CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

CITY CLERK'S OFFICE

May 30, 2014

YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF THE ROCKLAND CITY COUNCIL WILL BE HELD IN CITY COUNCIL CHAMBERS AT ROCKLAND CITY HALL, 270 PLEASANT STREET, ROCKLAND, MAINE ON ***MONDAY, JUNE 2, 2014*** *AT 6:30 P.M. FOR THE FOLLOWING PURPOSE(S):*

[Please Note Starting Time and Date]

Order #39 Authorizing Placement of Banner - Lobster Boat Races
Order #40 Authorizing Public Art Display - *Follow the Shirts*
Work Shop - DT Zone & Tillson Ave Overly Zone Design Standard Amendments
Work Shop - Downtown TIF Credit Enhancement Agreement Policy
Work Shop - Pay As You Throw Waste Disposal Program
Set Agenda for June 9, 2014 Regular Meeting

YOUR PUNCTUAL ATTENDANCE IS REQUESTED
PER ORDER OF THE MAYOR OF THE CITY OF ROCKLAND

STUART H. SYLVESTER
CITY CLERK

CITY OF ROCKLAND, MAINE

ORDER #39

IN CITY COUNCIL

June 2, 2014

ORDER Authorizing Banner – Rockland Lobster Boat Races

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Rockland Lobster Boat Race Committee is hereby authorized to hang a banner across Main Street near the intersection with Limerock Street from June 3, 2014 through June 16, 2014 to promote the Lobster Boat Races schedule for June 15, 2014. Any costs associated with the hanging of this banner shall be borne by the Rockland Lobster Boat Race Committee.

Sponsor: Mayor Pritchett
Originator: Rockland Lobster Boat Race Com.

CITY OF ROCKLAND, MAINE

ORDER #40

IN CITY COUNCIL

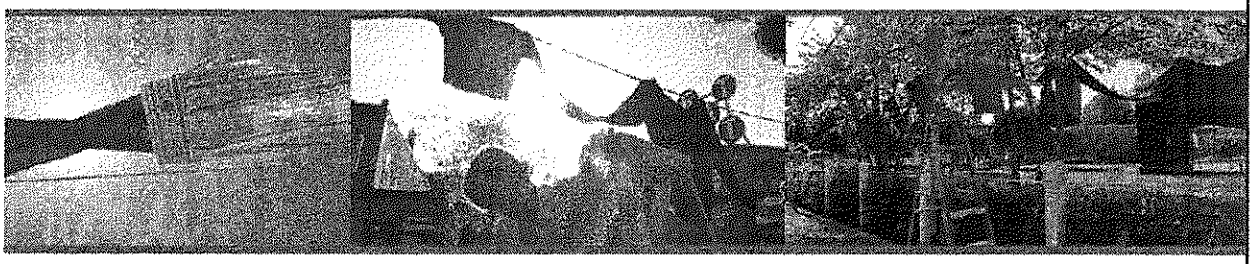
June 2, 2014

ORDER Authorizing Placement of Art Display

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the organizers of the third annual *Follow the Shirts* are hereby authorized to install a display of art, consisting of decorated long-sleeve shirts sewn together at the cuffs and hung from a clothes line, from Main Street along Limerock Street to the Rockland Recreation Center on June 6, 2014 in conjunction with the First Friday Art Walk, to lead people to a Pop Up Art Gallery to be installed at the Recreation Center. The shirts may be attached to trees, sign posts and fences as anchors, but may not be attached to utility poles. The shirts shall be taken down no later than the evening of June 7, 2014.

Sponsor: Mayor Pritchett
Originator: Alexis Iammarino



Third Annual *Follow the Shirts* Installation
to Celebrate Arts in the Community

May 15th, 2014

Dear City Council,

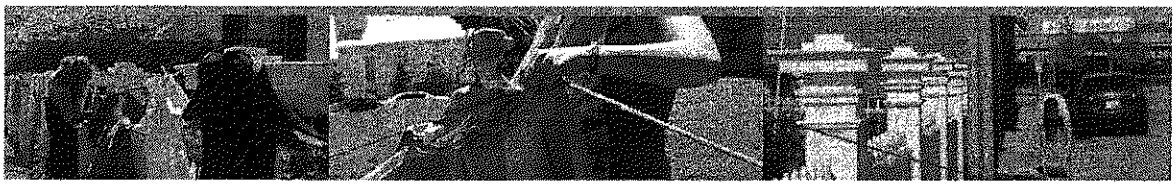
In the past two years I have worked with several community members, artists, and students to organize a public art installation throughout downtown Rockland. This installation consists of a colorful and impressive sight: roughly 1,300 feet of long-sleeve shirts sewn together at the cuffs that are hung on a clothesline to create a visual path to a community event on the First Friday *Art Walk* in June. In 2012, we installed a path that started at The Strand and ended at Lincoln Street Center to mark their closing as an arts resource to the community. Last June, the shirts were installed on either side of Main Street and converged at 407 Main st. where a Pop Up community art show was hung.

Hundreds of shirts look as though they are holding hands, and represent the diverse cross-section of individuals and organizations who's enthusiasm and resources engage Rockland and the greater Midcoast community to experience and participate in the Arts.

We would like to install the shirts on the morning of Friday June 6th, along Limerock street between Main street and Union street. Using trees, sign posts and fences as anchors we are able hang our clothes line path. This year's installation will lead people to a community Pop Up Gallery to be installed at Rockland Rec Center. Shirts would be deinstalled by night fall Saturday June 7th.

We were delighted to have had your support and cooperation in the last two years and I hope that you'll consider helping us to do it again.
Thank you for your consideration and I look forward to answering any questions you may have,

Alexis Iammarino
508.939.1160 // alexis.iammarino@gmail.com



MEMORANDUM

TO: City Manager and City Council

CC: City Attorney

FROM: Frank C. Isganitis

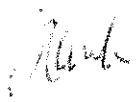
DATE: May 22, 2014

RE: Proposed Ordinance Amendment

As having been a member and past Chairman of the Comprehensive Planning Commission, I was involved with the drafting, debate and implementation of the current design standards for the Downtown and Tillson Avenue Overlay Zones. Circumstances have brought to light for me that the current ordinance may not be clear enough as to precipitate the intended outcome. Thus, I am proposing some changes for your consideration that I feel speak to the original intent of those involved and better reflect even a current public sentiment.

I hope you will review the attached materials and consider supporting these amendments. Please let me know if you have any questions or comments.

Best,



CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #___
IN CITY COUNCIL

June 9, 2014

ORDINANCE AMENDMENT Clarifying the Downtown Zone Standards

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning And Planning, ARTICLE III, Zoning Ordinance, SECTION 19-304(14) Downtown Zone Regulations, Standards, BE AMENDED AS FOLLOWS:

Sec. 19-304 Zone Regulations

* * *

14. Downtown Zone "DT" Regulations

C. Standards.

(1) The standards of Section 19-316 shall apply~~be observed~~.

(2) The following space and bulk standards shall apply to all lots and/or parcels of land, provided, however, that the Planning Board may allow relief from strict compliance with the requirements for the configuration of (but not the requirement for having) entrances and/or windows for buildings proposed with exceptional design merit that meets the purpose of these standards and of the Architectural Review Standards in Section 19-317(B):

Table 304-14 **"DT" ZONE**

Maximum Building Height	Either 65 feet or 5 stories
Architectural Design	*See* Minimum Architectural Design Standards, Ch. 19, Art. III, Sec. 19-317(B)
Maximum Building Coverage Maximum Lot Coverage Floor Area Ratio ("FAR")	No limit.
Maximum Front Setback (Principal and Accessory Structures)	Five feet from property line for no less than 40% of the building façade (first floor) as measured linearly. Fifteen feet from property line for the remainder of the building façade (all floors) as measured linearly, provided, however, that up to thirty feet of a structure, as measured linearly, may be set back more than fifteen feet

	where there is established and perpetually maintained at that location, including for public access, a landscaped courtyard or pocket park in which vehicular access and parking is prohibited.
Minimum Front Setback (Principal and Accessory Structures)	None
Minimum Side Setback (Principal and Accessory Structures)	None outside designated scenic viewsheds. Within designated scenic viewsheds, as identified in a City-adopted plan, see 'Preservation of Water views' standard for minimum side setbacks.
Façade Materials	~~The facades of structures shall be composed of b~~Brick, s~~S~~tone, ~~or~~ w~~W~~ooden or high quality composite c~~C~~lapboard, glass, or materials similar in appearance, texture, quality and scale, such as textured solid masonry blocks. ~~to these materials for buildings fronting a public street~~. Facades may not be composed of vinyl siding or plain concrete block. Trim that does not exceed 10% of the total surface area of the façade it adorns is exempt from these materials requirements.
Façade Massing and Projections	(A) Facades facing or visible from a public street (excluding alleys) or a public or private plaza, courtyard, or park~~All principal facades fronting a public street~~ shall have: (i) a prominent cornice and expression line, a working entrance~~, and windows~~ (except for side-wall facades where entrances are not required), and windows; and~~.~~ (ii) vertical elements or structural step backs that simulate smaller-scale development on b~~B~~uildings wider than 75 feet fronting a public street; ~~shall incorporate vertical elements in the principal facade to simulate smaller-scale development.~~ (B) Facades facing or visible from~~Principal~~

	~~facades fronting~~ a public street ~~((s),~~ excluding alleys~~)way(s)~~, or a public or private ~~principal facades facing a~~ plaza, courtyard, or ~~public~~ park may not have blank walls (i.e., without pedestrian-level doors, ~~or~~ windows, other prominent visually-permeable element, or structural step back) greater than 10 feet in length. (C) Expression lines and cornices of principal facades facing~~fronting~~ a public street (excluding alleys) shall be decorative moldings or jogs in the surface plane of the building that project~~extend~~ at least 3 inches out from the principal facade, or a permanent canopy ~~may serve as an expression line~~.
Entrances	The primary functional entrances to all buildings shall face the street, and be located within 15 feet of the street, or sidewalk where one exists or is to be constructed. ~~The primary functional e~~ntrances to ~~Corner~~ buildings fronting on two or more~~a~~ public streets shall ~~have their primary entrance(s)~~ face either the corner of the intersection of two streets, or the street of greater importance, i.e., the street having~~typically~~ greater traffic and pedestrian volumes. Where a building fronting on a public street has~~would have~~ a ~~building~~ frontage ~~length~~ that exceeds ~~50~~35 feet in length, functional~~operable doors or~~ entrances for~~with~~ public access shall be provided ~~along streets~~ at intervals ~~averaging~~ no greater than ~~50~~35 feet.
Windows	Transparent windows or other visually-permeable architectural element shall be provided on each story (or equivalent as outlined below) of e~~E~~very ~~principal~~ facade facing or visible from~~fronting~~ a ~~public~~ street (except alleys) or public or private

	plazas, courtyards, or parks ~~must contain transparent windows on each story~~. Windows and other visually-permeable architectural elements on the first story shall be at pedestrian level as viewed from the street. Stories that exceed fifteen feet in height shall have windows or other visually-permeable architectural elements within every ten feet of building height, irrespective of the use of the building or the internal configuration of floors or stairwells. Rectangular window openings on principal facades fronting a public street shall be oriented vertically (except for transom windows). All windows fronting a public street must: 1. contain visible sills and lintels, or other substantial horizontal expression lines, on the exterior of the wall, and 2. have their glazing set back at least 3 inches from the surface plane of the facade~~wall~~, or set back at least 2 inches when wood frame construction is used.
Preservation of Water views	Existing water views from public streets shall be maintained in whole or part. Until amended following the designation of scenic viewsheds in a City Council-adopted plan, such viewsheds shall be protected in whole or part with a minimum building side setback of 12 feet and/or building separation of at least 15 feet on waterfront parcels; provided, however, that the Planning Board may permit the substitution of these side setback requirements if a proposed development preserves or provides a water view architecturally, as with an arch or other visually- permeable building design.
Lighting on building or on poles	All fixtures shall be historic in style with

	pole mounted fixture consistent in design with City fixtures in the Downtown Zone. All lights shall be either fully shielded or designed to release only decorative amounts of light at or above the horizontal plane.
Parking Fee in Lieu of Onsite Parking Requirements	To alleviate owners and developers of sometimes-onerous on-site parking requirements – on-site parking facilities sometimes being unfeasible or preventing traditional building densities – an owner or developer of a new building or building addition that generates a requirement for additional parking under the City's Off-Street Parking Ordinance may, at his discretion, pay a per-space fee in lieu of providing off-street parking, such fee to be established by Order of the City Council, paid prior to the issuance of the building permit, and placed in a designated fund to create surface or structured off-street parking facilities within the City.
Parking Lot Location	Surface level off-street parking lots shall be placed in side and rear yards only. Off-street parking may be provided under commercial or mixed-use buildings.
Mechanical Equipment	Rooftop and other exterior mechanical equipment, including HVAC systems, shall be screened, using materials similar in type and scale to as roofing materials like brick, slate, wood, cementitious or materials similar in appearance, texture and scale. Solar panels are exempt from this requirement. In no case shall wood stockade or similar fencing be used on roofs. Sound buffering/baffles shall be used as needed to meet the requirements of the Performance Standards.
Signs attached to or part of facades	Signs shall be in proportion to the building façade and not cover the cornice or expression lines of the façade.

Pathways and Sidewalks	Paving brick, stone, concrete unit pavers, or concrete slab surfaces, but not asphalt, except in the case of utility work and/or infrastructure maintenance, repair or replacement requiring disturbance of an existing pathway or sidewalk, in which instance the existing materials shall be matched. 10/12/11
Curbing	Granite curbing shall be used.
Minimum Floor Area Per Dwelling Unit	200 sq. ft. per dwelling unit

Sponsor: Councilor Isganitis
Originator: Councilor Isganitis

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #___
IN CITY COUNCIL

June 9, 2014

ORDINANCE AMENDMENT Clarifying the Tillson Avenue Area Overlay Zone Development Standards

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning And Planning, ARTICLE III, Zoning Ordinance, SECTION 19-304(23) Tillson Avenue Area Overlay Zone, Standards BE AMENDED AS FOLLOWS:

Sec. 19-304(23) Tillson Avenue Area Overlay Zone

* * *

5. Standards. In addition to the standards for the zones within this area, the following space, bulk and design standards shall apply to all lots and/or parcels of land, provided, however, that the Planning Board may allow relief from strict compliance with the requirements for the configuration of (but not the requirement for having) entrances and/or windows for buildings proposed with exceptional design merit that meets the purpose of these standards and of the Architectural Review Standards in Section 19-317(B).

TILLSON AVENUE AREA OVERLAY ADDITIONAL STANDARDS	
Maximum Building Coverage Maximum Lot Coverage Floor Area Ratio (F.A.R.)	Areas within 75 feet, horizontal distance, of the normal high-water line: Same as Zone in which located. Publicly accessible courtyards at ground level shall not be included for purposes of building coverage calculations.
	Areas further than 75 feet, horizontal distance, from the normal high-water line: No Limit
Maximum Front Setback (Principal Structures and Accessory Structures with building coverages of 150 sq. ft. or more) Eff: 04/11/12	Five feet from property line for no less than 40% of the building façade (first floor) as measured linearly. Fifteen feet from property line for the remainder of the building façade (all floors) as measured linearly, provided, however, that up to thirty feet of a structure, as measured linearly, may be set back more than fifteen feet where there is established and perpetually maintained at that location, including for public access, a landscaped courtyard or pocket park in which vehicular access and parking is prohibited. ~~However, F~~functionally water-dependent uses, maritime facilities, and marinas are exempt from a maximum front setback requirement.

Minimum Front Setback (Principal and Accessory Structures)	None
Minimum Side Setback (Principal and Accessory Structures)	None outside of designated scenic viewsheds. Within designated scenic viewsheds, as identified in a City-adopted Master Plan for the Tillson Ave area, see 'Preservation of Water views' standard for minimum side setbacks.
Façade Materials	~~The facades of structures shall be composed of b~~Brick, s~~S~~tone, ~~or~~ w~~W~~ooden or high quality composite c~~C~~lapboard, glass, or materials similar in appearance, texture, quality and scale, such as textured solid masonry blocks ~~to these materials for buildings fronting a public street~~. Facades may not be composed of vinyl siding or plain concrete block. Trim that does not exceed 10% of the total surface area of the façade it adorns is exempt from these materials requirements.
Façade Massing and Projections	(A) Facades facing or visible from a public street (excluding alleys) or a public or private plaza, courtyard, or park~~All principal facades fronting a public street~~ shall have: (i) a prominent cornice and expression line, a working entrance, ~~and windows~~ (except for side-wall facades where entrances are not required), and windows; and (ii) vertical elements or structural step backs that simulate smaller-scale development on b~~B~~uildings wider than 75 feet fronting a public street; ~~shall incorporate vertical elements in the principal facade to simulate smaller-scale development.~~ (B) ~~Principal F~~facades facing or visible from~~fronting~~ a public street (~~s~~), excluding alleyway(s), or a public or private~~principal facades facing~~ a plaza, courtyard, or ~~public~~ park may not have blank walls (i.e., without pedestrian-level doors, ~~or~~ windows, other prominent visually-permeable element, or structural step back) greater than 10 feet in length. (C) Expression lines and cornices of principal facades facing~~fronting~~ a public street (excluding alleys) shall be a decorative molding or jog in the surface plane of the building that project~~extend~~ at least 3 inches out from the principal facade, or a permanent canopy ~~may serve as an expression line~~.

Entrances	The primary functional entrance to all buildings shall face the street, and be located within 15 feet of the street, or sidewalk where one exists or is to be constructed. ~~The primary functional entrances to Corner~~ buildings fronting on two or more~~a~~ public streets shall ~~have their primary entrance(s)~~ face either the corner of the intersection of two streets, or the street of greater importance, i.e., the street having~~typically~~ greater traffic and pedestrian volumes. ~~Where a building~~ fronting on a public street has~~would have~~ a ~~building~~ frontage ~~length~~ that exceeds 35~~50~~ feet in length, functional~~operable doors or~~ entrances for~~with~~ public access shall be provided ~~along streets~~ at intervals ~~averaging~~ no greater than 35~~50~~ feet.
Windows	Transparent windows or other visually-permeable architectural element shall be provided on each story (or equivalent as outlined below) of e~~E~~very ~~principal~~ facade facing or visible from~~fronting~~ a ~~public~~ street (except alleys) or public or private plazas, courtyards, or parks~~must contain transparent windows on each story~~. Windows and other visually-permeable architectural elements on the first story shall be at pedestrian level as viewed from the street. Stories that exceed fifteen feet in height shall have windows or other visually-permeable architectural elements within every ten feet of building height, irrespective of the use of the building or the internal configuration of floors or stairwells. Rectangular window openings on principal facades fronting a public street shall be oriented vertically (except for transom windows). All windows fronting a public street must: 1. contain visible sills and lintels, or other substantial horizontal expression lines, on the exterior of the wall, and 2. have their glazing set back at least 3 inches from the surface plane of the facade~~wall~~, or set back at least 2 inches when wood frame construction is used.
Landscaping	Same as Zone in which located.

Buffering	Same as Zone in which located.
Preservation of Water views	Existing water views from public streets shall be maintained in whole or part. Until amended following the designation of scenic viewsheds in a City Council-adopted Master Plan for the Tillson TIF Development District, such viewsheds shall be protected in whole or part with a minimum building side setback of 12 feet and/or building separation of at least 15 feet on waterfront parcels; provided, however, that the Planning Board may permit the substitution of these side setback requirements if a proposed development preserves or provides a water view architecturally, as with an arch or other visually- permeable building design.
Lighting on building or on poles	Traditional luminaries including lantern, onion-shaped or pendant, made from brass, cooper, cast iron, pewter or materials similar in appearance, texture and scale.
Parking Fee in Lieu of Onsite Parking Requirements	To alleviate owners and developers of sometimes-onerous on-site parking requirements – on-site parking facilities sometimes being unfeasible or preventing traditional building densities – an owner or developer of a new building or building addition that generates a requirement for additional parking under the City's site plan or subdivision review ordinances may, at their discretion, pay a per-space fee in lieu of providing on-site parking, such fee to be established by Order of the City Council, paid prior to the issuance of the building permit, and placed in a designated fund to create surface or structured off-street parking facilities within the City.
Parking Lot Location	Surface level off-street parking lots shall be placed in side and rear yards only. Off-street parking may be provided under commercial or mixed-use buildings.
Mechanical Equipment	Rooftop and other exterior mechanical equipment, including HVAC systems, shall be screened, using materials similar in type and scale to as roofing materials like brick, slate, wood, cementitious or materials similar in appearance, texture and scale. Solar panels are exempt from this requirement. In no case shall wood stockade or similar fencing be used on roofs. Sound buffering/baffles shall be used as needed.

Signs attached to or part of facades	Signs shall be in proportion to the building façade and not cover the cornice or expression lines of the façade. In no case shall a sign exceed 10 square feet in size. Signs in this overlay are meant to be viewed by pedestrians on the street.
Pathways and Sidewalks	Brick, stone or concrete.
Curbing	Where practicable, granite curbing shall be used.
Architectural Design	*See* Minimum Architectural Design Standards, Ch. 19, Art. III, Sec. 19-317(B).

Sponsor: Councilor Isganitis
Originator: Councilor Isganitis

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #___
IN CITY COUNCIL

June 9, 2014

ORDINANCE AMENDMENT: Clarifying the Tillson Avenue Area Overlay Zone Development Standards

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning And Planning, ARTICLE III, Zoning Ordinance, SECTION 19-317 Design Standards BE AMENDED AS FOLLOWS:

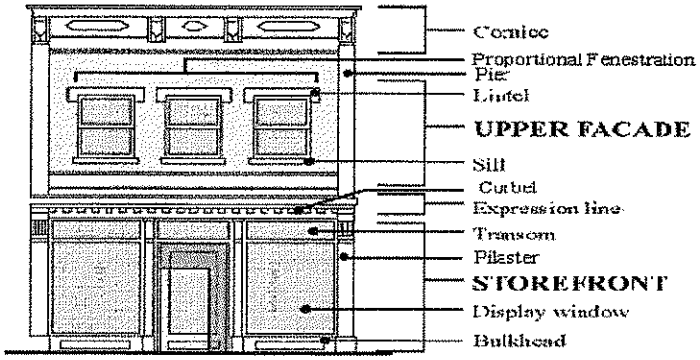
Sec. 19-317 Design Standards

* * *

B. Minimum Architectural Design Standards – Downtown District And Tillson Avenue Area Overlay Zone.

1. Policy and Purpose. The 2005 Tillson District & Waterfront Redevelopment Plan called for public infrastructure improvements and zoning changes to foster the expansion of the downtown into the Tillson and Waterfront area, including the establishment of urban design standards to ensure both the preservation of the working waterfront on Crockett's Point, and the "New England character" of an extended Downtown marked by vibrant and attractive streetscapes for abutters and pedestrians that prompts new and re- development and fosters continuity and mixture among commercial, office, and other authorized uses throughout the extended Downtown. The City finds that requiring consistently high quality design and adherence to the following design standards will best ensure these goals, economic development in the City generally, and the protection and enhancement of the value and redevelopment potential of property subject to the standards. These design standards are intended to achieve, in an extended Downtown and redeveloped waterfront, a balance between historic architecture and a differentiated, modern built environment.

2. Terminology.



[Diagram And Examples Are For Illustrative Purposes Only.]

3. **Applicability.** No building or structure may be constructed or substantially renovated in the Downtown Zone or Tillson Avenue Area Overlay Zone unless the Planning Board first determines that the architectural plans and elevations for such building satisfy the architectural design standards set forth in this subsection; provided, however, that in the Tillson Avenue Overlay Zone the architectural design standards set forth in this section shall not apply to a building the primary use of which is proposed for one or more functionally water dependent uses. Nor may any building or structure that is to be converted from a primary, functionally water-dependent use to another use be substantially rehabilitated or renovated in the Downtown Zone or Tillson Avenue Area Overlay Zone without such Planning Board determination. The Code Enforcement Officer shall not issue any building permit for a building subject to such design standards without such Planning Board approval, and shall not issue a certificate of occupancy that does not comply with the plans and elevations upon which the Planning Board based its approval.

For the purposes of this subsection, "substantially renovated" shall mean additions to or the reconstruction or repair of a structure at a cost, over a ten year period, of 75% or more of the pre-construction assessed value of the structure. "Substantially renovated" shall also include the repair, reconstruction, or replacement of a structure that is removed, damaged, or destroyed by more than fifty percent (50%) of its assessed value by fire, flood, storm, or other hazard, risk, loss, or act not at the volition or under the control of the owner or occupant of such structure.

4. **Procedures and Meetings.** Upon the receipt of any application for site plan approval or a building permit for a building or structure subject to the requirements of this section, the Code Enforcement Office shall notify the Chair of the Planning Board and schedule the application for review by the Planning Board, which review shall be performed in conjunction with site plan review, where applicable. The applicant shall provide the Code Enforcement Office with plans and/or elevations depicting the architectural features and materials proposed for the facades of the building, and details of specific architectural, lighting, landscaping, and other pertinent features that the applicant represents satisfies these architectural design standards, together with any and all other plans and materials required for site plan review or a building permit, as may be applicable.

