

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

November 18, 2008

Minutes of the regular City Council meeting held Monday, November 17, 2008 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present; Mayor Katz presided.

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

182 ORDERED, That the section of Grove Street between Memorial Circle and Water Street shall forthwith be considered a part of and be renamed Water Street. This order shall take effect January 1, 2009.

(NO MOTION TO REMOVE FROM TABLE)

HAS BEEN READ AND NOT PASSED

149 WHEREAS, the 2007 Comprehensive Plan for the City of Augusta strongly recommends improved site design along Augusta's gateway roads.

WHEREAS, improved site design has proven to occur best through a public hearing process at the Planning Board level.

WHEREAS, the Planning Board is in the process of re-writing the Land Use Ordinance, but does not anticipate having it completed for Council review and public hearing until late winter.

WHEREAS, projects that occur prior to an anticipated final approval of a new ordinance could have a significant and long-term impact on the gateways.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta that the Augusta Land Use Ordinance be amended as follows:

Amend Section 2.2 of the Augusta Land Use Ordinance

Development: Development means any change caused by individuals or entities to improved or unimproved real estate,

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND NOT PASSED (Con't)

149 Continued

including but not limited to the construction of buildings or other structures; the construction of additions or substantial improvements to buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials; and the storage, deposition, or extracton of materials, public or private sewage disposal systems or water supply facilities.

(1) Major development:

a. For parcels that have access to or frontage on the following streets or roads, major development includes any new or redeveloped non-residential or multi-family residential project that creates or redevelops any floor space or impervious surface:

- i. Western Avenue - from I-95 to Memorial Circle
- ii. Memorial Circle
- iii. Cony Circle
- iv. Bangor Street
- v. Riverside Drive - from Bangor Street to Rt 3
- vi. State Street
- vii. Mt Vernon Avenue
- viii. Sewall Street - from Western Avenue to the Hallowell municipal boundary
- ix. Capitol Street
- x. Armory Street
- xi. Winthrop Street
- xii. Leighton Road
- xiii. Stone Street
- xiv. Hospital Street - from Stone Street to Piggery Road
- xv. Cony Street - from Kennebec River to South Belfast Avenue
- xvi. Water Street
- xvii. Northern Avenue
- xviii. Grove Street - from Memorial Circle to Water Street

b. For all parcels not affected by (a) above, a major development is any new or re-developed non-residential or multi-family residential project that disturbs one (1) acre of land or more, or creates or adds to one (1) acre of impervious surface on a parcel. It shall include any multi-family residential or non-residential change of use that affects or disturbs one (1) acre of land or more. Disturbed land includes but is not limited to new impervious surface or any re-development or modification

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND NOT PASSED (Con't)

149 Continued

of existing impervious surface.

(2) Minor development: Requiring a permit from the CEO if listed as a permitted use or requiring a permit from the Planning Board if listed as a conditional use.

Yeas: 0

Nays: 8; Byron, Doore, Paradis, O'Brien, Rollins, Coffin, Munson, Stokes

HAS BEEN READ AND PASSED, FINAL READING

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

That Chapter 18, section 38 Schedule of one-way streets, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Middle Street: between Stone Street and Spruce Street, south only.

Yeas: 8; Byron, Doore, Paradis, O'Brien, Rollins, Coffin, Munson, Stokes

Nays: 0

NEW BUSINESS

HAS BEEN READ AND PASSED

194 ORDERED, That minutes of the City Council meeting held Novmeber 6, 2008 submitted by the City Clerk be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien, Rollins, Coffin, Munson, Stokes

Nays: 0

195 ORDERED, That Roll of Accounts for the month of October 2008 in the amount of \$9,350,176.10 be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien, Rollins, Coffin, Munson, Stokes

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

196 ORDERED, That Corey Bisson be appointed to the Board of Zoning Appeals as a Junior Associate member; said term to expire November 17, 2011.

Yeas: 7; Byron, Doore, Paradis, O'Brien,
Coffin, Munson, Stokes

Nays: 0

197 WHEREAS, the Planning Board forwarded a recommendation to City Council to change the Major Development Trigger along certain roadways; and,

WHEREAS, after significant discussion, public input, and due consideration, the City Council finds that an alternative has evolved to the Planning Board's original proposal; and,

WHEREAS, Section 1.6.4 for the Augusta Land Use Ordinance states that when a modification of the Planning Board's recommendation is based on substantive or substantial new evidence not previously presented to the Planning Board, the City Council shall remand the matter to the Board for further consideration and recommendation.

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta that the Planning Board review, possibly modify, and finalize the attached proposed alternative recommendation as created by a Council/Planning Board subcommittee in response to a meeting of the full Council and Board.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk