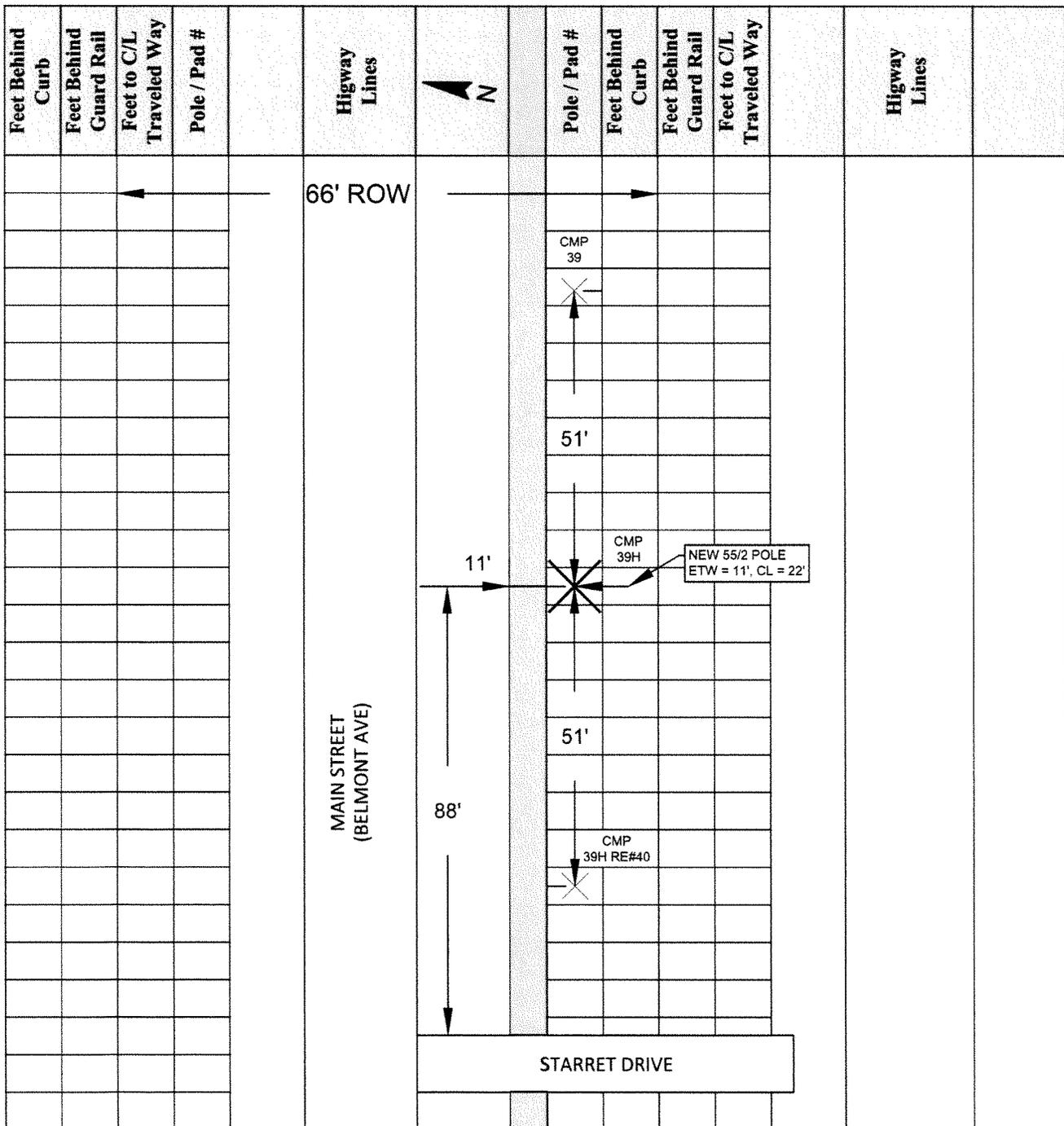
City / Town: BELFAST

Date: 12/23/25

Street: MAIN STREET (BELMONT AVE)

By: Edward Adams

Facilities to consist of wood poles and appurtenances with a minimum clearance of wire and cables not less than 21 feet over the public highway, and/or underground facilities to consist of buried cables, conduits, transformers and manholes for operation at 7200 volts to ground single phase. Construction to be suitable for future operation at a voltage not to exceed 22KV to ground single phase. Right-of-way limits indicated are based on the best field information available. at Central Maine Power Poles/ Pads are staked. For further information call: Edward Adams at Central Maine Power Company tel: (802) 522-3168 . Pole/Pad spans shown are approximate.





MDOT MAP VIEWER SNIP

LOCATION PERMIT

Upon the Application of Center Maine Power Company and CCI,

dated 2025-12-23, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the City / Town of BELFAST,

approximately located as follows:

- 1. Starting Point: 44.423890, -69.019312
- 2. Road (State & CMP): RTE 3, MAIN STREET (BELMONT AVE)
- 3. Direction: EAST
- 4. Distance: 51 feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____

Clerk