



CITY OF BELFAST

131 Church Street
Belfast, Maine 04915

Erin Herbig
City Manager

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MANAGER'S REPORT
Belfast City Council Meeting
Tuesday, September 5, 2023

5:40 p.m. Committee Interviews

7:00 p.m. Regular Council Meeting

All City Council Meetings and City Committee Meetings will be conducted in-person at Belfast City Hall, effective May 3, 2022.

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

FROM: Erin Herbig, City Manager

DATE: Thursday, August 31, 2023

Agenda Items:

10-A Request to authorize the City Manager to negotiate a contract for the purchase of the former Waldo County Superior Court Building from the County of Waldo.

The former Waldo County Superior Court Building, located at 137 Church Street, has not served as an active courthouse since the completion of the new courthouse on Market Street in 2019. The County of Waldo is now looking to relocate the remaining services in that building to their other county buildings.

As Belfast grows, so do the services offered by the City of Belfast. The City Council seeks to work with the County of Waldo on a purchase and sale agreement for this building as a future home for City services in addition to City Hall.

If approved by the City Council, I recommend a motion to authorize the City Manager to negotiate a contract for the purchase of the former Waldo County Superior Court Building from the County of Waldo.

Following the negotiation of a final draft contract, a Purchase and Sale Agreement for the former Superior Court Building will be brought back for Council consideration.

I will be available at the meeting to answer any questions.

10-B Request to authorize the City Manager to sign a Memorandum of Agreement and the Purchase and Sale Agreement with Angela Hill for property located at Map 19, Lot 5.

This spring, the City of Belfast was contacted by Belfast resident Angela Hill regarding a potential land swap and purchase of a small piece of City owned property.

If approved by the City Council, I recommend a motion to authorize the City Manager to sign a Memorandum of Agreement and the Purchase and Sale Agreement with Angela Hill for property located at Map 19, Lot 5.

Please see the attached Memorandum of Agreement and the Purchase and Sale Agreement (10-B). I will be available at the meeting to answer any questions.

10-C Request to adopt the Commitment of Property Taxes and set the Mil Rate for the 2023 – 2024 Fiscal Year.

Interim Assessor Avis Winchester, Assessing Assistant Shelia Fountain and Assessing Assistant Brooks Taber-Grotton have been working closely with Jim Murphy of Murphy Appraisal Services, to complete required tasks and to provide the City Council with materials regarding proposed mil rates for the 2023-2024 Fiscal Year. I want to thank them all for their time and hard work that goes into preparing for tax commitment each year.

The FY23-24 City of Belfast budget that was passed by the City this July includes:

Municipal Expense Budget	\$13,424,516
TIF	\$519,004
Less Projected Revenue	\$8,256,401
Net Municipal Budget	\$5,687,119
RSU #71 Education	\$10,285,132
Waldo County	\$1,713,737
Amount to raise through Taxation	\$17,685,988

The current mil rate is .02140. Murphy Appraisal Services and our Assessing Department have calculated three scenarios that are all below the current rate at .0201, .0202, and .0203 for your consideration.

Please see the attached memo (10-C) from Interim Assessor Avis Winchester providing further detail. Murphy Appraisal Services and our Assessing Department staff will review each option with you at the meeting and answer any questions.

10-D Request from the Harbor Master to hire a consultant to assist with the Bridge and River Harbor Management Plan.

Several years ago, the Belfast Harbor Advisory Committee proposed to complete a Harbor Management Plan for the Bridge and River Harbor areas of Belfast Harbor. These areas are tidal and have not specifically been looked at as to how the City of Belfast may best manage this part of the Harbor for the future.

The Bridge Harbor of Belfast is defined as the area bounded on the south by the northerly face of the Armistice Bridge, and on the north by the northerly face of the Veteran's Memorial Bridge. The River Harbor is defined as the area bounded on the south by the northerly face of the Veteran's Memorial Bridge, and on the north at the Head of Tide.

The Bridge and River Harbors are used in separate ways than the rest of the harbor. There is currently little float and mooring use. Due to the very restricted access at low water and a narrow channel, most of the vessel traffic consists of small rowing vessels and small motorized fishing vessels. Public access is difficult from the shore due to steep banks and long mud flats.

For the past two years the Belfast Harbor Advisory Committee has discussed many ideas and possible concerns that may come up with putting a Bridge and River Management Plan together and have determined that hiring a consultant may be in the City's best interest.

City staff obtained an estimate to complete a Bridge and River Harbor Management Plan from The Musson Group, who helped the City of Belfast complete our Outer and Coastal Harbor Management Plans in 2016, and who most recently assisted the City of Belfast with their Comprehensive Plan. The Musson Group is very familiar with the City of Belfast and has

worked with several other municipalities with various harbor management plans and has a wide range of experience.

The Musson Group proposed an estimate of \$40,000 – \$45,000 to prepare a management plan in the area between the Armistice Bridge to the end of tidal waters. The Harbor Advisory Committee has reviewed the proposal and feel that this estimate is appropriate for the work the Committee wishes to complete.

If accepted by the City Council, the Harbor Master recommends a motion to authorize up to \$45,000.00 to hire Musson Group to assist the City of Belfast with a Bridge and River Harbor Management Plan with funding to come from the Harbor Department Enk Fund. This account has a current balance of \$177,246.

Please see the attached memo (10-D) from Harbor Master Kathy Given explaining the request in more detail. Harbor Master Given will be at the meeting to present and answer any questions.

10-E Request to approve a new Facility Use Request Application by Kate Mikkelsen for use of the City Park Pickleball Courts to conduct Pickleball Fit twice a week through the end of October.

The City of Belfast has received a Facility Use Request Application from Kate Mikkelsen. Ms. Mikkelsen is proposing to conduct 90-minute classes twice per week called Pickleball Fit. The proposed classes would be a blend of nutrition and exercise instruction, along with stretching and technique drills designed to improve overall fitness and pickleball-specific abilities. If approved, classes would take place on Fridays from 3:00PM to 4:30PM and Sundays from 2:00PM to 3:30PM through the end of October of 2023 and would use the City Park Pickleball courts.

Ms. Mikkelsen has picked these days and times after consulting with members of the loosely organized Belfast Pickleball group who indicated that these times are when the courts tended to be less used. Ms. Mikkelsen expects to use the courts for around 30 minutes during each class

and expects to need 2 of the 4 courts. Should the courts be in use at the time that she wishes to use them, she will need to adjust her schedule or location.

Additionally, Ms. Mikkelsen is proposing a \$5.00-\$15.00 donation from class participants. A portion of the collected funds would go towards creating a poster outlining pickleball-specific stretches posted at the City Park Pickleball courts.

The Parks and Recreation Department Director believes this request serves the citizens of Belfast as requested but feels that it is important for the City Council to discuss the use of parks by individuals or groups conducting courses or activities where a monetary exchange of any kind takes place.

If approved by the City Council, Parks and Recreation Director Zach Dozier recommends a motion to approve this new Facility Use Request Application by Kate Mikkelsen for use of the City Park Pickleball Courts to conduct Pickleball Fit twice a week through the end of October.

Please see the attached memo and completed Facility Use Application (10-E) explaining the request in further detail. Director Dozier will be at the meeting to answer any questions.

10-F Presentation on Proposed Ordinance Amendments regarding a Short-term Rental Registry.

The City Council directed City staff to look at all avenues to address the housing shortage that our community is facing. City staff have worked to increase opportunities for more housing in the rural zoning districts, for example. A short-term rental registry was determined a good first part of a larger strategy to increase housing opportunities inside the bypass. The next task is to address LD 2003 and to examine the residential zoning districts inside the bypass.

The Planning Board has worked on the registry since January of this year. They have dedicated multiple meetings to establish this ordinance amendment. There was a lot of discussion around

what is a short-term rental, what are comparable uses, and where are they located in Belfast. The goal of this registry is to have a better understanding of how short-term rentals are affecting our community and to collect accurate data.

The Planning Board conducted a Public Hearing at the July 12, 2023, meeting and held an open to the public session in March. City staff have also spoken individually with citizens to hear their feedback on the proposed registry.

The City Council held a presentation, Public Hearing and First Reading at their August 15th Regular Council Meeting. At this meeting, the Council identified when they wanted the ordinance amendment to take effect, the cost of registration, after the fact fees, and an adjustment to the definitions.

No City Council action is required at this time as this is strictly a presentation regarding the proposed amendments.

Please see the attached memo and proposed amendments (10-F, G, and H) from City Planner Jon Boynton explaining the request in further detail. Planner Boynton and the Director of Code and Planning Bub Fournier will be at the meeting to present.

10-G Public Hearing on Proposed Ordinance Amendments regarding a Short-term Rental Registry.

NOTICE OF PUBLIC HEARING
CITY OF BELFAST CITY COUNCIL
AMENDMENT TO CITY CODE OF ORDINANCES

The City of Belfast City Council, at its meeting of September 5, 2023, beginning at 7:00 pm or as soon as practical thereafter, shall conduct a public hearing and Second Reading on multiple proposed amendments to the City Code of Ordinances, Chapter 14, Business, Chapter 58 Traffic and Vehicles, Chapter 66 General Provisions, proposed new Chapter 72, Housing and Lodging,

and Chapter 102 Zoning, Article VII Overlay Districts. The City Council held the first reading and conducted a public hearing at their meeting of August 15, 2023.

Short-Term Rental Registry

The City Council is considering a proposed Short Term Rental Registry as recommended by the Belfast Planning Board at their meeting on July 12, 2023. The creation of the registry requires amendments to Chapter 14 Business and Chapter 66 General Provisions and a new Chapter 72 Housing and Lodging. The proposed registry will require residential dwelling units rented for less than 30 days to be registered with the City. The proposed ordinance does not cap the number of dwelling units that can register or require the dwelling unit to be inspected before registering with the City.

The City Council will conduct the September 5, 2023, meeting and public hearing in person at Belfast City Hall located at 131 Church St., Belfast, ME 04915. Currently, persons who want to offer public comment at the August 15, 2023, hearing may do so in any of the following ways:

- 1) Submit comments via email in advance of the meeting to the Planning and Codes Department at planningandcodes@cityofbelfast.org. Comment should be received no later than 12:00 pm on September 5, 2023, so it can be provided to the Council. This is the preferred way to submit comments.
- 2) Submit a written letter by 12:00 pm on September 5, 2023, to the City of Belfast, Planning and Codes Department, 131 Church St., Belfast, ME 04915.
- 3) Submit oral comments during the meeting in person at Belfast City Hall, 131 Church St. Belfast, ME 04915.

The City Council will conduct its Second Reading of these Ordinance Amendments at the September 5, 2023, meeting. The Council conducted the First Reading and public hearing at their August 15, 2023 meeting. The language for the proposed amendments can be viewed on the City's website, cityofbelfast.org, reference Planning and Codes, Amendments for Short Term Rentals, Airport Overlay, and Parking. Citizens may also view the ordinance amendments in person at the Planning and Codes Department office in Belfast City Hall during regular business hours, Monday – Thursday, 7:00 am – 6:00 pm. Questions regarding the proposed amendments should be directed to Bub Fournier, Director, or Jon Boynton, City Planner, at 338-3370 x 125 or at planningandcodes@cityofbelfast.org.

All interested persons are invited to participate in the public hearing and will be given an opportunity to be heard at that time.

Please see the attached memo and proposed amendments (10-F, G, and H) from City Planner Jon Boynton explaining the request in further detail.

10-H Discussion and Council Action on Proposed Ordinance Amendments regarding a Short-term Rental Registry.

This is a Second Reading. The City Council held a presentation, Public Hearing and First Reading at their August 15th Regular Council Meeting.

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

If approved by the City Council, City Planner Jon Boynton recommends a motion to approve the Second Reading and adopt the proposed ordinance amendments to Chapter 14, Business, Chapter 66 General Provisions, and the creation of Chapter 72, Housing, and Lodging, regarding a Short-term Rental Registry as presented.

Please see the attached memo and proposed amendments (10-F, G, and H) from City Planner Jon Boynton explaining the request in further detail. Planner Boynton and Director of Code and Planning Bub Fournier will be at the meeting to answer any questions.

10-I Presentation on Proposed Ordinance Amendments regarding Airport Overlay Zoning.

The Airport Overlay concept as proposed in the Airport Master Plan is a planning tool for development in proximity to the Belfast Municipal Airport's northwestern runway 15 and southeastern runway 33. The proposed concept involves 3-dimensional zones A and C, and

outlines building height and use standards for each zone so that airport operations and development on nearby properties may occur in a safe and concurrent manner while minimizing potential conflicts. By right-sizing zoning restrictions on properties adjacent to the Municipal Airport, the proposed ordinance amendments make an additional 60-acres available for housing development.

The Planning Board was officially introduced to the concept of an Airport Overlay District at their regular meeting of January 11, 2023. Following the initial workshop, Airport Manager Kenn Ortmann produced a series of maps describing potential alternatives for the Zone A configuration for the Board's February 8th, 2023, meeting. The 3-A layout alternative included what the Airport Manager described as likely the limit of potential runway expansion in the near future. Code and Planning staff recommend Zone A to encompass the existing RPZ dimensions, only 1,000 feet from the end of the existing runway. Although the Board did not necessarily reach a consensus or define a direction, they discussed alternatives.

At the March 22nd meeting, the Planning Board asked staff to generate maps and tables to describe an A zone configuration with symmetry reflecting the current airport runway size, based on a 1-mile visibility standard, and extend to Schoodic Drive northwesterly and Perkins Road southeasterly. The maps and tables generated by staff also compared this configuration to an A zone based on the current Runway Protection Zone (RPZ) length, symmetry, and downsized for a 1-mile visibility on both ends of the runway.

The Planning Board then discussed the Airport Overlay concept on May 10th, 2023, with the goal of coalescing the work that had occurred up to that time so that the current draft language could be presented at a public hearing. The Board reached a consensus on a dimensional configuration of the A and C zones, potential use restrictions in the A zone, and how to manage currently existing potential nonconformities in the proposed A Zone.

The Planning Board held a public hearing on July 26th, 2023, duly noticed in the Republican Journal as well as directly mailed to abutters within 1,000 feet of the airport. The Board unanimously recommended adoption by the City Council.

The City Council held a presentation, Public Hearing and First Reading at their August 15th Regular Council Meeting.

No City Council action is required at this time as this is strictly a presentation regarding the proposed amendments.

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

10-J Public Hearing on Proposed Ordinance Amendments regarding Airport Overlay Zoning.

NOTICE OF PUBLIC HEARING
CITY OF BELFAST CITY COUNCIL
AMENDMENT TO CITY CODE OF ORDINANCES

The City of Belfast City Council, at its meeting of September 5, 2023, beginning at 7:00 pm or as soon as practical thereafter, shall conduct a public hearing and Second Reading on multiple proposed amendments to the City Code of Ordinances, Chapter 14, Business, Chapter 58 Traffic and Vehicles, Chapter 66 General Provisions, proposed new Chapter 72, Housing and Lodging, and Chapter 102 Zoning, Article VII Overlay Districts. The City Council held the first reading and conducted a public hearing at their meeting of August 15, 2023.