5. **Findings.** The Planning Board shall approve an application received pursuant to this section unless the Board finds that:

(A) Tthe building or structure ~~would~~, if erected or substantially renovated as proposed, would result in a marked absence of architectural elements characteristic of the predominant architecture of structures on Main Street between Park and Lindsey Street constructed prior to 1941, including but not limited to street and sidewalk orientation of the structure; facades enlivened at the street level by penetrations and detail that enrich the structure, the streetscape, and pedestrian activity in the area; functional pedestrian entrances from adjacent public ways routinely open for regular public or private use consistent with the uses of the structure; horizontal expression lines such as cornices, window and door sills and lintels, story expression lines, transom windows, and bulkheads; vertical expression lines such as pilasters, piers, and corbels; and the size and proportional arrangement of doorways and fenestration; and.

(B) Facades facing streets or public or private plazas, courtyards, or parks shall be so constructed that, in the areas between three and eight feet above the finished grade of the nearest edge of the travelled public way (1) forty percent (40%) of such facades shall be constructed of transparent materials or as a point of access, such as with windows or doors, providing permeability from nearby streets, plazas, courtyards, and parks; (2) no single horizontal segment of the facade lacking either a window or door exceeds ten (10) feet in length; functional pedestrian entrances are spaced no more than 35 feet apart; and landscaping, fencing, utility facilities, or other amenities do not visually obstruct the permeable façade elements required herein.

These design standards are intended to require the use of traditional architectural elements, but not to impose any particular architectural style or to foreclose modern design that invokes, but does not mimic, the historic Downtown architecture in Rockland.

Sponsor: Councilor Isganitis
Originator: Councilor Isganitis

MEMORANDUM

To: *Tom Luttrell, Acting City Manager*

Cc: *Kevin Beal, City Attorney*

From: *John Holden, Community Development Director*

Date: *May 30, 2014*

Re: *Downtown TIF CEA Policy Discussion*

In preparation for the June 2 Council Workshop on Credit Enhancement Agreements (CEAs) in the Downtown TIF District and Development Plan, I wanted to outline some of the background and primary points for discussion based on any questions and concerns, as I understand them.

The only reason this has surfaced is due to the current technical review of the Downtown TIF Amendment by the Maine Department of Economic and Community Development (DECD).

To assist in the preparation for the Workshop I offer the following points.

- After a public hearing, a number of Council meetings, and input from REDAC, Council approved the Amendment to Downtown TIF District Development Program. That Amendment allows for Credit Enhancement Agreements in the TIF.
    - A CEA is the instrument that allows the City to return new tax revenues generated as a result of private investment (and thus new assessed value) back to the developer or owner of the property. CEA's are often used by the private developer or owner to help finance the new investment.
    - A CEA is separate from the allowable municipal uses of the TIF funds, focused on public infrastructure improvements.
- The City has a TIF Policy established in 2008 that establishes procedures and considerations for any CEA (as part of any TIF) across the City. The Policy includes CEA requests in the Downtown District. The Downtown Development Program (as amended) references the TIF Policy.
- Under its technical review of the TIF Amendment, DECD has stated that the terms of any future CEA that may be considered within the Downtown District must be stated in the amended Development Program or in the case of Rockland, the City TIF Policy.
- The TIF Policy allows for and describes most conditions whereby the City Council may consider a CEA request ("application"). However, it does not state the percentage of new tax revenue that may be returned to the developer or owner on an annual basis that the Council may consider. DECD has stated that Statue requires that those terms be stated in the Policy.
- My recommendation is to update the TIF Policy to clarify that the City Council **may** consider terms of a CEA that include ***up to*** 100 percent of the new taxes generated by a project be returned to the developer or owner. This does not mandate that City Council must do so but only that it may negotiate terms from zero to 100 percent on an annual basis. All requests for CEA's must be made to Council and are subject to negotiation and are approved at the sole discretion of the Council.

Thomas J. Luttrell
Finance Director

MEMO

TO: Mayor Pritchett
City Councilors

May 30, 2014

RE: Pay As You Throw

On May 28, 2014, Council gave the direction for Staff to develop an ordinance amendment to encompass a Pay As You Throw operation at the Transfer Station. Staff met and has come up with the following recommendations for this program.

Start Date – We recommend the roll out of the Pay As You Throw should coincide with the expiration of the current residential stickers. The current sticker that is now on sale at the Transfer Station expires May 1, 2015; therefore the program is proposed to start on May 2, 2015. From May 2, 2015, on, municipal solid waste may only be disposed at the facility in specially marked/ colored bags, or on a scaled, per-ton basis. The City will continue to issue resident permits and stickers; however, they will serve only to document the holder's right to access the facility, and to dispose recyclable materials, yard waste etc.: bags, or disposal per-ton, will be required for municipal solid waste.

Rates – Transitioning to this new program will result in the loss of revenue in FY 2015 that would have been realized by sticker sales in the spring. So as to avoid a budget deficit, we are recommending that on July 1, 2014, the fees for municipal solid waste disposal be set to reflect and cover the full cost of municipal solid waste disposal. Thus, the residential permit fee to be $135 per year until it is phased out on 4/30/2015 (we expect few sales of permits after July 1). Resident permit fees will no longer be charged after 5/1/2015. The Commercial Hauler per ton fee for MSW will be increased to $125 per ton, to cover actual costs and avoid a deficit. Similarly, the fee per bag is as follows: 12 gallon $0.75 each, 22 gallon $1.50 each and 33 gallon $2.25 each.

In looking over the rate structure, staff tried to accomplish a fee that equalized both the commercial and residential fee. This was accomplished by setting the residential fee at $135 and the commercial fee at $125 per ton. The price per bag equates out to the $135 residential fee. By adopting this rate structure, you need to understand that during FY2015 the Transfer Station will not be funding the closure reserve or the capital equipment reserve; these monies have been used to offset the loss in revenue from the

270 Pleasant Street • Rockland, ME 04841 207-594-0307 (office) 207-594-9481 (fax) tluttrell@ci.rockland.me.us

Thomas J. Luttrell
Finance Director

sale of stickers. However, using the cost-based approach should keep the Solid Waste Department out of the red.

Staff will be made available to discuss during the agenda setting meeting.

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CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #___

IN CITY COUNCIL

June 9, 2014

ORDINANCE AMENDMENT Establishing Pay-Per-Bag System for Disposal of Municipal Solid Waste

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 14, Sewers, Drains and Solid Waste, ARTICLE I, Municipal Solid Waste Facility, Collection, and Recycling, BE AMENDED AS FOLLOWS:

Sec. 14-103 Definitions

1. Acceptable Wastes. Wastes that the City of Rockland is authorized by applicable law, regulation, and/or permit to accept for disposal or transfer at the Rockland Solid Waste Facility.

2. Attendant. "Attendant" means an individual, generally an employee of the City of Rockland, who is authorized to supervise and direct the day-to-day disposal of wastes and recyclable material at the Rockland Solid Waste Facility.

3. Commercial Hauler. A commercial hauler is a person or entity engaged in transporting municipal solid waste, construction and demolition debris, recyclable material, and/or other acceptable wastes from any source to the Rockland Solid Waste Facility for a fee or other consideration.

4. Commercial Waste. "Commercial waste" means solid waste generated by stores, offices, restaurants, warehouses, and other non-manufacturing, non-processing activities. Commercial waste does not include household, process, industrial, or special wastes.

5. Commercial or Residential Refuse/Recyclables Collector. "Commercial or Residential Refuse / Recyclables Collector" means a person or entity engaged in collecting for processing or disposal municipal solid waste, construction and demolition debris, recyclable material, and/or other acceptable wastes in the City of Rockland for a fee or other consideration.

6. Compost. "Compost" is "Compost" means a residual that has undergone a composting process.

7. Composting. "Composting" means the biological decomposition and stabilization of organic matter under controlled aerobic conditions of high temperature.

8. Construction and Demolition Debris. "Construction and Demolition Debris" is defined in 38 M.R.S. § 1303-C, and means debris resulting from the construction, remodeling, repair, and demolition of structures. It includes, but is not limited to, building materials, asphalt, wall board, pipe, metal conduits, mattresses, household furniture, fish nets, rope, hose, wire and cable, fencing, carpeting and underlay; it excludes asbestos and other special wastes.

9. Demolition Debris. *See* Construction and Demolition Debris.

10. DEP. The Maine Department of Environmental Protection, or other federal or state governmental department or agency having applicable regulatory authority.

11. Director. "Director" means the Director of the Rockland Solid Waste Facility, or his designee.

12. Disposal. "Disposal" is defined in 38 M.R.S. § 1303-C, and means the discharge, deposit, injection, dumping, spilling, leaking or placing of any hazardous or solid waste, sludge or septage into or on any land or water so that the hazardous or solid waste, sludge or septage or any constituent thereof may enter the environment or be emitted into the air, or discharged into any water, including ground waters.

