

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

October 21, 2004

Agenda for the regular City Council meeting to be held Monday, October 25, 2004 at 7:00 p.m., Council Chambers, City Center.

PUBLIC HEARING - Proposed Multi-Unit Housing Inspection Ordinance

LEGAL OPINION from Corporation Counsel regarding the two (2) Citizen Petitions filed with the City Clerk on September 23, 2004.

PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA.

CONSENT AGENDA - All matters listed under this item will be considered routine and will be enacted by one motion. If a Councilor wishes to discuss one (or more) item(s), Councilor may ask to have the item(s) removed from the Consent Agenda and considered individually.

153 Manager (Bureau of City Clerk)
ORDERED, That minutes of the City Council meeting held October 4, 2004 submitted by the City Clerk be approved.

154 Manager (Bureau of City Clerk)
ORDERED, That Georgette Valliere of 10 Evolution Drive, Augusta, serve as Ward Clerk at Ward III replacing Mary Robichaud and David Leibowitz of 4 Alton Road, Augusta, serve as Constable at Ward I replacing Clyde LeClair for the upcoming November 2 General/Referendum & Municipal/Referendum Election.

155 Manager (Bureau of Audit Accounts)
ORDERED, That Roll of Accounts #3 for the month of September 2004 in the amount of \$4,138,138.41 be approved.

156 Manager (Department of Finance)
ORDERED, That the report regarding the City's financial position through September 2004 be presented and accepted upon presentation.

157 Mayor Dowling
ORDERED, That the City Council confirm the appointment of Steve Levesque to the Augusta Development Commission; said term to expire October 25, 2007.

- 158 Mayor Dowling
 ORDERED, That Mary Maher McCarthy be reappointed to the Historic Preservation Commission; said appointment to expire August 9, 2007.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ, FIRST READING

- 152 Manager (Bureau of Planning)
 BE IT ORDAINED, By the City Council of the City of Augusta, that the language of Section 3.6.1.1(2) of the Land Use Ordinance, which deals with the RB1 and RB2 Medium Density Residential Zoning Districts, shall be amended by deleting the existing language shown in ~~strikethrough~~ and by adding the new language that is shown in underline, as follows:

3.6.1.1(2) MEDIUM DENSITY RESIDENTIAL DISTRICTS (RB1 and RB2)

(a) Purpose: The RB1 and RB2 districts is a are zones in which the principal use of land is for medium density residences. The RB2 District is identical to the RB1 District except that it excludes rooming houses. Both are characterized by a mix of single and multifamily homes.

(b) Uses and Dimensional Requirements:

PERMITTED USES IN THE RB1 AND RB2 DISTRICTS (Requiring Permit from CEO):

One, Two and Multiple Family Dwellings*; Rooming Houses (except in RB2).

Accessory Residential Uses: Private Garages; Home Occupations; Group Homes; Boarding Homes; Day Care Homes.

*Note for Type "1" Manufactured Housing see Section 5.2.10 for requirements (Order No. 257 - 08/19/2002)

CONDITIONAL USES IN THE RB1 DISTRICT (Requiring Public Hearing and Planning Board Review before CEO approval):

Educational Services; Bed and Breakfast; Manufactured Housing Parks; Day Care Centers; Religious Activities and Associated Uses; Municipal or Public Utilities and Communication Facilities; Nursing Homes; Funeral Homes; Public Parks, temporary habitable trailers built on a permanent chassis to be used as portable classrooms and/or offices and/or medical

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ, FIRST READING (Con't)

152 Continued
diagnostic units for a specified (limited) time and as a public facility only. *(Order No.21, 2/12/01)

*Note this restriction is not intended to restrict the temporary placement of construction related trailers on project sites provided that such trailers are removed immediately upon the completion of project work at that site. Planning Board approval is not required prior to placement of such trailers. (Order 21, 2/12/01)

CONDITIONAL USES IN THE RB2 DISTRICT (Requiring Public Hearing and Planning Board Review before CEO approval):

Educational services limited to elementary and middle schools;
Bed and Breakfast limited to a maximum of eight rooms;
Manufactured Housing Parks; Day Care Centers; Religious Activities and Associated Uses; Minor Municipal or Public Utilities and Communication Facilities; Nursing Homes; Funeral Homes; Public Parks, Temporary habitable trailers built on a permanent chassis to be used as portable classrooms on land occupied by allowed educational services and/or other medical diagnostic units for a specified (limited) time* and as a public facility only.* (Order 21, 2/12/01)

*Note this restriction is not intended to restrict the temporary placement of construction related trailers on project sites provided that such trailers are removed immediately upon the completion of project work at that site. Planning Board approval is not required prior to placement of such trailers. (Order 21, 2/12/01)

DIMENSIONAL REQUIREMENTS FOR RB1 AND RB2 DISTRICTS. The following shall be considered minimums:

Where the minimum lot size law, special shoreland standards, or State of Maine Wastewater Disposal Rules impose greater requirements, those additional requirements shall be met:

LOT AREA PUBLIC SEWER	7,500 square feet
LOT AREA PRIVATE SEWER	20,000 square feet
LOT AREA PER DWELLING UNIT	2,500 square feet
LOT FRONTAGE	75 feet
LOT DEPTH	100 feet
FRONT SETBACK	See Section 5.1.16

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ, FIRST READING (Con't)

- 152 Continued
- SIDE AND REAR SETBACK:
- PRINCIPAL STRUCTURE 10 feet
- ACCESSORY STRUCTURES 5 feet
- MIN. FRONTAGE FOR CONVERSION TO
- TWO (2) OR MORE DWELLING UNITS 50 feet

NEW BUSINESS

PART 1 - ORDERS

- 159 Manager (Bureau of Economic Development)
- ORDERED, That a public way known as Alton Road, no longer of public use and necessity be discontinued; and

That the City chooses to retain a public easement over the herein described area for public utility facilities to provide service and that there shall be zero damages paid to abutting property owners, as would be allowed under Title 23 MRSA section 3026.

Description:

Beginning at the intersection of the southerly right-of-way line of Alton Road with the westerly right-of-way line of Town and Country Drive, reference City of Augusta Street Book 1923-199_, Page 146;

Thence North 52 degrees 25 minutes West and running parallel with the South line of Capitol Street 250 feet to an angle point;

Thence North 55 degrees 05 minutes West by an angle to the left of two degrees and forty minutes for a distance of 202.7 feet to a point in the easterly line of a strip of land 50 feet in width, the said easterly line of which runs parallel with and 50 feet distant from the easterly line of Ganneston Drive measured normal to the curve and tangent sections of said Ganneston Drive;

Thence continuing on the same course across said 50 foot strip of land to the easterly line of Ganneston Drive;

Thence northerly along the easterly line of Ganneston Drive 41.63 feet more or less to a point;

NEW BUSINESS (Con't)

- 159 Continued
Thence South 55 degrees 05 minutes East across said 50 foot strip of land to a point;
- Thence continuing on the same course 190.5 feet to an angle point;
- Thence South 52 degrees 25 minutes East and running parallel with and 150 feet distant from the south line of Capitol Street 250 feet to a point in the westerly line of Town and Country Drive;
- Thence South 37 degrees 35 minutes West in the westerly line of said road 40 feet to the point of beginning.
- Meaning and intending to discontinue all of Alton Road as accepted by the City of Augusta Council Order 236 dated November 15, 1965.
- Be it further known that notice has been sent to:
- All direct abutters affected on Alton Road:
- MPDC GROUP II
MPDC GROUP IV
- Augusta Planning Board
Augusta Public Works
Augusta Sanitary District
Augusta Water District
Central Maine Power
Verizon
Adelphia
- 160 Councilor Foster
ORDERED, That Council Order #150 from Regular Council Meeting, October 4, 2004, regarding the City Manager entering into a lease agreement with the Edge/Spurwink for the former Rite Aid, city owned building, and abutting premises adjacent to Lithgow Library be rescinded.

NEW BUSINESS (Con't)

PART 2 - ORDINANCE BEING READ FOR THE FIRST TIME
NO VOTE REQUIRED

161 Manager (Police Department)

BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, section 73 Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended be further amended by adding the following:

Florence Street:

No parking on the west side.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell
City Clerk