Airport Overlay District

The City Council is considering a proposed Airport Overlay District as recommended by the Planning Board at their meeting on July 26, 2023. The proposed Airport Overlay District would enable elimination of the existing Airport Growth zoning district, which prohibits new dwellings and other uses that may conflict with Airport operations. This proposal would establish an area off both ends of the airport runway where new potentially conflicting uses, including new

dwellings, would not be permitted, while opening up other areas currently in Airport Growth to be rezoned by expanding adjacent zoning districts. The proposal aims to increase housing opportunities and ensure that ongoing Airport operations do not conflict with new uses.

The City Council will conduct the September 5, 2023, meeting and public hearing in person at Belfast City Hall located at 131 Church St., Belfast, ME 04915. Currently, persons who want to offer public comment at the August 15, 2023, hearing may do so in any of the following ways:

- 4) Submit comments via email in advance of the meeting to the Planning and Codes Department at planningandcodes@cityofbelfast.org. Comment should be received no later than 12:00 pm on September 5, 2023, so it can be provided to the Council. This is the preferred way to submit comments.
- 5) Submit a written letter by 12:00 pm on September 5, 2023, to the City of Belfast, Planning and Codes Department, 131 Church St., Belfast, ME 04915.
- 6) Submit oral comments during the meeting in person at Belfast City Hall, 131 Church St. Belfast, ME 04915.

The City Council will conduct its Second Reading of these Ordinance Amendments at the September 5, 2023, meeting. The Council conducted the First Reading and public hearing at their August 15, 2023 meeting. The language for the proposed amendments can be viewed on the City's website, cityofbelfast.org, reference Planning and Codes, Amendments for Short Term Rentals, Airport Overlay, and Parking. Citizens may also view the ordinance amendments in person at the Planning and Codes Department office in Belfast City Hall during regular business hours, Monday – Thursday, 7:00 am – 6:00 pm. Questions regarding the proposed amendments should be directed to Bub Fournier, Director, or Jon Boynton, City Planner, at 338-3370 x 125 or at planningandcodes@cityofbelfast.org.

All interested persons are invited to participate in the public hearing and will be given an opportunity to be heard at that time.

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

10-K Discussion and Council Action on Proposed Ordinance Amendments regarding Airport Overlay Zoning.

This is a Second Reading. The City Council held a presentation, Public Hearing and First Reading at their August 15th Regular Council Meeting.

At this time, the Council may discuss, amend, table, or approve the Second Reading of the proposed amended ordinance.

If approved by the City Council, Director of Code and Planning Bub Fournier recommends a motion to approve the Second Reading and adopt the proposed ordinance amendments to Chapter 102 Zoning, Article VII, Division 2, Airport Overlay District as presented.

Please see the attached memo and proposed amendments (10-I, J, and K) 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-L Presentation on Proposed Ordinance Amendments to Chapter 58 Traffic and Vehicles.

Director of Code and Planning Bub Fournier and City Planner Jon Boynton recently met with Jim Roberts regarding on street parking at American Legion Post 43. Mr. Roberts shared that when Legion members travel to a service, some members have received parking tickets as they parked in a time limited space.

Mr. Roberts requested removal of the time restriction on two spaces on Church Street near the intersection with Anderson Street. Code and Planning staff found this request reasonable, as the City placed the time restriction on those two spaces for the Legion. Mr. Roberts also asked about the two spaces on Church Street next to the new Court House parking lot. The agreement for these two spots was to change the time restriction from 2 hours to 3 hours much like spaces closer to downtown and other time restricted spaces.

To address these requests, two sections in Chapter 58 are being proposed for amendment. Section 58-39 Specific restrictions and Sec. 58-40 Time limits for individual parking spaces. Some of the amendments are directly related to the proposed changes by the Legion while other changes are in response to corrections that needed to be made. For instance, the elimination of language around time limits to the Front Street parking lot.

The City Council held a presentation, Public Hearing and First Reading at their August 15th Regular Council Meeting.

No City Council action is required at this time as this is strictly a presentation regarding the proposed amendments.

Please see the attached memo and proposed amendments (10-L, M, and N) from City Planner Jon Boynton explaining the request in further detail. Planner Boynton and the Director of Code and Planning Bub Fournier will be at the meeting to present.

10-M Public Hearing on Proposed Ordinance Amendments to Chapter 58 Traffic and Vehicles.

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CITY OF BELFAST CITY COUNCIL
AMENDMENT TO CITY CODE OF ORDINANCES

The City of Belfast City Council, at its meeting of September 5, 2023, beginning at 7:00 pm or as soon as practical thereafter, shall conduct a public hearing and Second Reading on multiple proposed amendments to the City Code of Ordinances, Chapter 14, Business, Chapter 58 Traffic and Vehicles, Chapter 66 General Provisions, proposed new Chapter 72, Housing and Lodging, and Chapter 102 Zoning, Article VII Overlay Districts. The City Council held the first reading and conducted a public hearing at their meeting of August 15, 2023.

On-street Parking

The City Council is considering amendments to Chapter 58, Traffic and Vehicles. This amendment consists of minor changes to Sec. 39 Specific Restrictions and Sec. 40 Time Limits. This amendment applies to the section of Church Street between Market St. and Main St. at the request of the American Legion. The Legion is asking the Council to remove the 2-hour time limit for the two spaces near the intersection with Anderson St. and to lengthen the time allotment for the 2 spaces next to the new Court House.

The City Council will conduct the September 5, 2023, meeting and public hearing in person at Belfast City Hall located at 131 Church St., Belfast, ME 04915. Currently, persons who want to offer public comment at the August 15, 2023, hearing may do so in any of the following ways:

- 7) Submit comments via email in advance of the meeting to the Planning and Codes Department at planningandcodes@cityofbelfast.org. Comment should be received no later than 12:00 pm on September 5, 2023, so it can be provided to the Council. This is the preferred way to submit comments.
- 8) Submit a written letter by 12:00 pm on September 5, 2023, to the City of Belfast, Planning and Codes Department, 131 Church St., Belfast, ME 04915.
- 9) Submit oral comments during the meeting in person at Belfast City Hall, 131 Church St. Belfast, ME 04915.

The City Council will conduct its Second Reading of these Ordinance Amendments at the September 5, 2023, meeting. The Council conducted the First Reading and public hearing at their August 15, 2023 meeting. The language for the proposed amendments can be viewed on the City's website, cityofbelfast.org, reference Planning and Codes, Amendments for Short Term Rentals, Airport Overlay, and Parking. Citizens may also view the ordinance amendments in person at the Planning and Codes Department office in Belfast City Hall during regular business hours, Monday – Thursday, 7:00 am – 6:00 pm. Questions regarding the proposed amendments should be directed to Bub Fournier, Director, or Jon Boynton, City Planner, at 338-3370 x 125 or at planningandcodes@cityofbelfast.org.

All interested persons are invited to participate in the public hearing and will be given an opportunity to be heard at that time.

Please see the attached memo and proposed amendments (10-L, M, and N) from City Planner Jon Boynton explaining the request in further detail.

10-N Discussion and Council Action on the Proposed Ordinance Amendments to Chapter 58 Traffic and Vehicles.

This is a Second Reading. The City Council held a presentation, Public Hearing and First Reading at their August 15th Regular Council Meeting.

At this time, the Council may discuss, amend, table, or approve the Second Reading of the proposed amended Ordinance.

If approved by the City Council, City Planner Jon Boynton recommends a motion to approve the Second Reading and adopt the proposed ordinance amendments to Chapter 58, Traffic and Vehicles, Article II, Stopping, Standing as presented.

Please see the attached memo and proposed amendments (10-L, M, and N) from City Planner Jon Boynton explaining the request in further detail. Planner Boynton and the Director of Code and Planning Bub Fournier will be at the meeting to answer any questions.

10-O Discussion regarding parking along Front Street between Commercial and Miller Streets.

Councilor Hurley requested that this item be on the agenda for discussion. The City Council has discussed this parking congestion issue in the past but there has been no Council Action.

The City hosts many events within Steamboat Landing Park and Belfast Common throughout the year. This area has limited parking. Event attendees typically end up parking on both sides of Front Street between Commercial and Miller Streets, making it difficult for two-way traffic to operate safely.

Director of Code and Planning Bub Fournier and City Planner Jon Boynton will be available at the meeting to answer any questions the City Council may have regarding how to address this.

10-P Request to approve a CMP pole permit for one new pole located on Pitcher Road.

Please see the attached CMP pole permit application (10-P) for one new pole on Pitcher Road. City Code Enforcement Officer Steve Wilson and Director of Public Works Bob Richards recommend the Council approve this pole permit.

10-Q Request to approve a CMP pole permit for one new pole located on Tuffs Road.

Please see the attached CMP pole permit application (10-Q) for one new pole on Tuffs Road. City Code Enforcement Officer Steve Wilson and Director of Public Works Bob Richards recommend the Council approve this pole permit.

10-R Request to go into Executive Session on a Legal Matter with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E.

10-S Signing of Council Orders

The summer season is winding down and in turn, children in our community are heading back to school.

The start of a new school year is always an exciting time and one that ushers in feelings of opportunities for new beginnings and a chance to start fresh while building on the foundation set in previous years.

It is also a time filled with nervousness as it can be a time of major change, changing grades, teachers, and even schools. With the guidance and support of committed educators, involved parents, and a caring community, I have no doubt that all children in our community will be ready to face the challenges that lie ahead.

Good luck to all in the school year ahead!

**City of Belfast
Consent Agenda
Tuesday, September 5, 2023
Meeting #5**

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 from the Fire Chief to confirm Gabrielle Currier as an on-call Firefighter for the Belfast Fire Department.

Motion to confirm Gabrielle Currier as an on-call Firefighter for the Belfast Fire Department.

B. Request to approve a Facility Use Request Application by the Belfast Chamber of Commerce to utilize Heritage Park for the Annual Passy Pete event on Monday, September 4, 2023, from 9:30 a.m. to 10:30 a.m.

Motion to approve a Facility Use Request Application by the Belfast Chamber of Commerce to utilize Heritage Park for the Annual Passy Pete event on Monday, September 4, 2023, from 9:30 a.m. to 10:30 a.m.

C. Request to approve a Facility Use Request Application by Ananda Yoga to utilize Steamboat Landing Park and Gazebo for Ananda Yoga Gong Bath sound healing event on Saturday, September 16, 2023, from 1:00 p.m. to 3:30 p.m.

Motion to approve a Facility Use Request Application by Ananda Yoga to utilize Steamboat Landing Park and Gazebo for Ananda Yoga Gong Bath sound healing event on Saturday, September 16, 2023, from 1:00 p.m. to 3:30 p.m.

D. Request to approve a New Victualer License, due to expire May 31, 2024, on the following applications:

**Must Be Nice Lobster, LLC
Chase's Daily**

**d/b/a
d/b/a**

**Must Be Nice Lobster, LLC
Chase's Daily**

Motion to approve a New Victualer License, due to expire May 31, 2024, on the following applications:

Must Be Nice Lobster, LLC	d/b/a	Must Be Nice Lobster, LLC
Chase's Daily	d/b/a	Chase's Daily

- E. Request to approve an application by Must Be Nice Lobster, LLC d/b/a Must Be Nice Lobster located at 2 Cross Street, Belfast, Maine for a renewal Malt and Vinous Restaurant (Class I, II, III, IV) liquor license.**

Motion to approve an application by Must Be Nice Lobster, LLC d/b/a Must Be Nice Lobster located at 2 Cross Street, Belfast, Maine for a renewal Malt and Vinous Restaurant (Class I, II, III, IV) liquor license.

- F. Request to approve an application by Chase's Daily, LLC d/b/a Chase's Daily located at 96 Main Street, Belfast, Maine for a renewal Malt and Vinous Restaurant (Class III, IV) liquor license.**

Motion to approve an application by Chase's Daily, LLC d/b/a Chase's Daily located at 96 Main Street, Belfast, Maine for a renewal Malt and Vinous Restaurant (Class III, IV) liquor license.

- G. Request to approve a Special Amusement Permit for Penelle Chase d/b/a Chase's Daily for live music, DJ, Karaoke, dancing, and all live entertainment located at 96 Main Street, Belfast, Maine, indoor and outdoor.**

Motion to approve a Special Amusement Permit for Penelle Chase d/b/a Chase's Daily for live music, DJ, Karaoke, dancing, and all live entertainment located at 96 Main Street, Belfast, Maine, indoor and outdoor.

- H. Request to approve a catering permit for Bell the Cat Inc. d/b/a Bell the Cat Inc. for the Business After Hours event on September 20, 2023, from 5:30 p.m. to 7:00 p.m. located at 7 Belmont Ave., Belfast, Maine.**

Motion to approve a catering permit for Bell the Cat Inc. d/b/a Bell the Cat Inc. for the Business After Hours event on September 20, 2023, from 5:30 p.m. to 7:00 p.m. located at 7 Belmont Ave., Belfast, Maine.

- I. Request to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for a private celebration of life on August 26, 2023, from 4:00 p.m. to 9:00 p.m. located at 15 Front Street, Belfast, Maine.**

Motion to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for a private celebration of life on August 26, 2023, from 4:00 p.m. to 9:00 p.m. located at 15 Front Street, Belfast, Maine.

- J. Request to approve a catering permit for Crusty Crab LLC d/b/a Front Street Pub for a private wedding rehearsal dinner on September 1, 2023, from 6:00 p.m. to 10:00 p.m. located at 37 Front Street, Belfast, Maine.**

Motion to approve a catering permit for Crusty Crab LLC d/b/a Front Street Pub for a private wedding rehearsal dinner on September 1, 2023, from 6:00 p.m. to 10:00 p.m. located at 37 Front Street, Belfast, Maine.

- K. Request to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for a mural dedication event on August 16, 2023, from 5:00 p.m. to 9:00 p.m. located at 15 Front Street, Belfast, Maine.**

Motion to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for a mural dedication event on August 16, 2023, from 5:00 p.m. to 9:00 p.m. located at 15 Front Street, Belfast, Maine.

- L. Request to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for the Business After Hours event on August 16, 2023, from 4:00 p.m. to 8:00 p.m. located at 106 High Street, Belfast, Maine.**

Motion to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for the Business After Hours event on August 16, 2023, from 4:00 p.m. to 8:00 p.m. located at 106 High Street, Belfast, Maine.

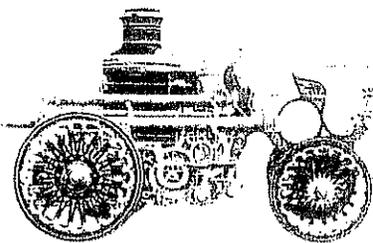
- M. Request to approve an Incorporated Civic Organization License for The Belfast Maskers for the Festival of One-Act Plays located at 17 Court Street, Belfast, Maine on October 6, 7, 13 & 14, 2023 from 6:30 p.m. to 9:30 p.m.**

Motion to approve an Incorporated Civic Organization License for The Belfast Maskers for the Festival of One-Act Plays located at 17 Court Street, Belfast, Maine on October 6, 7, 13 & 14, 2023 from 6:30 p.m. to 9:30 p.m.

