

**City of Belfast
Council Chambers-Belfast City Hall
Tuesday, October 16, 2018
Regular Council Meeting 7:00 p.m.**

Regular Council Meeting No. 8

1) Call to order

2) Roll call: Mayor Samantha Paradis; Councilors Mary Mortier, Neal Harkness, Eric Sanders, Michael Hurley and John Arrison, City Manager Joseph Slocum, and Admin. Assistant Manda Cushman.

3) Pledge of Allegiance

4) Adoption of the agenda

5) Acceptance of the minutes

Regular Council Meeting of October 2, 2018, Special City Council Meeting & Public Hearing of September 25, 2018 and Special City Council Meeting & Public Hearing of October 9, 2018.

6) Open to the public

If you are here to speak, please come to the podium, identify yourself, and state your town of residence. The Council values your input and respectfully asks that comments be limited to 3 minutes. This is an opportunity for the Council to listen but not to respond in any kind of question and answer format. The Council will reflect on your comments and consider them for possible action at a later date.

7) Communications

8) A. Old Business and Council Committee Reports

B. Organization and Department Reports

9) Permits, Petitions and Licenses - Consent Agenda

These items are usually voted on with a single motion

- A. Request to approve a twelve-month Blanket Letter of Approval for Game of Chance (Cribbage) for the Frank D. Hazeltine Post 43 located at 143 Church Street, Belfast, Maine. This approval is granted from January 1, 2019 through December 31, 2019.**

- B. Request to approve an off premises catering permit for Bell the Cat, Inc. for a private event at the University of Maine, Hutchinson Center, 80 Belmont Ave., Belfast, ME on October 21st and 22nd from 12:00 p.m. to 7:00 p.m.
- C. Request to approve an application for a renewal Automobile Junkyard/Graveyard Permit for the year 2018-2019 by Lorraine Gibbs and Bert Bailey d/b/a Gibb's Auto Sales located at 50 Back Belmont Road.
- D. Request to approve an application for a parade permit request submitted by Randall Collins VFW Post 3108, Belfast, Maine for the annual Veteran's Day Parade on Sunday, November 11, 2018 starting at 11:00 a.m. at the Belfast Area High School, ending at the Belfast Harbor landing.
- E. Request by the Fire Chief to confirm Montana Paige as a paid per call Firefighter for the Belfast Fire Department.

10) Business

- A) Request from Jeris and Raymond Regusa to access the Rail Trail from their property.
- B) Request for funding to repair or replace the crosswalk signs for the intersection of Route #1 and Route #141 (Swan Lake Ave.).
- C) Request to appoint Sharon Pietryka as the new full-time Reference and Special Collections Librarian.
- D) Request to move Cemetery Trust funds to be invested through HM Payson.
- E) Reconsideration of a request to fly military service flags at the Harbor.
- F) Presentation from City Director of Code and Planning, Wayne Marshall, on the proposed amendments to the Zoning Ordinance regarding Medical Marijuana Facilities.
- G) Public Hearing on proposed Zoning amendments to Chapter 66, General Provisions, Chapter 82, Shoreland and Chapter 102, regarding the regulation of Medical Marijuana Facilities.

The City of Belfast City Council is scheduled to conduct the following public hearings on proposed amendments to the City Code of Ordinances associated with Medical Marijuana facilities:

- First Reading of proposed amendments, regular Council meeting of Tuesday, October 2, 2018, beginning at 7:00 pm or as soon as practical thereafter, in the Council Chambers of Belfast City Hall.

- Second Reading of proposed amendments, regular Council meeting of Tuesday, October 16, 2018, beginning at 7:00 pm or as soon as practical thereafter, in the Council Chambers of Belfast City Hall.

Proposed amendments affect Chapter 102, Zoning, Chapter 82, Shoreland, and Chapter 66, General Purposes, regarding Medical Marijuana facilities. Amendments to Chapter 102 would allow Medical Marijuana caregiver retail stores in the following zoning districts: Downtown Commercial, Waterfront Mixed Use 1 and 2, Route 3 Commercial, Searsport Avenue Commercial, Searsport Avenue Waterfront, Route One South Commercial, Route 141 & Mill Lane Commercial (if property has road frontage on Rte 1 or Rte 141), and Route 137 Commercial (if property located southerly of Merriam Drive). Proposal would allow medical marijuana manufacturing facilities and/or testing facilities in all of the above named zoning districts, and in the following additional districts: General Purpose A and B, Residential Agricultural I and II, Residential Growth, Office Park, Airport Growth, Business Park, and Protection Rural. Chapter 102, Zoning, Article VIII, Supplementary District Regulations, is proposed to be amended to establish a new Division, Division 8, that establishes specific definitions and standards that apply to Medical Marijuana facilities. Medical Marijuana registered dispensaries are proposed to be prohibited in all zoning districts.

The amendments to Chapter 82, Shoreland, would allow Medical Marijuana caregiver retail stores, manufacturing facilities and testing facilities in the Waterfront Development, General Development and Stream Development districts. Proposal would prohibit Medical Marijuana registered dispensaries in all shoreland districts. Amendments to Chapter 66, General Purposes, reference the definitions that would be added to Chapter 102, Zoning, Article VIII, Supplementary District Regulations.

Also, if the Council chooses to adopt the above proposed amendments, the Council will vote to end the Moratorium on Medical Marijuana caregiver retail stores, manufacturing facilities, testing facilities and registered dispensaries that it adopted at its meeting of August 7, 2018. The Council would end the Moratorium because the City will have adopted Ordinances that address the original purpose of the Moratorium.

Persons who may be affected by the proposed amendments are encouraged to attend the October 2 or October 16 public hearings and to express your concerns to the City Council. Comment also may be submitted in writing or via email by the date of the hearing. Written comment to Wayne Marshall, Director, Code & Planning, City of Belfast, 131 Church St, Belfast, ME, 04915. Email comment to wmarshall@cityofbelfast.org. The proposed language for the amendments will be posted on the City website, cityofbelfast.org, reference Planning and Codes; information under Medical Marijuana - Council Hearings. The proposals also are available for inspection at the Code and Planning Department offices in City Hall, Monday - Friday, 8:00 am to 5:00 pm. Questions regarding the proposed amendments should be directed to Wayne Marshall at 338-1417, x 125, or at wmarshall@cityofbelfast.org.

H) Second Reading and possible vote on amendments to the City Zoning Ordinances regarding the regulation of Medical Marijuana Facilities.

I) Appointment of members to the Website Redesign Committee.

J) Consideration on second reading of Ordinance amendments for the Route 1 South Business Park District.

K) Request from Coastal Mountains Land Trust to use the Rail Trail for a full moon hike on Wednesday, October 24 from 5:30 pm to 7:30 PM.

L) Request from the City Manager for approval of Capital Projects for FY 2018 – 2019.

M) Consideration of a request from the City Attorney to make findings of consistency regarding the proposed Zoning for the Route One South Business Park District with the City's Comprehensive Plan.

N) Request to have a split rock dedication and installation at the Race Street rangeway (Hurley).

O) Request to appoint Councilors Mary Mortier and Mike Hurley to research and report on management, sales and ownership options for possible redevelopment at Belfast Yards.

P) Consideration of acceptance of an aerial photograph of Belfast from Mark Kuzio as a gift to the City.

Q) Signing of Council Orders

11) Open to the Public

12) Communications

13) Adjourn