13. Handle. "Handle" is defined in 38 M.R.S. § 1303-C, and means to store, transfer, collect, separate, salvage, process, reduce, recover, incinerate, treat or dispose of.

14. Hazardous Waste. "Hazardous Waste" is defined in 38 M.R.S. § 1303-C, and means a waste substance or material, in any physical state, designated as hazardous by the Board of Environmental Protection under 38 M.R.S. § 1319-0. It does not include waste resulting from normal household or agricultural activities. The fact that a hazardous waste or a part or a constituent thereof may have value or other use or may be sold or exchanged does not exclude it from this definition.

15. Inert Fill. "Inert Fill" means clean soil material, rocks, bricks, and cured concrete, which are not mixed with other solid or liquid waste, and which are not derived from an ore mining activity.

16. Maine Solid Waste Laws. "Maine Solid Waste Laws" means all the laws of the State of Maine relating to the management of solid waste. It includes the "Maine Hazardous Waste, Septage and Solid Waste Management Act," Subchapters I and IA (38 M.R.S. §§ 1301, *et seq.*); 38 M.R.S. §§ 417 and 420; the Three Hundred Foot Law (38 M.R.S. § 421); the Waste Discharge Law (38 M.R.S. §§ 413, *et seq.*); and 38 M.R.S. § 591.

17. M.R.S. "M.R.S." means the Maine Revised Statutes.

18. Municipal Solid Waste. "Municipal Solid Waste" means solid waste emanating from domestic and normal commercial sources. Municipal solid waste does not include wastes removed from, or not introduced to, these waste streams and which are regulated as a "residual" under Chapter 567 of the Department of Environmental Protection's Regulations.

19. Non-Hazardous Waste. "Non-Hazardous Waste" means any solid waste, sludge or septage that is not a hazardous waste.

20. Person. Any individual, association, partnership, firm, corporation or other organization.

21. Processing Facility. "Processing Facility" means any structure, machine, device, system, or combination thereof, other than collection or transfer vehicles and incinerators, intended or operated to reduce the volume or change the chemical or physical characteristics of solid waste. Processing includes shredding, baling, mechanical or magnetic separation, composting or other techniques to reduce or otherwise change the nature of solid waste. Processing may also include recovering reusable or recyclable materials.

22. Recyclable Material. "Recyclable Material" means any raw or processed material that can be recovered from a waste stream for reuse.

23. Recycling. "Recycling" means the separating, collecting, and/or reprocessing of manufactured materials or residues for reuse either in the same form or as part of a different product.

24. Rockland Solid Waste Facility. "Rockland Solid Waste Facility" means the City of Rockland solid waste facility located at 400 Limerock Street (Tax Map 82-B-1), including any structure, container, or combination of land area, structures, or containers owned, leased, or used by the City, or operated by the City, and used for storing, salvaging, processing, reducing, composting, incinerating, and disposing of wastes.

25. Sludge. "Sludge" is defined in 38 M.R.S. § 1303-C, and means any non-hazardous solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply filtration or treatment plant, or wet process air pollution control facility, or any other waste having similar characteristics and effect, but does not include industrial discharges that are point sources subject to permitting under Section 402 of the Federal Water Pollution Control Act (the "Clean Water Act"), as amended (33 U.S.C. §§ 1251, *et seq.*).

26. Solid Waste. "Solid Waste" is defined in 38 M.R.S. § 1303-C, and means useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitation, rubbish, garbage, refuse derived fuel, scrap materials, junk, refuse, inert fill material, and landscape refuse, but does not include hazardous waste, biomedical waste, septic tank sludge, or agricultural wastes. The fact that a solid waste or constituent of the waste may have value or other use or may be sold or exchanged does not exclude it from this definition.

27. Solid Waste Facility. "Solid Waste Facility" means a waste facility used for the handling of solid waste. It includes any land area, structure, container, or combination of land area, structures, or containers used for storing, salvaging, processing, reducing, composting, incinerating, and disposing of wastes at or for such facility.

28. Solid Waste Disposal Facility. "Solid Waste Disposal Facility" is defined in 38 M.R.S. § 1303-C, and means any solid waste facility used for the incineration, landfilling, or other final placement of solid waste.

29. Special Waste. "Special Waste" as defined in 38 M.R.S. § 1303-C, and means any non-hazardous waste generated by sources other than domestic and typical commercial establishments that exists in such an unusual quantity or in such a chemical or physical state, or any combination, thereof, which may disrupt or impair effective waste management or threaten the public health, human safety, or the environment and requires special handling:

A. Oil, coal, wood and multifuel boiler and incinerator ash;
B. Industrial and industrial process waste;
C. Wastewater treatment plant sludge, paper mill sludge and other sludge waste;
D. Debris and residuals from non-hazardous chemical spills and clean-up of those spills;
E. Contaminated soils and dredge spoils;
F. Asbestos and asbestos-containing waste;
G. Sand blast grit and non-liquid paint waste;
H. High and low pH waste;

I. Spent filter media residue;
J. Shredder residue; and
K. Other waste designated a special waste by the Board of Environmental Protection.

30. Storage. "Storage" means the placement or containment of solid waste on a temporary basis in such a manner as not to constitute disposal of such waste.

31. Transfer Station. "Transfer Station" means any waste facility constructed and managed for storage and/or processing and placement of municipal solid waste in large containers or vehicles for movement to another waste facility.

32. Unacceptable Wastes. Unacceptable Wastes include the following, unless and except as allowed by DEP permit:

A. Liquid waste, sludge, or septage;
B. Motor vehicles and other motorized equipment;
C. Hazardous waste, including any waste with inherent properties that make it dangerous to manage by ordinary means including, but not limited to, chemicals, explosives, pathological wastes, radioactive wastes, toxic wastes, and other wastes defined as hazardous by the State of Maine, the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §§ 6901, *et seq.*), as amended, or other federal, state, or local laws, regulations, orders, or other action promulgated or taken with respect thereto;
D. Dead bodies or animals or portions thereof, or pathological wastes;
E. Asbestos;
F. Offensive substances, such as sewage, sludge and special wastes; and
G. Special wastes.

33. Universal Wastes. "Universal Wastes" means any Cathode Ray Tubes ("CRTs") such as televisions, computer monitors, and other display devices; rechargeable batteries; fluorescent and HID (high intensity discharge) lamps or lamps containing hazardous materials; mercury-containing thermostats, mercury-containing thermometers, and mercury-containing devices such as manometers and switches; and totally enclosed, non-leaking lamp ballasts not bearing the label "NO PCBs."

34. Waste Facility. "Waste Facility" as defined in 38 M.R.S. § 1303-C, and means any land area, structure, location, equipment or combination of them, including dumps, used for handling hazardous, biomedical, or solid waste, sludge, or septage. A land area or structure shall not become a waste facility solely because:

A. It is used by its owners for disposing of septage from his residence;
B. It is used to store (for 90 days or less) hazardous waste generated on the same premises;
C. It is used by individual homeowners or lessees to openly burn leaves, brush, deadwood and tree cuttings accrued from normal maintenance of their residential property, when such burning is permitted under 12 M.R.S. § 9321.
D. It is used by its residential owner to burn highly combustible domestic household trash such as paper, cardboard cartons, or wood boxes, when such burning is permitted by statute or ordinance.

35. White Goods. "White Goods" means large appliances, including, but not limited to, stoves, refrigerators, freezers, washing machines, clothes dryers, dishwashers, and air conditioners.

36. Wood Wastes. "Wood Wastes" means brush, stumps, lumber, bark, woodchips, shavings, slabs, endings, slash, and sawdust, which are not mixed with other solid or liquid waste.

37. Yard Waste. "Yard Waste" is "Yard waste" means grass clippings, leaves, and other vegetal matter other than wood wastes and land clearing debris.

Sec. 14-104 Waste Disposal; Flow Control

No person may dispose of Municipal Solid Waste, Construction and Demolition Debris, or other Acceptable Wastes in Rockland except at a licensed solid waste facility in conformance with applicable law. All municipal solid waste generated in Rockland must be disposed of at either (A) the Rockland Solid Waste Facility, or (B) the Penobscot Energy Recovery Company in Orrington, Maine ("PERC"), designated as a component of and credited to the City of Rockland's disposals of municipal solid waste at that facility. On and after May 2, 2015, any person disposing municipal solid waste other than recyclable material, yard waste, construction and demolition debris, special wastes, white goods, wood wastes, universal wastes, and hazardous wastes shall do so only (1) in disposal bags designated by the Director for use for the disposal of municipal solid waste at the Facility and purchased at an authorized retailer or other facility, or (2) at the per-ton disposal fee as determined by scale or visual inspection by authorized personnel. The fees for purchasing disposal bags, disposing acceptable wastes by the ton, and for other authorized disposals at the Rockland Solid Waste Facility shall be established by Order of the City Council. No person may dispose of Unacceptable Wastes in Rockland except as may be permitted by the Maine Department of Environmental Protection.