N. Request to approve an Incorporated Civic Organization License for Habitat for Humanity of Waldo County for the Art Works for Humanity fundraiser located at 34 Commercial Street, Belfast, Maine on October 1, 2023, from 4:00 p.m. to 10:00 p.m.

Motion to approve an Incorporated Civic Organization License for Habitat for Humanity of Waldo County for the Art Works for Humanity fundraiser located at 34 Commercial Street, Belfast, Maine on October 1, 2023, from 4:00 p.m. to 10:00 p.m.

9.A



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

August 28, 2023

Honorable Mayor Sanders

Belfast City Councilors

City Mgr. Herbig

Re; Call member Firefighter Carrier

I submit for your confirmation the name of Gabrielle Carrier for approval as a Call Member Firefighter. Gabrielle is currently a part time Advanced EMT for the City of Belfast and routinely fills shifts. She has a Maine State Pro Board Firefighter I/II certificate and has experience in the Fire Service. She is a resident of Belmont and works full time as an RN at a local Healthcare facility. Gabrielle will benefit the City as a dually trained Fire and EMS member and prove the value of this.

If you have any questions, please feel free to reach out. Thank you for this consideration.

Patrick Richards

Fire Chief/Ambulance Director

9.B

Memorandum

August 29, 2023

To: Erin Herbig, Belfast City Manager

Honorable Mayor Sanders and Belfast City Council

From: Zach Dozier, Belfast Parks and Recreation

Re: Facilities Use Request-Belfast Chamber of Commerce "Passy Pete" Event

The Parks and Recreation Department has received a Facility Use Request from the Belfast Chamber of Commerce to hold the annual Passy Pete event in which a lobster (Passy Pete) decides whether there will be six more weeks of summer, or if fall is on its way. This event will have already taken place Labor Day Monday August 4th, 2023 from 9:30Am-10:30PM in Heritage Park.



Facilities Use Request
City of Belfast, Maine

8/24/2023

EVENT: Passy Pete

DATES: 9/4/23 EVENT REPRESENTATIVE: Belfast chamber
Dorothy Haver

PROPOSED LOCATION/AREA TO BE USED: Heritage Park

All applications and related documents to be returned to the Parks and Recreation Office at City Hall. 338-3370 Ext 27. The City Manager's Office will act as a backup.

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 is a planning checklist for your benefit as well as the City's. **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.** Approvals cannot be given to individuals or groups who are uncertain of their plans.

Please attach maps, additional sheets, event outlines etc. - that help to explain your request.
If any of the following questions do NOT apply to your event simple write N/A (not applicable) in the space provided. Thank you.

1) State your name, phone number, e-mail address and identify whom you represent?

Dorothy Haver 207 338 5800
director@belfastmaine.org

2) Describe in detail the nature of this event (What are you planning on?):

Passy Pete (Lobster) is plucked from
a trap in water & gets
scrolled about early or late winter

3) What facilities would you like to use or what permissions are you seeking with respect to City buildings, Parks, Lands, Streets, sidewalks? Please be specific.

Heritage Park

4) What **dates and times** do you wish to have this event?

Monday Labor Day
Sept 4 2023 9:30 am to 10:30 am

5) Are you asking to close off any City Streets? (Which ones, what dates, for how long a period of time each day?)

no

If yes, then who will manage these closed off Streets?

6) Are you asking the City for anything other than use of the facilities you have described above?

no

7) How many people do you expect?

20 to 50

8) Will you be selling things at this event? What and by who if not you?

no

9) Will any alcohol be served or consumed at this event? (If yes provide details)

Where? - Attach MAP

NO

By Whom: Name and Phone contact number:

10) Does this event call for any type of open fire - including for cooking purposes? (If so describe what fire safety measures you plan on employing associated with this potential hazard?)

NO

11) Will you be renting spaces to vendors on City Property? Yes _____ No _____

X

If yes where do you propose they set up? (MAP Location)

12) Describe what type of vendor and the charges you propose to assess against them.

N/A

13) Will you have insurance in the amount of \$1,000,000 that also names the Inhabitants of the City of Belfast as an additional named insured party 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

14) Who is your insurance agent that will provide proof of this coverage to the City?

Robina Lods - Varney

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

Very little

16) How do you propose to handle garbage removal?

none

17) How do you propose to handle parking?

no impact

18) How do you propose to handle security?

none needed

19) How do you propose to handle the need for restrooms?

public restrooms

20) What is your plan/need for electricity or water?

none

21) Have you spoken to the neighbors in the area of this event and discussed traffic, noise, parking etc. with them?

N/A

22) Who will be in charge of the event during the event and what are their home phone numbers, cell phone numbers, and email addresses - where they can be reached before and during this event?

Dorothy Hawey 207-505-2324

23) Are you requesting any services from the City? Be specific on the services you are asking for

no

Department

Service Requested

City Manager

Police

Fire/ Ambulance

Parks

_____ use of heritage park

Public Works

Harbor

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.



FACILITY USE APPLICATION CHECKLIST

- Application complete with contact names and contact information
- Specific facility or park requested
- Dates/times of the event and extra set-up time if necessary
- Specific request of City services:
 - electrical needs
 - street closures
 - police assistance
 - trash removal
- Vendor permits (necessary if serving alcohol)
- Parking plan
- Insurance Certificate (need to receive two weeks prior to event)
- Map/diagram of event layout
- Music cannot reach a volume level of more than 7 on controls
- Plan for restroom facilities
- Scheduled meeting with City Representative

My signature attests to the review of the checklist and the realistic view of the event provided to the City. Any deviation from the written request is grounds for cancellation of the event by the City of Belfast without notice.

Signature: Dorothy Harvey Date: 8/24/23
Printed Name: Dorothy Harvey



ADMINISTRATIVE COMMENTS
(Internal City use only)

City Manager's Office

Police Department

Fire/Ambulance Department

Parks Department

Public Works Department

Harbor Master

Boat House Rental Agent

Other Notes:

9.C

Memorandum

August 21, 2023

To: Erin Herbig, Belfast City Manager

Honorable Mayor Sanders and Belfast City Council

From: Zach Dozier, Belfast Parks and Recreation Department

Re: Facilities Use Request-Ananda Yoga Gong Bath

Cc: Chief Cormier-Belfast Police Department

The Parks and Recreation Department has received a Facility Use Request from Amanda Cooney representing Ananda Yoga of Belfast. A request is being made to use the Steamboat Landing Gazebo and the surrounding grass for a sound healing event for the month of September. This event has occurred in past months, and is proposed for September 16th, 2023, from 1:00PM-3:30PM for the month of September, with a rain date of September 17th. The event will include the use of a metal gong which will produce mild gong noise.

The Parks and Recreation Department supports this request.



**Facilities Use Request
City of Belfast, Maine**

EVENT: Gong Bath

DATES: September 16, 2023/
September 17th, 2023 **EVENT REPRESENTATIVE:** Amanda at Ananda Yoga and Wellness

PROPOSED LOCATION/AREA TO BE USED: Gazebo area/ grass area

All applications and related documents to be returned to the Parks and Recreation Office at City Hall. 338-3370 Ext 27. The City Manager's Office will act as a backup.

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 is a planning checklist for your benefit as well as the City's. **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.** Approvals cannot be given to individuals or groups who are uncertain of their plans.

Please attach maps, additional sheets, event outlines etc. - that help to explain your request.

If any of the following questions do NOT apply to your event simple write N/A (not applicable) in the space provided. Thank you.

1) State your name, phone number, e-mail address and identify whom you represent?

Amanda Cooney, (401)207-1946, info@anandayogabelfastme.com, Ananda Yoga and Wellness

2) Describe in detail the nature of this event (What are you planning on?):

Sound Healing

Department

Service Requested

City Manager

Permission to use the gazebo, please

Police

Fire/ Ambulance

Parks

Public Works

Harbor

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.



ADMINISTRATIVE COMMENTS
(Internal City use only)

City Manager's Office

Police Department

Fire/Ambulance Department

Parks Department

Public Works Department

Harbor Master

Boat House Rental Agent

Other Notes:

10.B

William S. Kelly, Esq.
Gale S. Kelly, Esq.

KELLY & ASSOCIATES, LLC
ATTORNEYS
96 High Street
Belfast, Maine 04915
info@kellylawme.com

(207) 338-2702
(207) 338-0328 (fax)

August 17, 2023

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

Re: Transfer by Gift -- Map 19, Lot 5

Dear Erin,

I am pleased to enclose a Memorandum of Agreement, signed by Angela Hill, for the transfer by gift of the above-referenced property to the City of Belfast.

Please contact me with any questions.

Thank you for your consideration.

Sincerely,

KELLY & ASSOCIATES, LLC

By: 

William S. Kelly

Enclosures

MEMORANDUM OF AGREEMENT

KNOW ALL PERSONS BY THESE PRESENTS THAT THE PARTIES HERETO HAVE EXECUTED THIS MEMORANDUM OF AGREEMENT FOR THE PURPOSE OF TRANSFER BY GIFT AND ACCEPTANCE OF REAL PROPERTY IN BELFAST, MAINE, AS FOLLOWS:

Whereas, Angela Hill of 11 Footbridge Road, Belfast, Maine wishes to transfer by gift to the City of Belfast, a not for profit municipal corporation, with a principal place of business at 131 Church Street, Belfast, Maine, a triangular shaped parcel of land located on the Passagassawakeag River;

Whereas, the gift of land is a portion of the land depicted in Tax Map 19, Lot 5 and a portion of the premises described in a deed from John E. Marshall and Lucia S. Hatch to Angela Hill as recorded in Book 2695 page 282 of the Waldo County Registry of Deeds, and is located on the shore of the Passagassawakeag River, abutting the north side of the land owned by the State of Maine and demarcated as the U.S. Route 1 right of way; it is estimated to have approximately 60 feet of frontage on the River and extends approximately 150 feet upland to the apex of the triangle;

Whereas, the gift is unconditional, though it is made in the spirit of creating public access to this portion of the shore at Passagassawakeag River;

Now therefore, Angela Hill shall convey the premises as depicted on Exhibit A attached hereto, to the City of Belfast by Quitclaim Gift Deed, for no consideration. The City of Belfast shall provide Angela Hill with the letter identifying the gift and its fair market value, as

determined in the sole discretion of the City of Belfast. Said letter of receipt may be used by Angela Hill for tax purposes for her individual tax return gifting reporting. The description of the premises to be conveyed shall be to the satisfaction of the City. Delivery of the deed shall be at a time convenient to the parties, but no later than the date of delivery of a deed from the City to Angela Hill in a separate purchase by Angela Hill, for market value, of real property owned by the City.

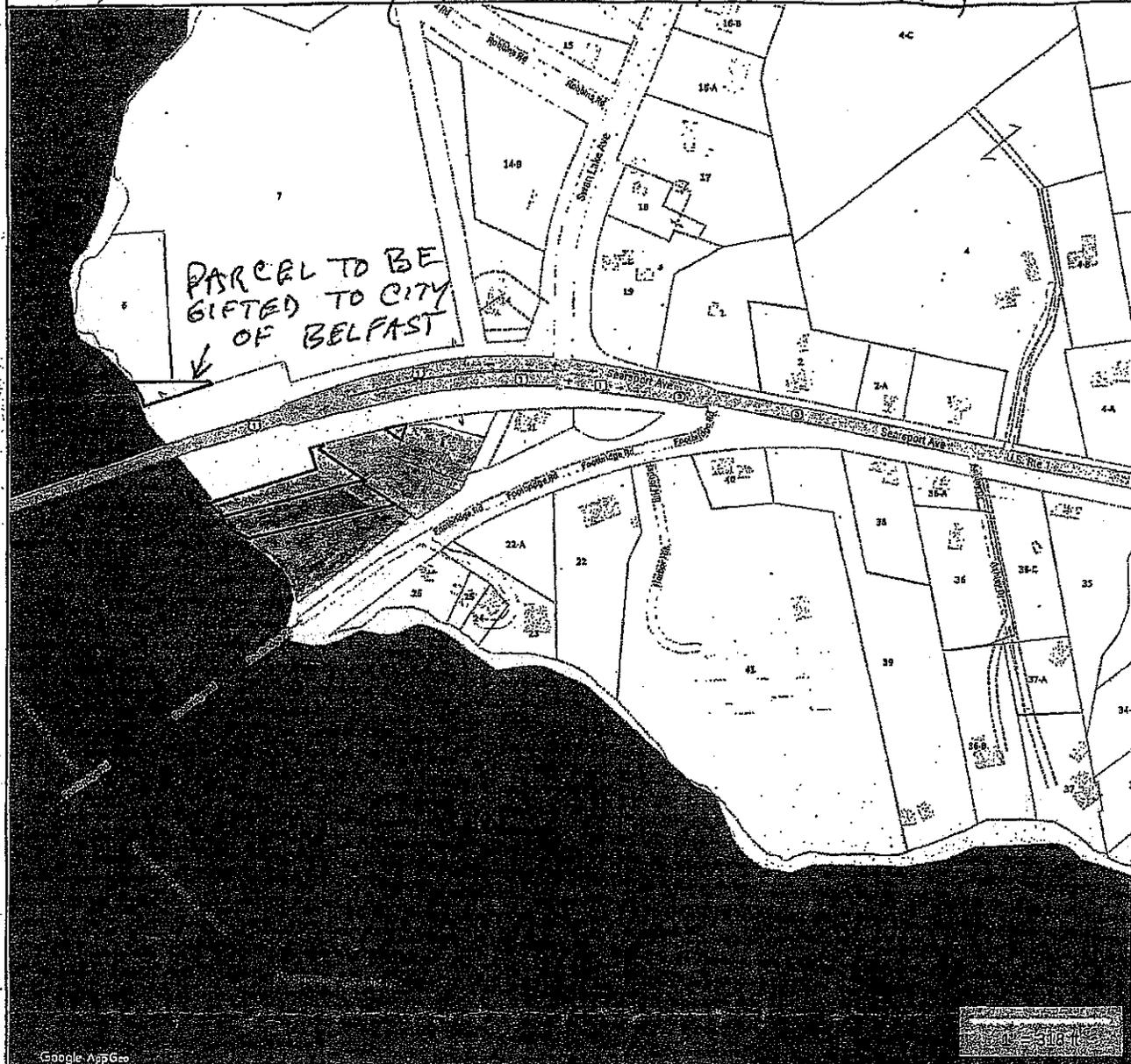
WITNESS THE UNDERSIGNED'S HANDS AND SEALS THIS _____ DAY OF
AUGUST, 2023



ANGELA HILL

CITY OF BELFAST
By Erin Herbig, City Manager

EXHIBIT A
(HILL TO CITY OF BELFAST)



Property Information:
 Property ID 019-005
 Location FOOTBRIDGE ROAD
 Owner HILL, ANGELA



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 15, 2020
 Data updated September 15, 2020

William S. Kelly, Esq.
Gale S. Kelly, Esq.

