

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

The following are minutes of the February 1, 2010 Council Meeting.

- I. **CALL TO ORDER** – On Monday, February 1, 2010 at 7:05 p.m. a Council Meeting was held in the City Hall Auditorium.
- II. **ROLL CALL OF MEMBERS** - Mayor Roland Michaud conducted a roll call of the members and determined that the Councilors present constituted a quorum. Those present: Margaret Mills, Leslie Smith, Jr., Marie Doucette, Jeffrey Christenbury, Arthur Tardif, Eric Cote and Marston Lovell.

Also in attendance this evening was Mr. Richard R. Michaud, City Administrator and Lucette S. Pellerin, City Clerk.

- III. **PLEDGE OF ALLEGIANCE**
- IV. **GENERAL:**
- V. **APPROVAL OF MINUTES:**
- VI. **AGENDA ITEMS:**

A. (First Reading) Contract Zone Amendment – Bay View Estates

Applicant Estates at Bay View, LLC, represented by Tim Swenson, proposes a contract zone that would allow a 14 lot subdivision to be built on two parcels at 313 Seaside Avenue, commonly referred to as the Bay View Convent. The contract zone would modify lot size, frontage and setback requirements, thereby allowing up to 14 lots on a parcel that would otherwise support only 11 or 12.

Single family homes would be built on the lots, which range in size from 5,954 s.f. to 11,403 s.f., averaging 7,550 s.f. which meets the existing R-1c zone minimum of 7,500 s.f. All lots would be accessed via private drives within the project, with a single access point from Seaside Avenue. All utilities would be public. If the contract zone is approved, the applicant would return to the Planning Board for site plan and subdivision review.

This item was reviewed by the Planning Board at meetings on December 1, and December 15, 2009. The Board made a positive finding on each of the four standards found in Section 1403-6, and makes a positive recommendation for the proposed contract zone.

Councilor Christenbury moved, Councilor Lovell seconded, that the City Council hereby ordains and approves the First Reading of the document titled, “**Contract Zone Agreement By and between Estates at Bay View, LLC and the City of Saco,**” dated February 1, 2010”; and

further to schedule a **Public Hearing for February 16, 2010**, for the property as authorized by Section 1403 of the Zoning Ordinance, pursuant to 30A M.R.S.A. Section 4352(8). The motion passed with seven (7) yeas.

B. (First Reading) Zoning Ordinance Amendment – B3 District

In late October the Planning Board completed its initial consideration of the September 8, 2009, B-3 referral from the City Council. A report from Chairman Neil Schuster outlined the Planning Board's progress on October 28, 2009 (attached). The Planning Board met seven times on the issue, walked the neighborhood, held two public hearings, and on January 19, 2010 completed its recommendation to the Council.

In addition to its specific recommendation for the attached ordinance amendments, the Planning Board is also asking that the City consider creating a historic preservation district in the B-3 district, at least the portion between Main Street and Elm. This would require the assistance of a historic preservation consultant for survey work and nomination development.

The ordinance amendments would:

Extend the design review ordinance in the B-3 district so that 1- and 2-family buildings, all building additions, and require all conditional uses would be subject to design review.

- Create 3000 square foot size limits on the footprint of new commercial buildings and retail occupancies.
- Create a mixed use concept for any redevelopment which would include a residential replacement provision. If a development removes a residential unit, it would have to replace it on or near the same site or pay a \$50,000 fee to a housing fund.
- Prohibit drive-in windows except for financial institutions.
- A demolition delay provision. This would prohibit demolitions (with minor exceptions) for a period of nine months until further historic preservation measures can be more fully considered.

MAIN MOTION : Councilor Lovell moved, Councilor Doucette seconded, that the City Council hereby Ordains and approves the First Reading of the document titled, "**Zoning Ordinance Amendments Related to B-3 District Recommended by the Planning Board to the City Council January 27, 2010**", and further move to hold a public hearing on February 16, 2010. The motion, **as amended**, passed with six (6) yeas and one (1) nay. Councilor Tardif voted in the negative.

AMENDMENT TO MAIN MOTION: Councilor Lovell moved, Councilor Smith seconded, that an amendment of the motion be inserted after the word "Applicability" at the beginning of Section 729 B, the following:

"These provisions are automatically repealed nine months after their effective date unless readopted by the City Council. The motion passed with six (6) yeas and one (1) nay. Councilor Tardif voted in the negative.

VII. CONSENT AGENDA:

a. Confirm the Mayors Reappointment of Sandy Guay and Don Girouard to the Planning Board and David Shaw to the Conservation Commission

Be it Ordered that the City Council confirm the Mayor's reappointment of Sandra Guay and Don Girouard to the Planning Board, for a 3-year term to expire on January 2, 2013, and the reappointment of David Shaw to the Conservation Commission for a 3 year term to expire on January 1, 2013.

b. Adopt the City Council Goals

Be it ordered that the City Council adopt the City Council Goals as described in the document titled, 'City Council Goals, dated February 1, 2010.'

c. (Second & Final Reading) Code Amendment Chapter 112 – General Assistance

The City of Saco hereby Ordains and approves the Second and Final Reading of the amendments to the Saco Code, Chapter 112, General Assistance Program, Appendix A – Total Monthly Allowed GA Overall Maximums, Appendix B – Food Maximums, and Appendix C – Maximum Levels of Housing Assistance.

Councilor Doucette moved, Councilor Smith seconded, to approve the consent agenda. The motion passed with six (6) yeas and one (1) nay. Councilor Tardif voted in the negative.

VIII. ADJOURNMENT

Councilor Lovell moved, Councilor Mills seconded, to adjourn. The motion passed with seven (7) yeas. TIME: 7:24 p.m.

ATTEST: _____
Lucette S. Pellerin, City Clerk