* * *

Sec. 14-111 Permits; Administration

1. Permits. Admittance to and use of the Rockland Solid Waste Facility shall be limited to residents of and owners of property in Rockland; Rockland businesses; licensed commercial or residential refuse/recyclables collectors; authorized transporters of construction and demolition debris; and other users that qualify for a permit as set forth herein. The Director or his designee shall issue permits to authorized users, and shall be responsible for assuring users' compliance with the scope of such permits. Permit fees may~~shall~~ be established by Order of the City Council. As a means of user control, the Director may distribute vehicle stickers to authorized users, which shall be affixed to the user's vehicle, as specified by the Director. Permits shall be valid only for the vehicle the registration numbers of which are listed on the permittees' vehicle stickers, where applicable. The Director may deny access to and use of the Rockland Solid Waste Facility to any person who fails to display a valid permit, sticker, or other pass to the Facility.

A. Resident Permits. Resident Permits shall be available to residents of Rockland and contracting communities. No person may use a Resident Permit to dispose of wastes or other materials not generated at the residential property associated with such Resident Permit.

B. Commercial Permits. Commercial Permits shall be available to the owners or managers of multi-family residential properties in Rockland, and to businesses and institutions located in Rockland, whether for-profit or non-profit.

C. Recycling Permits. Recycling Permits issued prior to May 2, 2015, shall authorize such permittees ~~be available to Rockland residents and businesses who do not purchase a Resident or Commercial Permit but who wish~~ to dispose of recyclable material, municipal solid waste on a pay-per-bag basis, and/or other acceptable wastes at the rates or fees for the same in the Rockland Solid Waste Facility Fee Order, through May 1, 2015. Recycling Permits shall not be issued after May 1, 2015, and their use shall be entirely discontinued effective July 1, 2015.

D. Seasonal Permits. Owners of seasonal, rental residential property in Rockland may obtain one Seasonal Permit per year for each dwelling, camp, cottage, or other rental dwelling unit situated on the property. Seasonal Permits are not available to inns, bed and breakfast establishments, motels, hotels, or other short term accommodations.

E. Commercial Hauler Permits. Commercial Hauler Permits shall be available to persons engaged in the collection of municipal solid waste and recyclables for a fee or other consideration, and who are licensed pursuant to Section 14-112. Only municipal solid waste collected from within Rockland, and/or from within communities that have entered into an Inter-Local Agreement with Rockland, shall be deposited at the Rockland Solid Waste Facility. Holders of Commercial Hauler Permits shall be allowed to enter the Facility during the hours that the Facility is open to the general public, and at such other times as the Director may allow, provided that they shall reimburse the City for any additional costs the City may incur for admitting the Commercial Hauler to the Facility outside normal operating hours.

F. Non-Resident Contractor Waste Disposal Permit. Non-Resident Contractor Waste Disposal Permits shall be available, upon application to the Director, to any person engaged in the business of general contractor, or any other type of building contractor, whose business is located outside the City of Rockland for the disposal of construction and demolition debris generated in the City of Rockland at the Rockland Solid Waste Facility.

G. Non-Resident Landscape Contractor Waste Disposal Permit. Non-Resident Landscape Contractor Waste Disposal Permits shall be available, upon application to the Director, to any person engaged in the business of Landscape Contractor whose business is located outside the City of Rockland for the disposal of lawn and landscaping debris (such as grass cuttings, brush, branches, limbs, and similar types of debris) generated in Rockland at the Rockland Solid Waste Facility. No person shall use a Non-Resident Landscape Contractor Waste Disposal Permit to dispose of any other type of waste, or landscaping debris from outside Rockland, at the Facility. Landscape Contractors who do not wish to purchase the annual permit may obtain a Temporary General Permit as provided herein to dispose of landscaping debris generated in Rockland as part of such permittee's landscaping business.

H. Temporary General Permit. The Director may issue, from time to time and upon application and payment of the appropriate fee and a deposit, a Temporary General Permit for admittance to the Rockland Waste Disposal Facility to any person or business for the disposal of waste generated in Rockland. Such permits shall be of limited duration, not to exceed seven days, which limitation shall be stated upon the permit. Temporary General Permits must be returned to the Director at the Rockland Solid Waste Facility within seven (7) days of their expiration, or the

permittee's deposit therefor shall be forfeited. Arrangements for an extension of a Temporary General Permit must be made with the Director or his designee prior to the permit's expiration; however, in no case shall a Temporary General Permit be extended for a time period exceeding a total of twenty-one (21) days.

2. Administration.

A. Validity. Permits shall be valid only during the period indicated thereon, or for such other period as the City Manager shall determine.

B. Suspension; Revocation. The City Manager shall give notice temporarily suspending or revoking a permit upon the occurrence of one or more of the following:

(1) The permittee violates any federal or state law or regulation, or any Rockland ordinance, order, rule, or regulation governing the collection, transportation, or disposal of waste; or

(2) The permittee violates any Rockland ordinance, order, rule, or regulation governing the Rockland Solid Waste Facility; or

(3) The permittee is issued a permit on the basis of his residency or conduct of business in Rockland and ceases to be a resident of Rockland or to own or operate the business in Rockland, as may be applicable; or

(4) Other good or sufficient cause.

Such notice of suspension or revocation shall state the bases for the suspension or revocation and, with respect to suspensions, the duration of the suspension.

C. Appeal. Any person may appeal the suspension or revocation of his permit to the City Council, in a writing filed with the City Clerk within thirty (30) days of the date of the notice suspending or revoking such person's permit. Upon public hearing, the City Council may affirm, reverse, or modify the suspension or revocation.

Sponsor: City Council
Originator: City Council

LANDFILL/TRANSFER STATION FEES
Adopted 07/12/10; Amended 07/09/12; 07/01/13; 02/10/14

ITEMS TO BE DISPOSED OF IN LANDFILL:

Construction & Demolition Debris (C&DD) Rockland Residents and Approved Sources:

½ cubic yard per day	no fee
½ to 3 cubic yards	$20.00 per yard
Processed C&DD (pre-pay volume rate)	$31.00 per ton
Processed C&DD (non-prepay volume rate)	$33.00 per ton
Unprocessed C&DD (volume contractual rate)	$40.00 per ton
All other C&DD (other than mixed loads)	$42.00 per ton
Mixed Loads (items other than building materials mixed into the load)	$57.00 per ton

Furniture:

Small Furniture Items	$3.00 per item
Larger Furniture Items (sofa, couch, mattress, box spring, etc)	$5.00 per item

Yard~~Green~~ Wastes:

Residents	no fee
Commercial	$65.00 per ton

Special Wastes:

Bulky Special Waste	$55.00 per ton
Other Special Waste (i.e. dredge spoils, algefiber-associated wastes, etc.)	$75.00 per ton
Inert Fill Analytical testing as determined on a case by case basis	$0

ITEMS ACCEPTED AT TRANSFER STATION

Municipal Solid Waste:

Per Bag:

12 gallon bags	$0.75 each
22 gallon bags	$1.50 each
33 gallon bags	$2.25 each

Per Ton:	$125.00

Items ~~to be~~ Discarded Separately:

Tires (off rim)	$1.50 each
Tires (on rim)	$3.00 each
Wooden Pallets	$1.00 each or $55.00 per ton
Car Batteries	$2.00 each
White Goods	$10.00 each
Appliances with Refrigerant	$20.00 each
Consumer Electronics (anything with a cord & plug)	$3.00 each
~~Bulky Plastic~~	~~$5.00 each or $10.00 per cubic yard~~
Brush (less than ½ cubic yard per day)	no fee
Brush (over ½ cubic yard)	$2.00 per cubic yard
Metal	no fee
Cardboard	no fee
Paper	no fee
Tin Cans	no fee
No. 2 Plastic	no fee

UNIVERSAL WASTE

Universal Waste to be Recycled:

Fluorescent Lamps (straight)	$0.05 per linear foot
Fluorescent Lamps (other intact)	$0.25 each
Fluorescent Lamps (broken)	Call DEP
High Intensity Discharge Lamps	$0.50 each
PCB Lamp Ballasts (intact)	$0.25 each
CRT's & TV's	$10.00 per unit
Batteries containing mercury	$1.00 each per pound
Devices containing mercury	$1.00 each per pound
Liquid Mercury	Call DEP

MISCELLANEOUS

Scale Use (incidental, at user's request):