KELLY & ASSOCIATES, LLC
ATTORNEYS
96 High Street
Belfast, Maine 04915
info@kellylawme.com

(207) 338-2702
(207) 338-0328 (fax)

August 17, 2023

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

Re: Sale of Tax Map 19, Lot 3 - .45 Acre Parcel

Dear Erin,

Enclosed please find a Purchase and Sale Agreement regarding the sale of the above-referenced property. Also enclosed is an earnest money deposit check from Angela Hill made payable to the City of Belfast in the amount of Two Thousand (\$2,000.00) Dollars.

Please contact me with any questions.

Thank you for your consideration.

Sincerely,

KELLY & ASSOCIATES, LLC

By: 

William S. Kelly

Enclosures

PURCHASE AND SALE AGREEMENT

EFFECTIVE DATE: _____, 2023

1. **PARTIES:** This Agreement is made by and between **Angela Hill**, (hereinafter "Buyer") whose mailing address is 11 Footbridge Road, Belfast, Maine 04915 and **City of Belfast**, a municipal corporation whose mailing address is 131 Church Street, Belfast, Maine 04915, (hereinafter "Seller").

2. **DESCRIPTION:** Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy a .45-acre triangular parcel owned by the Seller (Tax Map 19, Lot 3) that abuts Route 1; said parcel of land is described in a 1954 Tax Lien recorded in Book 593 Page 458 of the Waldo County Registry of Deeds. In the deed of conveyance, the existing easement to access the Premises, which burdens real property of the Buyer, shall also be released to Buyer.

3. **PURCHASE PRICE:** For such Deed and conveyance, Buyer agrees to pay the total purchase price of Twenty-One Thousand, Seven Hundred Thirty-Five (\$21,735.00) Dollars on the date of closing.

4. **EARNEST MONEY/ACCEPTANCE:** The sum of Two Thousand (\$ 2,000) Dollars shall be paid as earnest money, to be credited to the Purchase Price as of the date of closing. If Buyer fails to close by breach of her obligations, the Seller shall retain the earnest money as damages.

5. **TITLE AND CLOSING:** A Municipal Quitclaim Deed, conveying good and merchantable title in accordance with the Maine Standards of Title adopted by the Maine Bar Association shall be delivered to and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers within thirty (30) days of the Effective Date above. The closing shall take place at the office of Kelly & Associates, LLC, 96 High Street, Belfast, Maine 04915 or such other place that the Parties may designate.

6. **POSSESSION, OCCUPANCY AND CONDITION:** Possession of the subject property shall be delivered to the Buyer at closing.

7. **PRORATIONS AND COSTS:** There are no unpaid real property taxes for prior years. Seller is exempt from Transfer Tax. Buyer shall pay Transfer Tax required by law as of the date of closing. Seller is responsible for preparation of the Municipal Quitclaim deed. (4) Buyer is responsible for all costs related to the title search, title insurance and the preparation of the closing statement.

8. **FINANCING:** This Agreement is not contingent upon Buyer obtaining financing for the purchase price of said property. Buyer shall pay the Purchase Price by Attorney Trust Check or Bank Check at closing.

9. **MEDIATION:** Except as provided below, any dispute or claim arising out of or relating to this Agreement or the property addressed in this Agreement shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules.

Buyer and Seller are bound to mediate in good-faith and pay their respective mediation fees. If a party does not agree first to go to mediation, then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who refused to go to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.

10. **DEFAULT:** In the event of default by the Buyer, Seller may employ all legal and equitable remedies, including without limitation, termination of this Agreement and forfeiture by Buyer of the earnest money. In the event of a default by Seller, Buyer may employ all legal and equitable remedies, including without limitation, specific performance or termination of this Agreement.

11. **PRIOR STATEMENTS:** Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.

12. **HEIRS/ASSIGNS:** This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.

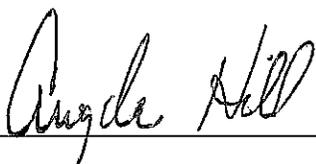
13. **COUNTERPARTS:** This Agreement may be signed on any number of identical counterparts, such as a faxed copy, with the same binding effect as if the signatures were on one instrument. Original or faxed signatures are binding.

14. **EFFECTIVE DATE/NOTICE:** Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required written notice, communication or documentation to the party or their agent. This Agreement is a binding contract when signed by both Buyer and Seller and when that fact has been communicated.

16. **BROKER FEES:** No Brokers have been retained in this transaction and there shall be no commission paid by either Party.

Signed and sealed this ___ day of August, 2023.

BUYER



Angela Hill

SELLER

City of Belfast, Maine

By: Erin Herbig, City Manager, Duly Authorized

10.C

TO: Erin Herbig, Eric Sanders, Brenda Bonneville, Mary Mortier, Michael Hurley, Neal Harkness, and Paul Dean

FROM: Avis Winchester, Sheila Fountain, Brooks Taber-Grotton

SUBJECT: 2023 Tax Commitment Options

DATE: September 5, 2023

Jim Murphy, Murphy Appraisal Services, assisted us with preparing the tax commitment options that we are presenting for your consideration. We are pleased that all three options are lower (\$1.10-1.30/\$1,000) than last year's mil rate of \$21.40/1000. With your approval of one of these options, we plan to finalize the commitment with Jim on Wednesday morning September 6.

We made a small adjustment to the dwelling square foot factor in our cost tables in order to maintain the 92% certified ratio. With the cost table changes as well as new value added from building permits, our total taxable value of real estate increased \$30,904,460.

The homestead exemption is \$23,000 and the veteran's exemption is \$5,520 which is the same as last year.

The three mil rate options are \$20.10/1,000 providing an overlay of \$243,844.32, \$20.20/1,000 with an overlay of \$334,707.04, and \$20.30/1,000 with an overlay of \$425,569.75. Our recommendation is the middle choice, keeping our overlay very close to what it was last year.

For example, using the \$20.20/1,000 mil rate, most taxpayers will realize a reduction in their taxes. Of the 542 seniors who stabilized their 2022 taxes, 89% of them will have tax bills lower than the stabilized amounts and only 11% will save by having their taxes stabilized.

Examples of the few who will benefit from the Stabilization (some of

the many reasons the Legislature has repealed LD290): A home that was sold and taxes stabilized for their new home with savings over \$2,000, a situation where a second home was added to the property with over \$2,000 in savings, and another homeowner added an addition with a savings of \$1,100.

We had no large abatement requests in 2022, in fact we only returned \$7,864.10 in abatements and supplemented \$32,221.33 for accounts that removed land from farmland or tree growth classification. We don't anticipate any large abatement requests this year.

Respectfully submitted,

Avis S. Winchester, Sheila Fountain, Brooks Taber-Grotton

MAINE REVENUE SERVICES - 2023 ENHANCED BETE MUNICIPAL TAX RATE CALCULATION FORM

Municipality: Belfast

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

1. Total taxable valuation of real estate	1	866,043,120	
		(must match MVR Page 1, line 6)	
2. Total taxable valuation of personal property	2	22,715,909	
		(must match MVR Page 1, line10)	
3. Total taxable valuation of real estate and personal property (Line 1 plus line 2)	3		888,759,029
			(must match MVR Page 1, line 11)
4. (a) Total exempt value for all homestead exemptions granted	4(a)	37,112,380	
		(must match MVR Page 1, line 14f)	
(b) Homestead exemption reimbursement value	4(b)	28,205,409	
		(Line 4(a) multiplied by 0.76)	
5. (a) Total exempt value of all BETE qualified property	5(a)	30,232,300	
		(must match MVR Page 2, line 15c)	
(b) Enhanced BETE exemption reimbursement value	5(b)	15,987,076	
6. Total valuation base (Line 3 plus line 4(b) plus line 5(b))	6		932,951,514

ASSESSMENTS

7. County tax	7	1,713,737.00	
8. Municipal appropriation	8	13,424,516.00	
9. TIF Financing plan amount	9	488,919.11	
		(must match MVR Page 2, line 16c + 16d)	
10. Local education appropriation (local share/contribution) (Adjusted to municipal fiscal year)	10	10,285,132.00	
11. Total appropriations (Add lines 7 through 10)	11		25,912,304.11

ALLOWABLE DEDUCTIONS

12. Anticipated state municipal revenue sharing	12	1,850,000.00	
13. Other revenues: (All other revenues that have been formally appropriated to reduce the commitment such as excise tax revenue, T.G. reimbursement, renewable energy reimbursement, trust fund or bank interest income, appropriated surplus revenue, etc. (Do not include any homestead or BETE reimbursement)	13	5,553,823.00	
14. Total deductions (Line 12 plus line 13)	14		7,403,823.00
15. Net to be raised by local property tax rate (Line 11 minus line 14)	15		18,508,481.11

16.	18,508,481.11	X	1.05	=	19,433,905.17	Maximum Allowable Tax
	(Amount from line 15)					
17.	18,508,481.11	/	932,951,514	=	0.019839	Minimum Tax Rate
	(Amount from line 15)		(Amount from line 6)			
18.	19,433,905.17	/	932,951,514	=	0.020830	Maximum Tax Rate
	(Amount from line 16)		(Amount from line 6)			
19.	888,759,029	X	0.020100	=	17,864,056.48	Tax for Commitment
	(Amount from line 3)		(Selected Rate)		(Enter on MVR Page 1, line 13)	
20.	18,508,481.11	X	0.05	=	925,424.06	Maximum Overlay
	(Amount from line 15)					
21.	28,205,409	X	0.020100	=	566,928.72	Homestead Reimbursement
	(Amount from line 4b)		(Selected Rate)		(Enter on line 8, Assessment Warrant)	
22.	15,987,076	X	0.020100	=	321,340.23	BETE Reimbursement
	(Amount from line 5b)		(Selected Rate)		(Enter on line 9, Assessment Warrant)	
23.	18,752,325.43	-	18,508,481.11	=	243,844.32	Overlay
	(Line 19 plus lines 21 and 22)		(Amount from line 15)		(Enter on line 5, Assessment Warrant)	

(If Line 23 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant,
Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.

MAINE REVENUE SERVICES - 2023 ENHANCED BETE MUNICIPAL TAX RATE CALCULATION FORM

Municipality: Belfast

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

1. Total taxable valuation of real estate	1	866,043,120	
		(must match MVR Page 1, line 6)	
2. Total taxable valuation of personal property	2	22,715,909	
		(must match MVR Page 1, line 10)	
3. Total taxable valuation of real estate and personal property (Line 1 plus line 2)	3		888,759,029
			(must match MVR Page 1, line 11)
4. (a) Total exempt value for all homestead exemptions granted	4(a)	37,112,380	
		(must match MVR Page 1, line 14f)	
(b) Homestead exemption reimbursement value	4(b)	28,205,409	
		(Line 4(a) multiplied by 0.76)	
5. (a) Total exempt value of all BETE qualified property	5(a)	30,232,300	
		(must match MVR Page 2, line 15c)	
(b) Enhanced BETE exemption reimbursement value	5(b)	15,987,076	
6. Total valuation base (Line 3 plus line 4(b) plus line 5(b))	6		932,951,514

ASSESSMENTS

7. County tax	7	1,713,737.00	
8. Municipal appropriation	8	13,424,516.00	
9. TIF Financing plan amount	9	491,351.55	
		(must match MVR Page 2, line 16c + 16d)	
10. Local education appropriation (local share/contribution) (Adjusted to municipal fiscal year)	10	10,285,132.00	
11. Total appropriations (Add lines 7 through 10)	11		25,914,736.55

ALLOWABLE DEDUCTIONS

12. Anticipated state municipal revenue sharing	12	1,850,000.00	
13. Other revenues: (All other revenues that have been formally appropriated to reduce the commitment such as excise tax revenue, T.G. reimbursement, renewable energy reimbursement, trust fund or bank interest income, appropriated surplus revenue, etc. (Do not include any homestead or BETE reimbursement)	13	5,553,823.00	
14. Total deductions (Line 12 plus line 13)	14		7,403,823.00
15. Net to be raised by local property tax rate (Line 11 minus line 14)	15		18,510,913.55

16.	18,510,913.55	X	1.05	=	19,436,459.23	Maximum Allowable Tax
	(Amount from line 15)					
17.	18,510,913.55	/	932,951,514	=	0.019841	Minimum Tax Rate
	(Amount from line 15)		(Amount from line 6)			
18.	19,436,459.23	/	932,951,514	=	0.020833	Maximum Tax Rate
	(Amount from line 16)		(Amount from line 6)			
19.	888,759,029	X	0.020200	=	17,952,932.39	Tax for Commitment
	(Amount from line 3)		(Selected Rate)		(Enter on MVR Page 1, line 13)	
20.	18,510,913.55	X	0.05	=	925,545.68	Maximum Overlay
	(Amount from line 15)					
21.	28,205,409	X	0.020200	=	569,749.26	Homestead Reimbursement
	(Amount from line 4b)		(Selected Rate)		(Enter on line 8, Assessment Warrant)	
22.	15,987,076	X	0.020200	=	322,938.94	BETE Reimbursement
	(Amount from line 5b)		(Selected Rate)		(Enter on line 9, Assessment Warrant)	
23.	18,845,620.59	-	18,510,913.55	=	334,707.04	Overlay
	(Line 19 plus lines 21 and 22)		(Amount from line 15)		(Enter on line 5, Assessment Warrant)	

(If Line 23 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant, Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.

MAINE REVENUE SERVICES - 2023 ENHANCED BETE MUNICIPAL TAX RATE CALCULATION FORM

Municipality: Belfast

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

1. Total taxable valuation of real estate	1	866,043,120	
		(must match MVR Page 1, line 6)	
2. Total taxable valuation of personal property	2	22,715,909	
		(must match MVR Page 1, line 10)	
3. Total taxable valuation of real estate and personal property (Line 1 plus line 2)	3	888,759,029	
		(must match MVR Page 1, line 11)	
4. (a) Total exempt value for all homestead exemptions granted	4(a)	37,112,380	
		(must match MVR Page 1, line 14f)	
(b) Homestead exemption reimbursement value	4(b)	28,205,409	
		(Line 4(a) multiplied by 0.76)	
5. (a) Total exempt value of all BETE qualified property	5(a)	30,232,300	
		(must match MVR Page 2, line 15c)	
(b) Enhanced BETE exemption reimbursement value	5(b)	15,987,076	
6. Total valuation base (Line 3 plus line 4(b) plus line 5(b))	6	932,951,514	

ASSESSMENTS

7. County tax	7	1,713,737.00	
8. Municipal appropriation	8	13,424,516.00	
9. TIF Financing plan amount	9	493,783.98	
		(must match MVR Page 2, line 16c + 16d)	
10. Local education appropriation (local share/contribution) (Adjusted to municipal fiscal year)	10	10,285,132.00	
11. Total appropriations (Add lines 7 through 10)	11	25,917,168.98	

ALLOWABLE DEDUCTIONS

12. Anticipated state municipal revenue sharing	12	1,850,000.00	
13. Other revenues: (All other revenues that have been formally appropriated to reduce the commitment such as excise tax revenue, T.G. reimbursement, renewable energy reimbursement, trust fund or bank interest income, appropriated surplus revenue, etc. (Do not include any homestead or BETE reimbursement)	13	5,553,823.00	
14. Total deductions (Line 12 plus line 13)	14	7,403,823.00	
15. Net to be raised by local property tax rate (Line 11 minus line 14)	15	18,513,345.98	

16.	18,513,345.98	X	1.05	=	19,439,013.28	Maximum Allowable Tax
	(Amount from line 15)					
17.	18,513,345.98	/	932,951,514	=	0.019844	Minimum Tax Rate
	(Amount from line 15)		(Amount from line 6)			
18.	19,439,013.28	/	932,951,514	=	0.020836	Maximum Tax Rate
	(Amount from line 16)		(Amount from line 6)			
19.	888,759,029	X	0.020300	=	18,041,808.29	Tax for Commitment
	(Amount from line 3)		(Selected Rate)		(Enter on MVR Page 1, line 13)	
20.	18,513,345.98	X	0.05	=	925,667.30	Maximum Overlay
	(Amount from line 15)					
21.	28,205,409	X	0.020300	=	572,569.80	Homestead Reimbursement
	(Amount from line 4b)		(Selected Rate)		(Enter on line 8, Assessment Warrant)	
22.	15,987,076	X	0.020300	=	324,537.64	BETE Reimbursement
	(Amount from line 5b)		(Selected Rate)		(Enter on line 9, Assessment Warrant)	
23.	18,938,915.73	-	18,513,345.98	=	425,569.75	Overlay
	(Line 19 plus lines 21 and 22)		(Amount from line 15)		(Enter on line 5, Assessment Warrant)	

(If Line 23 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant, Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.



ASSESSING OFFICE

131 CHURCH STREET
BELFAST, ME 04915

September 2023

Dear City of Belfast taxpayers,

The assessing office must regularly update valuations to keep assessments in line with the market and to maintain tax equity. The real estate sales in Belfast from 2021 to present have created a much higher need to update our valuations to attain assessment to sales ratios to the optimum 100%. To that end, we are conducting market sales studies and making needed adjustments to assessments. We understand the changes in assessed value may raise questions and concerns. If you believe there is an error in your assessed value, we encourage you to review the information on file with our office.

We have contracted Murphy Appraisal Services to assist with this process. The 2023-2024 tax year involves a slight valuation increase in order to maintain the current level of Homestead, Veteran's, Solar, and Classified Land exemptions. The following two years, we will do more in depth changes to land and building schedules, ultimately reaching a goal of 100% sales ratio.

LD 290, the Property Tax Stabilization for Seniors, enacted in August 2022 has been repealed by the Maine Legislature. There is no reapplication process. Two existing State programs are being expanded: The Property Tax Fairness Credit and the State Property Tax Deferral Program. The Property Tax Fairness Credit is a form filed with the Maine income tax return. The State Property Tax Deferral Program is a loan program whereby the state pays the property tax bill for those who cannot afford to pay them on their own. The application is available online and in our office.

Examples of exemption options include Homestead, Solar, Veteran's and Widow/Widowers of Veterans. Have you applied for all the exemptions you qualify for? Applications are on the Assessor's page on the City of Belfast.org website or you may stop by the office to pick one up.

Please note that the Assessor page on our website, www.cityofbelfast.org, has 2022 valuations and sales prices listed for property record cards through the Aerial Maps & Property Data link.

Our goal is to ensure that all taxpayers are treated fairly and that property assessments are as accurate as possible. Our information is listed below if you would like to call or email with any questions or concerns regarding current valuations.

Thank you,

Avis Winchester Interim Assessor
assessingoffice@cityofbelfast.org
207-338-3370 ext. 122

Sheila Fountain Assistant Assessor
assessing@cityofbelfast.org
207-338-3370 ext. 117

Brooks Taber-Grotton Assessor's Assistant
assessingassistant@cityofbelfast.org
207-338-3370 ext. 121

10.D

August 29, 2023

Memo to City Manager, Erin Herbig

From: Katherine Given, Harbor Master

Council Agenda September 5th, 2023

Request to hire a consultant to complete a Bridge and River Harbor Management Plan for the City of Belfast.

The Belfast Harbor Advisory Committee several years ago proposed to complete a Harbor Management Plan for the Bridge and River Harbor areas of Belfast Harbor. These areas are tidal, so within the Belfast Harbor Department's jurisdiction to manage as with the rest of Belfast Harbor, and currently are the only areas of Belfast Harbor, that have not specifically been looked at as to how the City of Belfast may best manage this part of the Harbor for the future.

The Bridge Harbor of Belfast is defined as the area bounded on the south by the northerly face of the Armistice Bridge, and on the north by the northerly face of the Veteran's Memorial Bridge. The River Harbor is defined as the area bounded on the south by the northerly face of the Veteran's Memorial Bridge, and on the north at the Head of Tide.

The Bridge and River Harbors are used in very different ways than the rest of the harbor. There is currently little float and mooring use. Because of the very restricted access at low water and narrow channel, most of the vessel traffic consists of small rowing vessels and small motorized fishing vessels. Public access is difficult from the shore due to steep banks and long mud flats. Environmental considerations such as eel grass, shellfish, salmon and sturgeon, bird life, etc. will be more a part of the discussions with this management plan than with the other harbor plans we've completed. More shorefront owner participation for this plan is also expected.

For the past two years the Belfast Harbor Advisory Committee has discussed many ideas and possible concerns that may come up with putting a Bridge and River Management Plan together, but we are at the point where we feel no progress is being made, and that hiring a consultant may be in the City's best interest.

We obtained an estimate to complete a Bridge and River Harbor Management Plan from The Musson Group, who helped the City of Belfast complete our Outer and Coastal Harbor Management Plans in 2016, and who most recently assisted the City of Belfast with their Comprehensive Plan. The Musson Group is very familiar with the City of Belfast and has worked with several other municipalities with various harbor management plans, so have a wide range of experience.

The Musson Group proposed the following estimate to complete a Bridge and River Harbor Management Plan for the City of Belfast. The Harbor Advisory Committee felt this estimate to be appropriate for the work we wish to complete.

From Noel Musson, The Musson Group – August 17, 2023:

As discussed, we would suggest a budget range of \$40,000 – \$45,000 to prepare a management plan in the area between the Armistice Bridge to the end of tidal waters.

Based on our past work on similar projects we anticipate the following tasks/deliverables would be included as part of the project:

- **A vision for this portion of the harbor and a related implementation planning with short, medium and long- term goals, actions, and implementation responsibilities.**
- **Stakeholder outreach to soliciting input from the diverse stakeholders who have an interest in this part of the harbor including city interest groups, committees, the general public, and City Council.**
- **An overview of the data, trends and stakeholder input that informed the goals and actions.**
- **Necessary background information on harbor uses, access points, habitat, regulations, conditions, etc.**
- **A high-level summary of issues, needs and opportunities.**
- **Maps delineating key features and uses, and implications of sea level rise.**
- **A discussion draft of the management plan and a final draft with associated maps.**

We can refine a scope of work based on our continued communications. In the meantime, I'm happy to answer any additional questions you might have.

As always, we are appreciative of the opportunity to work with the City!

Thanks,

Noel (Musson)

I have not looked into possible grant funding for this project as of yet. If the Council wishes I can do that with the help of the Economic Development Office. However, that may take some time with no guarantees of grant funding being awarded which could push this project out. My understanding is that the Council would like to get this project moving and completed.

I would like to request the following from the Belfast City Council.

- To approve spending up to \$45,000.00 to hire Musson Group to assist the City of Belfast with a Bridge and River Harbor Management Plan
- To approve up to \$45,000.00 to come from the Harbor Department Enk Fund for the Bridge and River Harbor Management Plan.

Memorandum

August 21, 2023

To: Erin Herbig, Belfast City Manager

Honorable Mayor Sanders and Belfast City Council

From: Zach Dozier, Belfast Parks and Recreation Department

Re: Facilities Use Request-Kate Mikkelsen Pickleball Fit

The City of Belfast has received a Facility Use application from Kate Mikkelsen. Ms. Mikkelsen has proposed conducting 90-minute classes twice per week called Pickleball Fit. The proposed classes would be a blend of nutrition and exercise instruction, along with stretching and technique drills designed to improve overall fitness and pickleball-specific abilities. The classes would take place on Fridays from 3:00PM to 4:30PM and Sundays from 2:00PM to 3:30PM through the end of October of 2023 and would use the City Park Pickleball courts, if available. Ms. Mikkelsen has picked these days and times after consulting with members of the loosely organized Belfast Pickleball group who indicated that these were times when the courts tended to be less used. Ms. Mikkelsen expects to use the courts for around 30 minutes during each class and expects to need 2 of the 4 courts. She has been informed that, should the courts be in use at the time that she wishes to use them, she will need to adjust her schedule or location. Ms. Mikkelsen has proposed suggesting a \$5.00-\$15.00 donation from class participants. She has proposed using a portion of the collected funds to go towards creating a poster outlining pickleball-specific stretches to be posted at the City Park Pickleball courts.

The Parks and Recreation Department Director believes this particular request serves the citizens of Belfast as requested, but can see the merit of the City Council discussing the use of parks by individuals or groups conducting courses or activities where a monetary exchange of any kind takes place.



**Request to use Facilities that
Belong to the Citizens of the City of Belfast
Updated February 5, 2015**

All applications and related documents bring to the Parks and Recreation Office at City Hall. 338-3370 Ext 27. The City Manager's Office will act as a backup.

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 is a planning checklist for your benefit as well as the City's. **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. Approvals cannot be given to individuals or groups who are uncertain of their plans.**

Please attach maps, additional sheets, event outlines etc. - that help to explain your request.

If any of the following questions do NOT apply to your event simple write N/A (not applicable) in the space provided. Thank you.

1. State your name, phone number, e-mail address and identify whom you represent?

Kathryn (Kate) Mikkelsen

cell: 207-323-8962 home: 207-338-2474 mikks.kate@gmail.com

I represent myself, a health coach.

If you are not going to be the primary contact for this event – then who is and please provide their full name, phone number and email address:

2. Describe in detail the nature of this event (What are you planning on?):

I would like to hold weekly fitness classes, weather permitting, from August through the end of October. Class description:

Pickleball Fit is a 90-minute class that blends nutrition coaching with exercise and fun! It's designed to help people get in shape so they can play pickleball safely with more strength and stamina. The first 30 minutes is structured as a group coaching session. It's a chance for participants to set health goals, check in with the progress they're making, and learn practical

nutrition tips. The next 30 minutes is led by instructor Kate Mikkelsen. Participants warm up with stretching and light cardio, then do exercises to build strength, balance, and improve mobility. This section includes cardio and training for the legs, arms, and core muscles. The last 30 minutes is reserved for free play or skill drills. At the end of play, the instructor will lead a series of cool down stretches.

Pickleball Fit is open to players at any skill level. Exercises can be modified to accommodate various fitness levels. However, people recovering from an injury should not participate until cleared by a medical professional.

3. What facilities would you like to use or what permissions are you seeking with respect to City buildings, Parks, Lands, Streets, sidewalks? Please be specific.
The pickleball courts and picnic tables at City Park.

4. What **dates and times** do you wish to have this event? Friday afternoons 3:00-4:30 PM.
Sunday afternoons 2:00-3:30 PM. Ongoing through October 29, 2023.

5. Are you asking to close off any City Streets? (Which ones, what dates, for how long a period of time each day?)

N/A

If yes then who will manage these closed off Streets? _____

N/A

6. Are you asking the City for anything other than use of the facilities you have described above?

No.

7. How many people do you expect? 8-16 people

8. Will you be selling things at this event? What and by who if not you? No.

9. Will any alcohol be served or consumed at this event? (If yes provide details) No.

Where? - Attach MAP N/A _____

By Whom: Name and Phone contact number:

N/A

10. Does this event call for any type of open fire - including for cooking purposes? (If so describe what fire safety measures you plan on employing associated with this potential hazard?)

No

11. Will you be renting spaces to vendors on City Property? Yes _____ No _____

If yes where do you propose they set up? (MAP Location) _____
N/A

12. Describe what type of vendor and the charges you propose to assess against them.

N/A

13. Will you have insurance in the amount of \$1,000,000 that also names the Inhabitants of the City of Belfast as an additional named insured party 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?

I hold a professional insurance policy that covers health coaching and recreational fitness. The policy has an aggregate limit of \$3,000,000. I plan to have participants sign a waiver before their first class. This will name both myself and the City of Belfast. If a participant gets injured, neither party will be liable.

14. Who is your insurance agent that will provide proof of this coverage to the City?

Alternative Balance

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

A moderate amount of noise consistent with pickleball play and conversation. I do not plan to play music.

16. How do you propose to handle garbage removal?

Carry in, carry out. The proposed activity should not generate garbage.

17. How do you propose to handle parking? Parking along the side of the road. Same system that is used for open play during other times of the day.

18. How do you propose to handle security? I don't anticipate a need for security.

19. How do you propose to handle the need for restrooms? Use of existing facilities in the park.

20. What is your plan/need for electricity or water? N/A

21. Have you spoken to the neighbors in the area of this event and discussed traffic, noise, parking etc. with them?

No. I don't anticipate this activity will cause disruption to the neighborhood.

22. Who will be in charge of the event during the event and what are their home phone numbers, cell phone numbers, and email addresses - where they can be reached before and during this event?

I will be in charge. See first page.

23. Are you requesting any services from the City? Be specific on the services you are asking for
No. _____

Department

Service Requested

City Manager

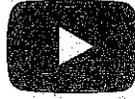
Police

Fire/ Ambulance

Parks

Public Works

Flanagan Center Game Room



*Rockland Parks & Rec
charges for court usage*

Court Rental

Full Court Rental

\$50/ hour non profit

\$80/hour for profit

1/2 Court Rental

\$35/hour non profit

\$50/hour for profit

Parks

Playgrounds

Harbor

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.



FACILITY USE APPLICATION CHECKLIST

- Application complete with contact names and contact information
- Specific facility or park requested
- Dates/times of the event and extra set-up time if necessary
- Specific request of City services:
 - electrical needs
 - street closures
 - police assistance
 - trash removal
- Vendor permits (necessary if serving alcohol)
- Parking plan
- Insurance Certificate (need to receive two weeks prior to event)
- Map/diagram of event layout
- Music cannot reach a volume level of more than 7 on controls
- Plan for restroom facilities
- Scheduled meeting with City Representative

My signature attests to the review of the checklist and the realistic view of the event provided to the City. Any deviation from the written request is grounds for cancellation of the event by the City of Belfast without notice.