Per weighing	$15.00 each time

~~**Landscape Material:**~~

~~Woodchips~~	~~$20.00 per cubic yard~~
~~Compost~~	~~$0.50 per 5 gallons or~~

~~$20.00 per cubic yard~~

PERMIT AND LICENSE FEES

Resident Permit	$135.00~~65.00~~ per year if purchased on or before 04/30/15, which fee shall permit MSW disposals through 05/01/15; no fee thereafter
~~Per Bag Fee:~~	
~~12 gallon bags~~	~~$0.50 each~~
~~22 gallon bags~~	~~$1.00 each~~
~~32 gallon bags~~	~~$1.50 each~~
Commercial Permit	$110.00 per ton
Recycling Permit	$0 per year (to be discontinued on 05/01/15)
Seasonal Permit	$135.00~~72.00~~ per year if purchased on or before 04/30/15, which fee shall permit MSW disposals through 05/01/15; no fee thereafter
~~Commercial Hauler (disposal)~~	~~$110.00 per ton~~
Commercial Hauler License Fee	$250.00 per year
~~Non-Resident Contractor Permit (each job)~~	~~$20.00 per jobpermit fee and $110.00 per ton~~
Non-Resident Landscape Contractor Permit	$72.00 per year
Temporary General Permit	no fee~~$110.00 per ton~~

PENALTIES

Failure to Separate Recyclable Material	$15.00 per bag

Violations of Rockland Code Chapter 14, Article I, are subject to permit suspension or revocation, and/or other penalties set forth in Sec. 14-113

SALES OF MATERIALS

Landscape Material:

Woodchips	$20.00 per cubic yard
Compost	$0.50 per 5 gallons or $20.00 per cubic yard

ITEMS FOR JUNE 9, 2014 REGULAR MEETING: **June 2, 2014**

Communications:

a. Letter from Daniel Bennett – Property Boundary Issue, West Meadow Road
b. Letter from Rockland Cemetery Association – Tolman Cemetery Maintenance

License and Permits:

a. Liquor & Entertainment Licenses – In Good Company
b. Lodging House License – Berry Manor Inn
c. Liquor License – Blackboard Deli
d. Liquor License – Claw's Inc.
e. Liquor & Entertainment Licenses – Hill's Seafood

Resolves:

#26 Accepting Donations

Ordinances in Final Reading & Public Hearing:

#12 Ch. 19, Sec. 19-304 Res. B Zone Regs – Parking Lots
#13 Ch. 17, Sec. 17-801 Main Street Parking Space
#14 Ch. 19, Sec. 19-302 Accessory Apartment Parking
#15 Zoning Map Amendment – 6 High Street

Ordinances in First Reading:

#23('13) Bond Ordinance – Public Works Garage (Postponed from 03/10/14)
#16 Ch. 19, Sec. 19-304 DT Zone Height Regs.
#17 Ch. 14, Art. I Solid Waste Disposal – Pay Per Bag Disposal System

Orders:

#28('13) Declaration of Official Intent – Bond Ord (Postponed from 03/10/14)
#41 Setting Due Dates & Interest Rate – FY 2015 Taxes
#42 Authorizing License Agreement – Use of Sea Scout Bldg.
#43 Authorizing Expenditure of TIF Funds – Rockland Main Street, Inc.
#44 Authorizing Grant Application & Expenditure – Lerner Foundation
#45 Authorizing Grant Application & Expenditure – Coastal Communities Grant
#46 Authorizing Grant Application & Expenditure – Northern Border Regional Commission
#47 Authorizing Grant Application & Expenditure – Shore & Harbor Planning Grant

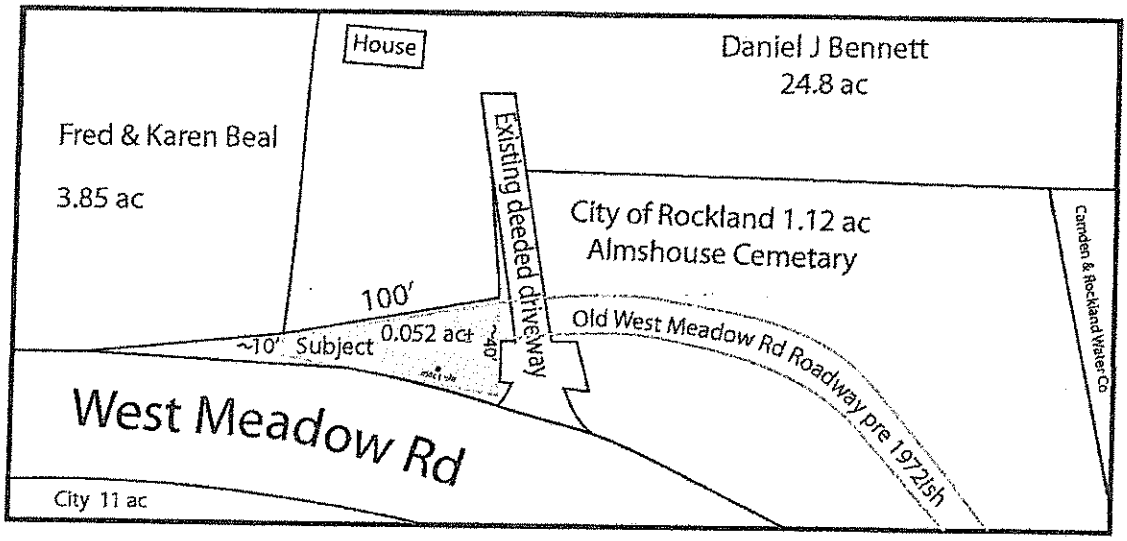
May 7th, 2014

Daniel J Bennett
237 West Meadow Rd
Rockland, ME 04841
woodtree@gmail.com
Tel: h)594-1964 c)691-5407

Dear Acting Manager Luttrell, Mayor Pritchett, and Council Members,

I ask for your help in addressing a boundary issue concerning my property on West Meadow Road. The city's ownership of the land between my parcel and the current West Meadow Road leaves me without any frontage on the road in front of my house. I seek to remedy this through grant or purchase of the subject area as shown on the map, an area of approximately five hundredths of an acre.

In the early 1970s, West Meadow Road was shifted. The land in the area was city owned, used as the Poor Farm and city gravel pit. I bought the acreage shown on the map in 2001. There was a road to the old gravel pit on the property at that time. The city granted me an easement to use the road as my driveway. Later, we noticed that the GIS maps did not agree with the survey, as they followed the offset from the new roadway, and in fixing that the city assumed ownership of this little piece.



Last summer, the council and former city manager looked at this issue. In November 2013, I was offered a license agreement to store my 32' wooden sailboat on the subject property. Alas, I had already hauled, stored and begun my work on her, and so discussion shifted to crafting a more permanent arrangement in the future.

I am looking to you to join me in that future which has become the present, and kindly consider placing this upon your undoubtedly busy desks and agendas for consideration in the coming months. I'd also like to thank you for your time and your service to our city and invite each of you to come out on *Bufflehead* sometime this summer, together, alone, with your families or visitors, for a complimentary sailing tour of our magnificent harbor, vibrant waterfront, and beautiful interesting city.

Sincerely yours,

Captain Daniel J Bennett

ROCKLAND CEMETERY ASSOCIATION
P. O. BOX 664
ROCKLAND, MAINE 04841-0664
594-4421

Ph. 207-594-4421
Fax 207-594-1413

Email
collins@fourlawmaine.com

May 13, 2014

Larry Pritchard, Mayor
Thomas J. Luttrell, Acting City Manager
City of Rockland
270 Pleasant Street
Rockland, ME 04841

Re: Tolman Cemetery

Dear Mayor Pritchard and City Manager Luttrell:

As you may know, the Rockland Cemetery Association maintains the Tolman Cemetery on Lake Avenue in Rockland by undertaking mowing and general maintenance each year. We calculate that the labor and operational expense relating to our maintenance of the Tolman Cemetery this year equals $2,148.51. We are pleased to donate this service to the City of Rockland to maintain this historic cemetery.