Signature _____ Date: _____

Printed Name: _____



ADMINISTRATIVE COMMENTS
(Internal City use only)

City Manager's Office

Police Department

Fire/Ambulance Department

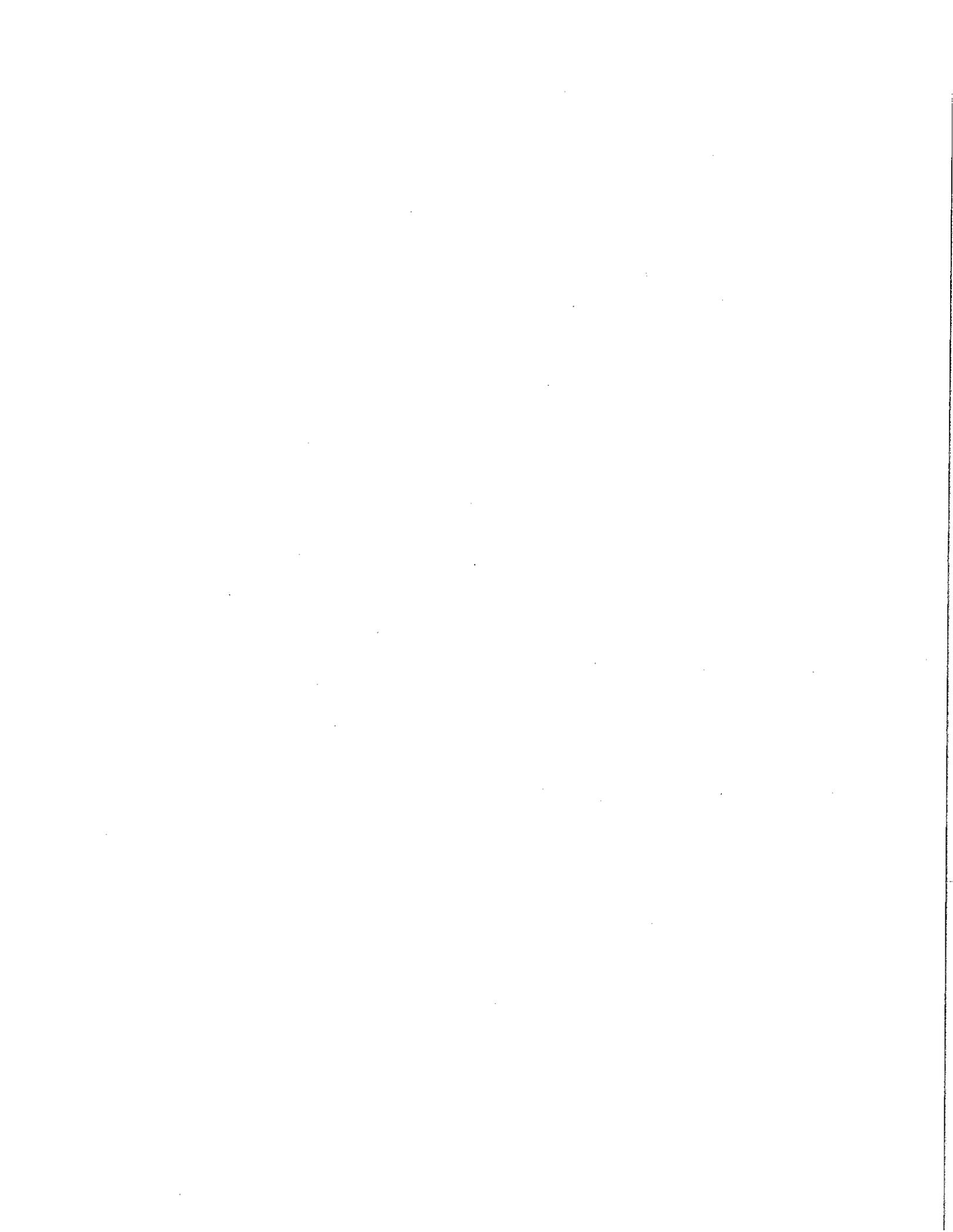
Parks Department

Public Works Department

Harbor Master

Boat House Rental Agent

Other Notes:



Pickleball Fit

Pickleball Fit is a 90-minute class that blends nutrition coaching with exercise and fun! It's designed to help people get in shape so they can play pickleball safely with more strength and stamina. The first 30 minutes is structured as a group coaching session. It's a chance for participants to set health goals, check in with the progress they're making, and learn practical nutrition tips. The next 30 minutes is led by instructor Kate Mikkelsen. Participants warm up with stretching and light cardio, then do exercises to build strength, balance, and improve mobility. This section includes cardio and training for the legs, arms, and core muscles. The last 30 minutes is reserved for free play or skill drills. At the end of play, the instructor will lead a series of cool down stretches.

Pickleball Fit is open to players at any skill level. Exercises can be modified to accommodate various fitness levels. However, people recovering from an injury should not participate until cleared by a medical professional.

Participants should wear exercise clothes and court shoes/sneakers. Participants should bring their own paddle, water bottle, and a yoga mat or beach towel to lay on. Note: There are a few paddles available for brand new players to borrow.

This class will be held outdoors at the pickleball courts in City Park. In case of rain, a 30 minute coaching session will be held on Zoom so participants can check in.

Fridays 3:00-4:30

Sundays 2:00-3:30

Suggested donation \$5-\$15 per class.

About the Instructor

Kate Mikkelsen is an Integrative Nutrition Health Coach and pickleball addict based in Belfast, ME. Kate grew up dancing, playing soccer, and was a member of her high school's track & field team. She was introduced to pickleball in 2014 and started to play more regularly after moving to Belfast in 2018. Kate enjoys pickleball because it's great exercise with a friendly community of players. You can often find her on the court, playing with (or against!) her mom.



10.F.G+H

CITY OF BELFAST, MAINE 04915

131 Church Street

CODE & PLANNING DEPARTMENT

Phone: (207) 338-3370 ext. 125

Fax: (207) 338-2419

Email: planningandcodes@cityofbelfast.org

MEMO:

To: Mayor and City Council
From: Jon Boynton - City Planner
CC: Erin Herbig – City Manager; Bub Fournier – Director Planning and Codes
Date: August 29, 2023
Re: Second Reading – Short-term Rental Registry

RECOMMENDED ACTIONS

I recommend the Council take the following actions at the Council meeting of September 5, 2023, on the Second Reading of this proposal:

1. Staff Presentation: City Planner Jon Boynton will present to the Council and the Public the proposed Short-term Rental Registry.
2. Conduct a public hearing on the proposal. The Director and I have combined several separate ordinance amendments for the public hearing notice that was printed in the Republican Journal. The notice for the Short-term Rental Registry is one of them. The Council already conducted a Public Hearing for STR's at the August 15, 2023 meeting. I have received an additional comment in writing to date.
3. At the Second Reading, the Council should identify any additional amendments that you would like to make to the proposal. The amendments from the First Reading have been incorporated into the language for the Second Reading.

Affirmative motion: Motion to adopt the proposed ordinance amendment to Chapter 14 Business, Article X Short Term Rentals, Chapter 66 General Provisions, Sec. 66-1 Definitions, and Chapter 72 Housing and Lodging.

Affirmative motion with edits: Motion to adopt the proposed ordinance amendment with the identified edits of the City Council meeting of September 5, 2023, to amend Chapter 14 Business, Article X Short Term Rentals, Chapter 66 General Provisions, Sec. 66-1 Definitions, and Chapter 72 Housing and Lodging. (The Council made edits to the proposed amendments at the August 15, 2023 meeting. Staff included these edits as part of the proposal for the Second Reading.)



CITY OF BELFAST, MAINE 04915

131 Church Street

CODE & PLANNING DEPARTMENT

Phone: (207) 338-3370 ext. 125

Fax: (207) 338-2419

Email: planningandcodes@cityofbelfast.org

Dissenting motion: Motion to table the adoption of the ordinance amendment to Chapter 14 Business, Article X Short Term Rentals, Chapter 66 General Provisions, Sec. 66-1 Definitions, and Chapter 72 Housing and Lodging, and to continue the second reading at a future City Council meeting.

BACKGROUND INFORMATION

The Council conducted the First Read of the Short-term Rental registration at the August 15, 2023 meeting. At this meeting, the Council identified when they wanted the ordinance amendment to take effect, the cost of registration, after the fact fees, and adjustment to the definitions.

The Council held a public hearing for the proposed STR registration at the August 15, 2023, meeting and heard from several neighbors.

The Council has directed City Staff to look at all avenues to address the housing shortage that our community is facing. Staff has worked on increasing opportunities for more housing in the rural zoning districts, for example. The Short-term rental registry is part of Staff's strategy to increase housing opportunities Inside the Bypass. The next task is to address LD 2003 and to examine the Residential zoning districts Inside the Bypass.

The Planning Board has worked on the registration since January of this year. They have met five or six times to discuss the workings of this ordinance. There was a lot of discussion around what a Short-term Rental is, what comparable uses are, and where they are located in Belfast.

All sides compromised on pieces of the registration.

- No inspection of the unit for registration
- A Short-term Rental is not a commercial use.
- The city is not limiting how many units can operate or where they can operate.

The goal of the registry is to have a better understanding of what is happening in our city to collect data. There is some information out on the internet, but it's not Belfast specific. Since the available data is not specific to Belfast, it is premature to change the policy on Short-term rentals.



CITY OF BELFAST, MAINE 04915
131 Church Street

CODE & PLANNING DEPARTMENT

Phone: (207) 338-3370 ext. 125

Fax: (207) 338-2419

Email: planningandcodes@cityofbelfast.org

The Planning Board conducted its public hearing at the July 12, 2023, meeting and held an open to the public session in March. I have also spoken individually with folks to hear their feedback on the proposed registration.

Recap

Overall, the Short-term registration is about gathering data. The Council and Staff need Belfast specific data to make informed policy decisions that will impact property owners.

Manda Cushman

From: Bub Fournier
Sent: Monday, August 28, 2023 10:49 AM
To: Jon Boynton
Subject: Fw: thank you

Jon,

Please see STR comment below.

Bub Fournier
Director, Planning and Codes Department
City of Belfast
131 Church Street Belfast, ME 04915
(207) 338-3370 X125
directorplanning@cityofbelfast.org

From: Erin Herbig <citymanager@cityofbelfast.org>
Sent: Monday, August 28, 2023 9:53 AM
To: Bub Fournier <directorplanning@cityofbelfast.org>
Subject: FW: thank you

FYI

Erin Herbig
City Manager
City of Belfast
Email: citymanager@cityofbelfast.org
Phone: (207)338-3370 Ext.110

From: Jan Owen <janowenmaine@gmail.com>
Sent: Wednesday, August 16, 2023 1:39 PM
To: Ward5 Councilor <ward5councilor@cityofbelfast.org>; Ward4 Councilor <ward4councilor@cityofbelfast.org>; Ward2 Councilor <ward2councilor@cityofbelfast.org>; Ward1 Councilor <ward1councilor@cityofbelfast.org>; Eric Sanders <mayor@cityofbelfast.org>; Ward3 Councilor <ward3councilor@cityofbelfast.org>; Erin Herbig <citymanager@cityofbelfast.org>
Subject: thank you

Thank you for moving the STR registration ahead. I don't understand the fuss about registering; I have to register my car, for building permits and businesses register which is what an STR is.

Right now I'm watching a family home being emptied and to become a rental.

Thank you,

Jan Owen

19 Cottage St.

**CITY OF BELFAST
CITY COUNCIL
TUESDAY, SEPTEMBER 5, 2023
Public Hearing and Second Reading
Proposed Ordinance Amendment Short Term Rental Registry**

Format of Amendment: Language/text in **black font** is existing language in the ordinance that is proposed to be changed by this amendment. The language/text proposed to be added to the existing ordinance is shown in **Red Font**, and a **Red Strike** is the proposed language/text that was rejected. Language/text proposed to be deleted from the existing ordinance is shown in ~~Blue Strike through Font~~. Staff notes to the Council are highlighted in **Green Text**.

PROPOSED ORDINANCE AMENDMENTS SUBPRT. A. (City Council)

CHAPTER 14 BUSINESS

Article X Short-Term Rentals

DIVISION 1 Generally

Sec. 14-380. Purpose of article

The purpose of this article is to establish a procedure and standards for the City to annually monitor the number of short-term rentals operating in the City. The City finds it is in the public health, safety, and economic welfare to understand the impact short-term rentals may have on the City.

Sec. 14-381. City Council order

The City Council grants the Planning and Codes Department staff the right and the Code Enforcement Officer the powers to enforce a short-term rental registry on their behalf.

Sec. 14-382 Other applicable codes

All short-term rental dwelling units shall be subject to all local ordinances, including applicable sections in Chapter 72. Housing and Lodging require annual registration.

PROPOSED ORDINANCE AMENDMENTS SUBPRT. B. (Planning Board)

CHAPTER 66 GENERAL PROVISIONS

Sec. 66-1 Definitions.

Hotel

~~See "Motel."~~

A building in which lodging, or meals and lodging, are transient in nature and offered to the general public for compensation and which ingress and egress to and from the rooms are made primarily through an inside lobby or office and offer no less than four rooms for rent.

Motel

~~A building or group of detached or connected buildings used for lodging by the traveling public, in return for payment. The term "motel" shall include "hotel."~~

A building or group of buildings in which lodging is transient in nature and offered to the general public for compensation and where entrances to rooms are made directly from the outside of the building and offer no less than four rooms for rent. Motels include terms such as sporting camps and cottages.

CHAPTER 72 HOUSING AND LODGING

Article I. In General

Sec. 72-1 through Sec. 72-50. (Reserved)

Article II. Short-Term Rental Registration

Division 1. Generally

Sec. 72-51 Purpose of the article

The purpose of this article is to establish a procedure and standards for the City to annually monitor short-term rentals. The City finds it is in the public health, safety, and economic welfare to understand the impact short-term rentals may have on the City.

Sec. 72-52 Definition

Local Contact Person:

An individual who is personally available by telephone and/or in person who has the authority to address issues that may arise in a timely manner.

Management Company:

A person or business that maintains and operates a short-term rental unit but does not own the unit and has an agreement from the property owner to operate the unit.

Nonowner Occupied STR:

An advertised STR where the owner of the rental unit does not live on the same premise as the advertised unit.

Owner Occupied STR:

An advertised STR is where the owner of the rental unit lives on the same premise as the advertised unit.

Short-term Rental:

A short-term rental is a residential dwelling unit that is advertised or intended for use for rent of less than 28 consecutive days. A short-term rental is not a State or City licensed lodging establishment, such as but not limited to a hotel, motel, or bed and breakfast.

Short-term Rental registry:

A city database of all residential dwelling units advertised for rent for less than 28 consecutive days.

STR:

An STR is an abbreviation for short-term rental.

Sec. 72-53. Ordinance Enactment.

The enactment of the short-term rental registry requirement shall take place immediately upon adoption by the City Council. ~~no more than 120 days after the City Council adopts this amendment. Once the short-term rental ordinance is enacted, property owners will have an additional 120 days to register their short-term dwelling units before any after the fact fees are applied.~~ However, initial registration shall not be required until November 1, 2023.

The City shall notify property owners of the short-term rental registry by placing an ad in the local newspaper and by including a notice of the registry requirements in the direct mailing for property taxes as soon as possible after enactment.

Sec. 72-54. Penalty

A property owner operating and/or advertising a short-term rental unit within the City without the required short-term rental registration shall be subject to a civil penalty of \$100 per day for all days of operation without the required registration as set forth in 30-A M.R.S. 4452.

Sec. 72-55. through 72-100 reserved

Division 2. Registration

Sec. 72-101. Planning and Codes Department responsible

The City Council hereby grants to Planning and Codes Department the right to monitor the STR registry and the Code Enforcement Officer the right on the Council's behalf to issue, deny, and revoke any STR registration.

Sec. 72-102. Display

A registration issued by the Planning and Codes Department shall be required for all short-term rental units that meet the City's definition of a short-term rental unit. All registered short-term rental units must display the approved registration inside the unit.

Sec. 72-103. Registration Requirements

1. Dwelling units that are required to be registered.

- (a) Any residential STR dwelling unit located within the bounds of the City of Belfast must register the dwelling unit with the Planning and Codes Department.
- (b) Any lodging establishment already licensed with the State and City is exempt from this provision.
- (c) Any person renting out their primary residence or a room that is part of their primary residence is exempt from this provision.
- (d) Any person renting out a residential dwelling unit that is not their primary residence but is located on the same property as their primary residence is required to register the dwelling unit or units.

2. Application required

The applicant must submit an application to apply for the short-term rental registry. The Planning and Codes Department is responsible for creating the application and may amend the application as needed.

3. Initial and renewal registration

(a) Initial registration.

Any property owner or management company on behalf of the property owner wanting to operate a short-term rental unit must register the short-term rental unit with Code Enforcement Officer before advertising or renting said short-term rental unit.

(b) Registration Renewal

Any property owner or management company on behalf of the property owner already registered as a short-term rental unit who wishes to continue operating beyond the expiration of the registration period must apply for and obtain a registration renewal.

4. Registration time period

A short-term rental registration is valid for one year from ~~February~~ November 1 to ~~January~~ October 31 of the following year. ~~An applicant has 60 days past February 1 to renew the registration.~~

Sec. 72-104 Issuance

The Code Enforcement Officer shall approve the issuance of the initial registration or the renewal registration upon receipt of a complete application and payment of fees.

Sec. 72-105. Fees

1. Registration Fee

Each application for short-term rental registration, initial or renewed, must be accompanied by a fee in the amount to be set by the City Council. No application will be considered without payment of such fee.

The Council supports a \$50 registration fee. Staff will update the fee schedule after the adoption of this amendment.

2. After the Fact Registration Fee

If a person or management company does not register a short-term rental unit or does not renew the yearly registration requirement, then the after the fact registration fee is \$100 shall be applied as set by the City Council.

Sec. 72-106. Transfer

No registration is assignable or transferable.

Sec. 72- 107 Suspension or revocation

The Code Enforcement Officer may suspend or revoke the short-term rental registration due to noncompliance with any part of the City Code of Ordinances.

Sec. 72-110 through 72-140 (reserved)

Division 3 Appeal

Sec. 72-141. Zoning Board of Appeals

Any owner or operator of a short-term rental unit may appeal any written decision of the Code Enforcement Officer to the Zoning Board of Appeals per Sec. 102-131.



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August 29, 2023

**NOTE TO BELFAST CITY COUNCIL
SECOND READING AND PUBLIC HEARING
SEPTEMBER 5th, 2023
PROPOSED AIRPORT OVERLAY ZONING ORDINANCE AMENDMENTS
FROM BUB FOURNIER, DIRECTOR OF PLANNING AND CODES DEPARTMENT**

BACKGROUND

The Airport Overlay concept, as proposed in the Airport Master Plan, is a planning tool for development in proximity to the Belfast Municipal Airport's northwestern runway 15 and southeastern runway 33. The proposed concept involves 3-dimensional zones A and C (B reserved) and outlines building height and use standards so that airport operations and development on nearby properties may occur in a safe and concurrent manner while minimizing potential conflicts. By right-sizing zoning restrictions on property adjacent to the Airport, the proposed ordinance amendments make an additional 60 acres available for housing development, in addition to the 100-acre site already being reviewed for a 48 lot subdivision on Little River Drive.

On their meeting of August 15th, 2023 the Belfast City Council voted unanimously to accept a First Reading of this proposed Ordinance Amendment after reviewing written comments, holding a public hearing and discussing the proposal.

The Planning Board was officially introduced to the concept of an Airport Overlay District at their regular meeting of January 11, 2023. At that meeting Board members discussed multiple memorandums generated by Airport Manager Kenn Ortmann as well as a Note to the Board from Planning and Codes Director Bub Fournier. Most of the discussion at the introductory meeting was focused on the concept of the 3-D zones, the dimensions of Zone A in particular, as well as the potential use restrictions in the overlay.

Following the initial workshop, Airport Manager Kenn Ortmann again produced a series of maps describing potential alternatives for the Zone A configuration for the Board's February 8th, 2023 meeting. The 3-A layout alternative included what the Airport Manager described as likely the limit of potential runway expansion in the foreseeable future. Planning staff's recommendation for Zone A to encompass the existing RPZ dimensions, only 1,000 feet from the end of the existing runway, were also discussed. Although the Board did not necessarily reach a consensus or define a direction, they discussed alternatives.

At the March 22nd meeting, the Planning Board asked staff to generate maps and tables to describe an A zone configuration with symmetry reflecting the current airport runway size, based on a 1 mile visibility standard and extending to Schoodic Dr northwesterly and Perkins Rd southeasterly. The maps and tables generated by staff also compared this configuration to an A zone based on the current Runway Protection Zone (RPZ) length, symmetrical and downsized for a 1 mile visibility on both ends of the runway.

The Board then discussed the Airport Overlay concept on May 10th, 2023, with the goal of coalescing the work that had occurred up to that time so that the current draft language could be presented at a public hearing. The Board reached a consensus on a dimensional configuration of the A and C zones. The Board reached a consensus regarding potential use restrictions in the A zone. The Board also reached a consensus in regard to how to handle currently existing potential nonconformities in the proposed A Zone.

The Planning Board held a public hearing on July 26th, 2023, duly noticed in the Republican Journal as well as directly mailed to abutters within 1,000 feet of the airport. The Board unanimously recommended adoption by the City Council.

Some of the written comments addressed to the City Council on the First Reading concerned some dimensional errors in the draft language. These have been corrected for this Second Reading.

Some of the written comments addressed to the City Council on the First Reading made statements about potentially prohibited uses in undeveloped land, and technical interpretations of the 3-dimensional space which I have consulted with the Airport Manager about. If it is the wish of the Council, I can discuss these items directly at the Second Reading meeting, as they do not rise to the level of concern in my opinion because they represent issues with structures that would exceed the general height restriction already in place Citywide. Staff has been in contact with the legal representatives of a large property owner in the southern A Zone to provide more information regarding remaining development opportunities on their property, should the proposed ordinance be adopted. It is estimated that 14 acres of their 37 acre property would continue to allow housing. At potentially 4 dwellings per 2 net acres, this represents the potential for 26 additional dwelling units, on top of the two existing dwellings.

In regard to environmental issues, the Council may wish to rely on the City's adopted Shoreland Zoning Ordinance, environmental Performance Standards located in the

Chapter 102 Zoning Ordinance, and standards identified for development in Chapter 78 Floods as these standards would all be applicable for any proposed developments.

USES

As far as uses are concerned, the Board considered a memo from the Airport Manager dated March 31, 2022 as well as additional staff guidance. They also considered a summary generated by Planning Board Chair Hugh Townsend describing which uses may conflict with adjacent Airport operations.

An excerpt from the Planning Board Chair’s summary follows:

“Looking forward, the Airport Overlay District is being created to enhance safety for aircraft and citizens on the ground, reduce aircraft environmental incompatibilities such as noise with certain uses on the ground where impacts could be high, create more opportunity for development in areas where impacts would likely be low, and maximize the economic development benefits of the Airport. The current zoning around the airport is not restrictive enough for safety and compatibility in some areas and is too restrictive of development in other areas.”

The Board did not consider any C Zone use restrictions.

The Board is recommending restricting the following uses in the A Zone that may be currently allowed in the general zoning districts in which the Airport Overlay is proposed:

- One- and Two-Family Homes, Accessory Dwelling Units, Accessory Residential structures with habitable space.
- Multi-Family and Flex Housing dwellings
- Planned Unit Development including Rural Affordable Developments
- Manufactured housing on a chassis or modular
- Group homes, Owner Occupied Boarding or Lodging Houses, Congregate Care, Residential Retirement housing, Assisted Living Facilities
- Bed and Breakfasts
- Nursing Homes and Long-Term Care facilities
- Child, Youth and Adult Care facilities
- Public and Private Schools

NONCONFORMITY

The Board is proposing that existing uses occurring in the proposed A Zone of the Airport Overlay that would be restricted, should the proposal be adopted, would be considered legally existing nonconformities. The proposal provides for a 30% lifetime expansion of the footprint of a nonconformity’s structure in the A Zone, although no additional dwelling units would be allowed in the A Zone. This would allow existing homes in the proposed A Zone to grow and be modified within the 30% limit. There would be no limits on upward expansion within the

footprint existing at the time of enactment of this proposed ordinance, although additional dwelling units would be prohibited. This ability to build upward from existing footprint was a modification the Planning Board asked for at the public hearing stage on July 26th, 2023.

REZONING

Finally, the Board is proposing zoning reconfigurations to support the City's goals of creating new housing opportunities and "right sizing" the Airport Overlay zone. The proposal includes the 174 Lincolnville Ave (Boynton property, Map 4 Lot 62) being rezoned as Office Park along with the smaller properties directly to the north including 152 Lincolnville Ave and their back lot (9+ac), 156 Lincolnville Ave (2.7ac). The Board is also proposing that all of the smaller lots north of the large Boynton lot including Map 4 Lots 2, 63, 63A and 62H plus Map 5 Lots 2,6B, 6A, 8 and 8-A be rezoned from Airport Growth to Office Park as well. The Board is also proposing that the smaller 190 (4.14ac) and 182 (1.5ac) Lincolnville Ave properties are rezoned from Airport Growth to the adjacent Outside Rural 2 zoning district.

These zoning district reconfigurations result in almost 60 acres of property in Belfast becoming available for new housing. The changes would eliminate the Airport Growth zoning district, which currently prohibits new housing on approx. 140 acres. Those areas would be rezoned according to their adjacent Office Park or Outside Rural 2 districts which both allow a variety of housing uses. The newly proposed A Zone restriction on new housing in the proposed Overlay would shrink the affected area from approx. 140 acres down to 80 acres, immediately off the ends of the runway as shown on the A Zone maps. This proposal also follows support from the Board and City Council to rezone the approx. 100-acre former County owned property as part of the right-sizing of the Airport Growth zoning district. This property is currently being reviewed by the Planning Board for a 48-lot subdivision for much needed residential housing.

**BELFAST CITY COUNCIL
SECOND READING
TUESDAY SEPTEMBER 5th, 2023**

Format of Amendment: Language/text in **black font** is existing language in the Ordinance that is proposed to be changed by this amendment. Language/text proposed to be added to the existing Ordinance is shown in **Red Font**. Language/text proposed to be deleted from the existing Ordinance is shown in ~~Blue Strike through Font~~. Staff notes to the public and City Council are highlighted in **Green Text**.

Role of the City Council: The Belfast City Council conducted a First Reading and public hearing on August 15, 2023 and voted to move forward with this Second Reading. The Planning Board discussed this proposed amendment at several meetings, and voted unanimously after a public hearing on July 26th, 2023 to recommend the language for adoption by the City Council. The Planning Board is an administrative/quasi-judicial body, and does not have the authority to adopt, amend, or repeal an Ordinance. That authority is vested solely with the City Council, the legislative body for the City. The City Council, after it receives the Planning Board's recommendations, will conduct two public readings (First Reading and Second Reading) and at least one duly noticed public hearing on the proposed amendments. **After a Second Reading, the City Council has the authority to adopt, reject, change, or table the amendments recommended by the Planning Board.** If the Council adopts the amendments, they will become part of the City Code of Ordinances.

CHAPTER 102 ZONING

ARTICLE VII

DIVISION 2

Airport Overlay District

Sec. 102-851. Applicability of division.

No person shall build, occupy, maintain or use a structure or create a new use in the Airport Overlay District of the City unless it is in compliance with the provisions of this division. The purpose of this division is to limit future conflicts between airport uses and other uses allowed in the underlying zoning districts.

Sec. 102-852. Nonconforming uses.

Existing uses or structures which are not permitted in sections 102-873, 102-874, 102-875 and 102-876 which are legally owned, occupied or maintained within the Airport Overlay District of

the City on (date of adoption), are nonconforming uses under the provisions of this chapter. Legally existing nonconforming uses may continue, provided they do not create any significant risk of causing an adverse impact upon the Belfast Municipal Airport or property users. Expansion of legally existing non-conforming uses may be permitted by the Code Enforcement Officer, provided that the expansion does not exceed a 30% lifetime footprint area expansion limit. For these purposes, only the area of a structure located in the overlay may be considered for expansion, similar to the Chapter 102 Article III Type 2 Nonconformity section of the City Code. **Notwithstanding general zoning requirements and other standards regarding height in this Chapter, upward expansion of any legally existing, nonconforming one- and two-family homes within an existing structure's footprint area is permitted as long as no new dwelling units are created.**

Sec. 102-853. Structures and uses permitted in Airport Overlay District with approval of Planning Board.

Structures and uses permitted in the Airport Overlay District with Planning Board review are as follows:

ZONE A

Any use permitted with Planning Board approval in the underlying zoning district except the following:

- One- and Two-Family Homes, Accessory Dwelling Units, Accessory Residential structures with habitable space (does not include garages, greenhouses, sheds, etc.).
- Multi-Family and Flex Housing dwellings
- Planned Unit Development including Rural Affordable Developments
- Manufactured housing on a chassis or modular
- Group homes, Owner Occupied Boarding or Lodging Houses, Congregate Care, Residential Retirement housing, Assisted Living Facilities
- Bed and Breakfasts.

Any new building, temporary structure, appurtenance or other development shall not penetrate the three-dimensional space of Zone A.

ZONE C

Any use permitted with Planning Board approval in the underlying zoning district. Any new building, temporary structure, appurtenance or other development shall not penetrate the three-dimensional space of Zone C.

Sec. 102-854. Structures and uses permitted in Airport Overlay District with approval of the Code Enforcement Officer.

Structures and uses permitted in the Airport Overlay District with CEO review are as follows:

ZONE A

Any use permitted with CEO approval in the underlying zoning district except the following:

- One- and Two-Family Homes, Accessory Dwelling Units, Accessory Residential structures with habitable space (does not include garages, greenhouses, sheds, etc.).
- Multi-Family and Flex Housing dwellings
- Planned Unit Development including Rural Affordable Developments
- Manufactured housing on a chassis or modular
- Group homes, Owner Occupied Boarding or Lodging Houses, Congregate Care, Residential Retirement housing, Assisted Living Facilities
- Bed and Breakfasts.

Any new building, temporary structure, appurtenance or other development shall not penetrate the three-dimensional space of Zone A.

ZONE C

Any use permitted with CEO approval in the underlying zoning district. Any new building, temporary structure, appurtenance or other development shall not penetrate the three-dimensional space of Zone C.

Sec. 102-855. For Airport Overlay purposes, permitted uses shall be considered according to their location at grade, located below Zones A and C.

Sec. 102-856 (Reserved)

Sec. 102-857 Appeals.

An appeal of a decision of the code enforcement officer or the Planning Board denying any application where such denial is based on the provisions of this division shall be reviewed by the Zoning Board of Appeals in accordance with Chapter 102 Division 4 Appeals. A complete appeal application must be received within 30 days of the reviewing authority's written decision to be eligible for review.

Sec. 102-858 Description of Airport Overlay District dimensions.

(a) Zone A shall include the space above the area extending from the northern (15) end of the runway at the Belfast Municipal Airport including the Runway Protection Zone measuring 500 feet wide 200 feet from the end of the paved runway, thence widening to 700 feet wide at a

distance of 1200 feet from the end of the paved runway, thence widening at the same angle and extending to Schoodic Drive on Map 5 Lots 1 and 26.

Zone A shall also include the area extending from the southern (33) end of the runway at the Belfast Municipal Airport measuring 500 feet wide 200 feet from the end of the paved runway, thence widening to 700 feet wide at a distance of 1200 feet from the end of the paved runway, thence widening at the same angle and extending to a line 400' north of the northern edge of the Perkins Road right of way on Map 4 Lots 9 and 9-A.

The elevation of Zone A begins at the runway surface elevation of 197.6 feet (Mean Sea Level) and rises in a 34:1 slope away from the runway.

(b) reserved.

(c) Zone C shall include the space above the areas adjacent to Zone A described above, extending immediately adjacent to the runway (east and west sides) at a slope of 7:1 to 150 feet above the runway elevation. Zone C shall also include areas extending away from Zone A in the shape of an ellipse with a 10,000 foot radius surrounding the runway at an elevation 150 feet above the runway elevation, thence at a slope rising away from the runway at 20:1 for an additional 4,000 feet horizontally outward.

The elevation of Zone C begins from the plane established in Zone A and continues at a 34:1 slope, rising away from the runway to 150 feet above the runway elevation, or 347.6 feet (Mean Sea Level).

(d) The Airport Overlay is reflected in the official Airport Overlay Map as a supplement to this chapter.

***This language accompanies a revision of the official zoning map to reflect Board rezoning adjustments in the current Airport Growth zoning district as well as an Airport Overlay map for Zone A and C. This Second Reading language also reflects corrections to a dimensional error in the First Reading runway and zone elevations.*

All existing unchanged text in the proposed Ordinance amendment is in **BLACK**.

All deleted text from the in the proposed Ordinance amendments is in ~~BLUE~~
~~STRIKETHROUGH~~.

All new text in the proposed Ordinance amendment is in **RED. Bold red font was modified from Planning Board public hearing.**

All explanatory text, not to be included in the final draft, is in GREEN.



10.L,M+N

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MEMO:

To: Mayor and City Council
From: Jon Boynton - City Planner
CC: Erin Herbig – City Manager; Bub Fournier – Director Planning and Codes
Date: August 29, 2023
Re: Second Reading – Proposed Amendments to Chapter 58 Traffic and Vehicles

BACKGROUND INFORMATION

A few weeks ago, the Director and I met with Jim Roberts regarding the American Legion Post 43. Mr. Roberts shared that when the Legion members travel to services around the State, some members have received parking tickets as they parked in a time-limited space.

Mr. Roberts is asking to remove the time restriction on two spaces on Church Street near the intersection with Anderson St. The Director and I felt this ask is reasonable, as the City placed the time restriction on those two spaces for the Legion. Mr. Roberts also asked about the two spaces on Church St. next to the new Court House parking lot. The agreement for these two spots is to change the time restriction from 2 hours to 3 hours. The rationale here is these spaces are closer to downtown and other time-restricted spaces.

You will find two sections in Chapter 58 that are proposed to be amended. Sec. 58-39 Specific restrictions and Sec. 58-40 Time limits for individual parking spaces. Some of the changes to both sections are directly related to the proposed changes by the Legion, while other changes are in response to corrections that need to be made. For instance, eliminating language around time limits to the Front Street parking lot.

The Council conducted the First Reading of the ordinance amendment and held a Public Hearing at the August 15, 2023 meeting. The public did not submit comments at this hearing.

RECOMMENDED ACTIONS

I recommend the Council take the following actions at the Council meeting of September 5, 2023, on the Second Reading of this proposal:

Recommended Action # 1: I recommend the Council allow time for the initial presentation on the amendments to the prohibition of specific on-street parking locations.



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Recommended Action # 2: The Council should conduct a public hearing on the proposed changes to the ordinance amendment.

Recommended Action # 3: The Council should discuss and propose changes to the ordinance amendment.

Affirmative motion: Motion to adopt the proposed ordinance amendment to Chapter 58 Traffic and Vehicles, Article II Stopping, Standing, and Parking Sec. 58-39 Specific Restrictions and Sec. 58-40 Time limits for individual parking spaces.

Affirmative motion with edits: Motion to adopt the proposed ordinance amendment with the identified edits of the City Council meeting of September 5, 2023, to amend Chapter 58 Traffic and Vehicles, Article II Stopping, Standing, and Parking, Sec. 58-39 Specific Restrictions and Sec. 58-40 Time limits for individual parking spaces. (The Council identified a minor grammatical edit at the August 15, 2023 meeting.)

Dissenting motion: Motion to table the adoption of the ordinance amendment to Chapter 58 Traffic and Vehicles, Article II Stopping, Standing, and Parking, Sec. 58-39 Specific Restrictions and Sec. 58-40 Time limits for individual parking spaces, and to continue the second reading at a future City Council meeting.

CHAPTER 58, TRAFFIC AND VEHICLES

ARTICLE II, STOPPING, STANDING, AND PARKING

Sec. 58-39 Specific Restrictions

No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

- (1) On the sidewalk.
- (2) In front of a public or private driveway so as to obstruct access to same.
- (3) Within an intersection.
- (4) Within 10 feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within 25 feet of the near corner of the intersection of Anderson Street and Church Street.
- (7) Within 500 feet of any building, field, or forest where an alarm of fire or other emergency has been sounded, without consent of the chief of police, fire chief, or a duly authorized agent of either of the preceding.
- (8) In any public street more than 12 inches from the curb, except in emergency or to allow another vehicle or pedestrian to cross its way.
- (9) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (10) In the front of any place designated as a taxistand on any street.
- (11) At any place where official sign prohibits parking.
- (12) Within 15 feet upon the approach to any stop sign.
- (13) On the lefthand side of a street unless such street is a one-way street.
- (14) In front of the entrances to theaters and hotels, or in front of the fire station.
- (15) On Beaver Street on the north side from its intersection with Post Office Square.
- (16) On Bridge Street from the intersection of Water Street to the Harbor Channel.
- (17) On the east side of Cross Street from its intersection with Miller Street.
- (18) On that portion of the west side of Washington Street from its intersection with Main Street to Bridge Street.
- (19) On the north side of Miller Street from its intersection with Cross Street to High Street.
- (20) On **both sides of Market Street** ~~from its intersection with Church Street to its intersection on Main Street.~~ **This is clean up work.**

~~a. On the north side of Market Street from its intersection with Church Street to its intersection with High Street.~~

~~b. On the south side of Market Street from its intersection with Main Street to its intersection with Church Street. This is clean up work.~~

(21) On High Street, on the easterly side from its intersection with the U.S. Route 1 off-ramp to the intersection with Vine Street.

(22) On both sides of Waldo Avenue from its intersection with Field Street to its intersection with Vine Street.

(23) On Vine Street, on both sides, from its intersection with High Street to its intersection with Waldo Avenue.

(24) On Field Street, both sides, from its intersection with High Street to its intersection with Waldo Avenue.

(25) On Main Street, on both sides, from its intersection with Waldo Avenue to its intersection with Market Street.

(26) On Franklin Street, on the north side except where individual spaces are marked.

(27) On Union Street, on the west side, from its intersection with Miller Street to its intersection with Commercial Street.

(28) On Spring Street from its intersection with Church Street to its intersection with High Street.

(29) At the fueling pier.

(30) On the approach to the boat ramp.

(31) On the vehicle with trailer parking lot drive on both sides of Front Street to the City landing.

(32) On Main Street on the south side of Front Street to a point 100 feet west of Cross Street and on the north side from Front Street extending 200 feet to the west.

(33) Adjacent to a node at any time.

(34) In spaces designated for handicapped parking by any vehicle which does not bear special registration plates or placards issued under state law.

(35) On Federal Street, either side, anytime, from Front Street to Cross Street.

(36) On Jackson Avenue, either side, at any time, from Bayview Street to the eastern end of Jackson Avenue, from November 1 to May 1.

(37) On Anderson Street, on the southerly side from its intersection with Church Street to its intersection with Waldo Avenue (Route 137).

- (38) On U.S. Route 1 (Searsport Avenue) from its intersection with Old Searsport Avenue westerly for 0.5 mile to its intersection with Old Searsport Avenue at Goose River (on state maps this covers from node 7113 easterly for 0.5 mile on the northerly side.
- (39) Miller Street between High Street and Church Street on the southerly side at any time.
- (40) On Commercial Street on the southerly side at any time.
- (41) On U.S. Route 1 (Searsport Avenue) at a point 0.2 mile westerly for a distance of 500 feet in a westerly direction on the southerly side of U.S. Route 1 also known as Searsport Avenue.
- (42) On Pendleton Lane, either side, from its intersection with High Street to its intersection with Cross Street.
- (43) On Front Street on the easterly side at its intersection with Miller Street to its intersection with Commercial Street.
- (44) On Main Street between Waldo Avenue and Lincolnville Avenue.
- (45) On Spring Street on both sides of the street from the Intersection with Court Street to a point 140 feet west of Court Street.
- (46) Church Street, western side from its intersection with Anderson Street to its intersection with Market Street except for two spaces marked between Market Street and the parking lot exit from the State Courthouse.
- (47) On High Street, on the easterly side from its intersection with John Street to its intersection with Field Street.

Sec. 58-40. Time limits for individual parking spaces.

(a) There shall be a two-hour parking limit between 9:00 a.m. and 5:00 p.m. on Monday through Friday and a three-hour parking limit on Saturday 9:00 a.m. and 5:00 p.m. in the following spaces:

- (1) Main Street, northerly side, from number 33 westerly to upper Market Street.
- (2) Main Street, southerly side, from Cross Street to Beaver Street.
- (3) High Street, both sides, from Miller Street to Bridge Street.
- (4) Church Street, both sides, from Miller Street to Main Street.
- ~~(5) Market Street, south side, from High Street to Main Street.~~
- (5) Reserved.**
- ~~(6) Market Street, north side, from Church Street to Main Street.~~
- (6) Reserved.**
- (7) Market Street, ~~north side~~ **both sides**, from Church Street to High Street.

This is clean up work.

(8) Washington Street, west side, from Main Street to Bridge Street.

(9) Franklin Street, north side along the Post Office heading west, the first parking space, the next two handicapped spaces and the next single parking spaces continuing west for a total of four spaces.

~~(10) Two marked spaces on the eastern side of Church Street just north of the marked handicapped parking spaces across the street from Anderson Street.~~

This is part of the proposed changes asked for by the American Legion.

(11) Two marked spaces on the western side of Church Street, between the intersection of Church and Market Streets and the parking lot exit from the State Courthouse.

(b) There shall be a two-hour parking limit in the following places: Church Street, both sides, from Market Street to Main Street.

(c) There shall be a thirty-minute parking limit in the following places: Post Office Square, directly in front of the post office, both sides.

~~(d) There shall be three-hour parking at all marked parking spaces on the southerly side of the Front Street parking lot between the hours of 9:00 a.m. and 7:00 p.m., seven days a week. The northerly side of the Front Street parking lot will be unrestricted parking. No motor vehicle or truck measuring more than 30 feet in length shall park in the Front Street parking lot.~~

This is clean up work.

(e) There shall be 10 marked two-hour parking spaces from 9:00 a.m. to 5:00 p.m. Monday thru Friday and a three-hour parking limit on Saturday from 9:00 a.m. to 5:00 p.m. located in the Beaver Street parking lot.

(f) There shall be a maximum of three-hour parking permitted in all marked parking spaces at the western end of the Armistice Bridge.

(g) There shall be a maximum of three-hour parking permitted from 9:00 a.m. to 5:00 p.m. Monday thru Saturday for two spaces marked between Market Street and the parking lot exit from the State Courthouse.

This is part of the proposed changes asked for by the American Legion.

10.P

**Central Maine Power
Town Pole Permit
Fax Cover Sheet**

Date: 8/17/2023

Subject: Town Pole Permit

To: Town of Belfast

Fax number: 338-6222

CMP Job number: 10301011105

Street Name: Pitcher Road

Number of pages including cover letter: 4

Please sign attached. Return to: Line Clerical New Service
at lineclerknewservice@cmpco.com or fax 207.629.4752

Form 4501

Notification: 10301011105

Work Order: 801000566376

CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: BELFAST, Maine

To the: [X] City [] Town [] 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 Consolidated Communications of Northern New England Company LLC 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: INTERSECTION OF BENNER DR. AND PITCHER RD.
2. Road (State & CMP): PITCHER RD. (PITCHER RD.)
3. Direction: SOUTH
4. Distance: 48 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 Consolidated Communications of Northern New England Company LLC

By: Wayne Cookson Date: Aug 16, 2023 By: Danielle Godin Date: 08/16/2023
For Stephen Polyot
Right of Way Manager-Maine

Farm 4503

Notifications: 10301011103
Work Orders: 801000566376

LOCATION PERMIT

Upon the Application of Center Maine Power Company and Consolidated Communications of Northern New England Company LLC

dated Aug 16, 2023, 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: INTERSECTION OF BENNER DR. AND PITCHER RD.
- 2. Road (State & CMP): PITCHER RD. (PITCHER RD.)
- 3. Direction: SOUTH
- 4. Distance: 48 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

Central Maine Power Co.

FAX Cover Sheet

Date: 8/23/23

To: Town of Belfast

Attn: _____

Fax: 338-6222

From: New Service

Phone: 1-800-750-4000

Fax: 629-4752

Pages (plus cover sheet): 3

Subject: 10301010074 Pole Permit

Form 4501

Notification: 10301010074

Work Order: 801000567584

CENTRAL MAINE POWER COMPANY

APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: BELFAST, Maine

To file: City

Town

County of: WALDO, Maine

Central Maine Power hereby applies 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.

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.

Central Maine Power Company and Consolidated Communications of Northern New England Company LLC

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: INTERSECTION OF EDGECOMB RD, AND TUFTS RD,

2. Road (State & CMP): TUFTS RD. (TUFTS RD.)

3. Direction: WEST

4. Distance: 2700 feet

5. Number of Poles: 1

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

Not Published

In: [Redacted]

On: [Redacted]

CENTRAL MAINE POWER COMPANY

Consolidated Communications of Northern New England Company LLC

By: Wayne Cookson

Date: Aug 22, 2023

By: Danisella Godin Date: 08/23/2023

For Stephen Polyot
Right of Way Manager-Maine

Form 4503

Notification: 10301010074

Work Order: 801000567584

LOCATION PERMIT

Upon the Application of Center Maine Power Company and Consolidated Communications of Northern New England Company LLC

dated Aug 22, 2023, 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: INTERSECTION OF EDGECOMB RD. AND TUFTS RD.
2. Road (State & CMP): TUFTS RD. (TUFTS RD.)
3. Direction: WEST
4. Distance: 2700 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