Sincerely,

ROCKLAND CEMETERY ASSOCIATION

Edward M. Collins, President

EMC/cas

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant ANGUS ENTERPRISES LLC Phone 593-9110

Address of Applicant 415 MAIN ST (PO BOX 233)

ROCKLAND, MAINE 04841

Name of Business IN GOOD COMPANY Phone 593-9110

Address of Business 415 MAIN ST (PO BOX 233)

ROCKLAND, MAINE 04841

Name of Property Owner (if different) PETER SANDEFER

Type of License(s): X Liquor X Victualer X Entertainment

_____Lodging House _____Commercial Hauler _____Landscape Contractor

_____Billiard Room _____Second Hand Dealer _____Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 07/07/14

Fee(s) Paid $300.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature MELODY WOLFERTZ Date 05/30/14

Approved By: License # _____

_____Code Officer _____Date
_____Approved _____Inspected; See Report

_____Fire Inspector _____Date
_____Approved _____Inspected; See Report

_____Police Chief _____Date

_____City Clerk _____Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant CHERYL MICHAELSEN / MICHAEL FLAPOSTA Phone 207-596-7696

Address of Applicant PO BOX 1117
81 TALBOT AVE, ROCKLAND ME 04841

Name of Business BERRY MANOR INN Phone 207-596-7696

Address of Business 81 TALBOT AVE
ROCKLAND ME 04841

Name of Property Owner (if different) _____

Type of License(s): ____Liquor ____Victualer ____Entertainment

X Lodging House ____Commercial Hauler ____Landscape Contractor

____Billiard Room ____Second Hand Dealer ____Other (Specify) _____

Type of Business B+B

Expiration of Current License 6/30/14

Fee(s) Paid $100.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature Cheryl L Michaelsen Date 5/26/14

Approved By: License # _____

_____ Code Officer _____ Date
____Approved ____Inspected; See Report

Michael N. Maggio Fire Inspector 28 MAY 14 Date
____Approved ____Inspected; See Report

_____ Police Chief _____ Date

_____ City Clerk _____ Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant C & B Holdings, INC Phone 207-594-5001
d/b/a Blackboard Deli
Address of Applicant Physical: 77 Park Street, Rockland, ME.
Mail 58 Park Street, Rockland, ME.

Name of Business Blackboard Deli Phone 207-593-0465

Address of Business Physical: 77 Park Street, Rockland, ME.
Mail: 58 Park Street, Rockland, ME.

Name of Property Owner (if different) _____

Type of License(s): X (Beer+Wine) Liquor ____ Victualer ____ Entertainment

____ Lodging House ____ Commercial Hauler ____ Landscape Contractor

____ Billiard Room ____ Second Hand Dealer ____ Other (Specify) _____

Type of Business Restaurant/Deli

Expiration of Current License N/A

Fee(s) Paid N/A Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature Chuck Cloutier, Esq Date 5/13/14
President C+B Holdings, INC.

Approved By: License # _____

_____ Code Officer _____ Date
____ Approved ____ Inspected; See Report

_____ Fire Inspector _____ Date
____ Approved ____ Inspected; See Report

_____ Police Chief _____ Date

_____ City Clerk _____ Date

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES_____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)	2. Business Name (D/B/A)
C&B Holdings, Inc. DOB:	Blackboard Deli
DOB:	
DOB:	Location (Street Address) 77 Park Street
Address 58 Park St	City/Town Rockland State ME 04841 Zip Code
Suite #202	Mailing Address 58 Park St, Ste# 202
City/Town Rockland, Maine 04841 State Zip Code	City/Town Rockland, ME State 04841 Zip Code
Telephone Number (207) 594-5001 Fax Number 594-4974	Business Telephone Number (207) 593-0465 Fax Number
Federal I.D. #	Seller Certificate # 2201

3. If premises is a hotel, indicate number of rooms available for transient guests: 0
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ _____ LIQUOR $_____
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
7. If manager is to be employed, give name: Ryan Tinker
8. If business is NEW or under new ownership, indicate starting date: 4-23-14

   Requested inspection date: _____ Business hours: M-Sat 11am-7pm
9. Business records are located at: 58 Park St., Ste#202, Rockland, ME 04841

10. Is/are applicants(s) citizens of the United States? YES X NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES X NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Chad A. Cloutier	5-12-1972	Thurso, Scotland
Ryan Tinker	6-14-1970	Rockland, ME

Residence address on all of the above for previous 5 years (Limit answer to city & state
58 Park Street, Suite #202, Rockland, ME 04841
Rockland, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ☐ NO X

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No X If **Yes**, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES X NO ☐

16. Does/do applicant(s) own the premises? Yes X No ☐ If **No** give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) eating area of 77 Park Street.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES X NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? .20mi Which of the above is nearest? Catholic Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES X NO ☐

If YES, give details: Mortgage, financial backing

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: Rockland, Maine (Town/City, State) on 5-12 (Date), 20 14

Please sign in blue ink

Chad A. Cloutier, Esq.
Signature of Applicant or Corporate Officer(s)

Chad A. Cloutier,
Print Name

_____
Signature of Applicant or Corporate Officer(s)

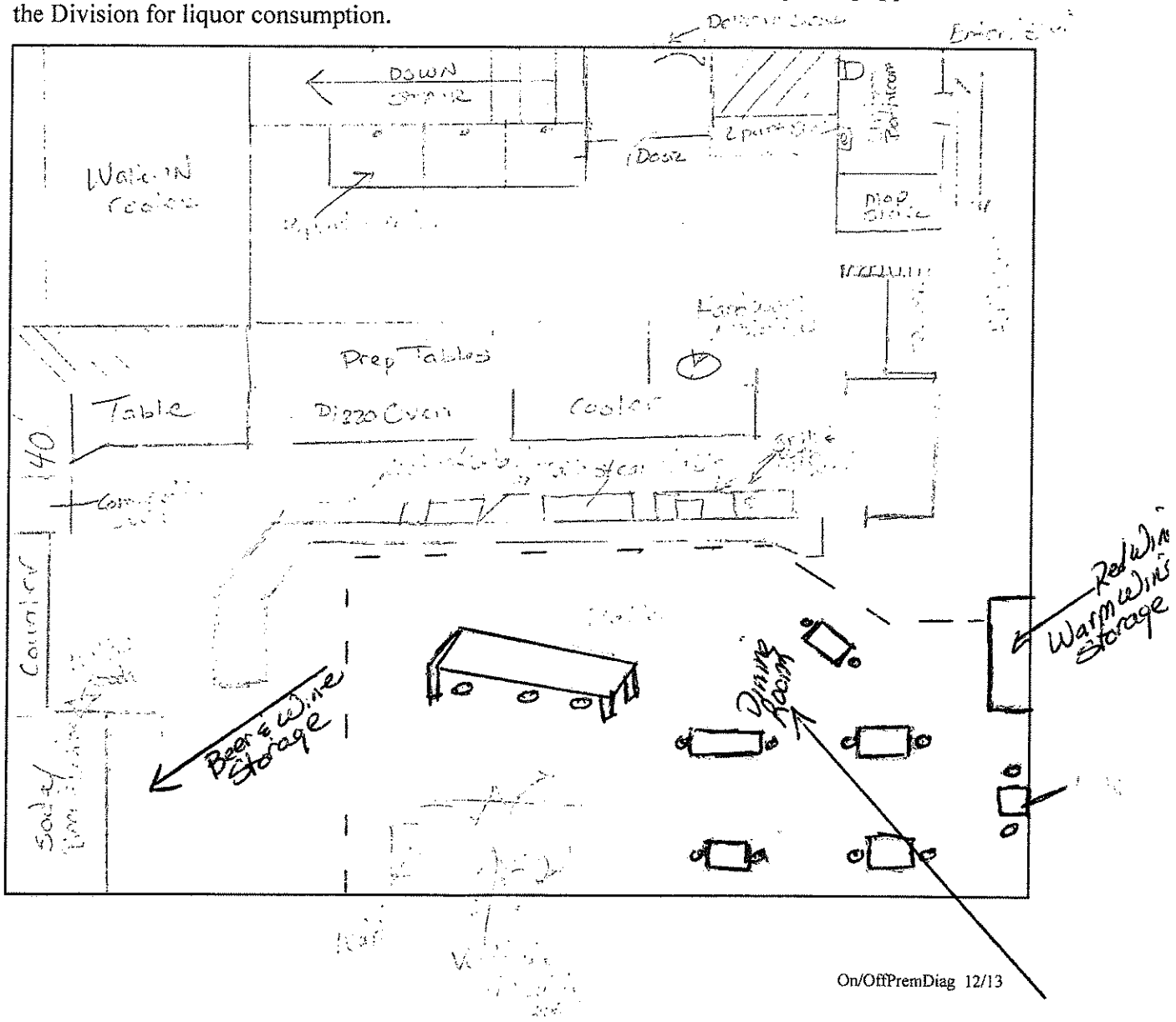
_____
Print Name

Bureau of Alcoholic Beverages
Division of Liquor Licensing & Enforcement
164 State House Station
Augusta, ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 387-3424

SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

For Office Use Only:
License #: _____
Date Filed: _____

Supplemental Information Required for Business Entities Who Are Licensees

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

1. Exact legal name:

   C&B Holdings, Inc.

2. Other business name for your entity (DBA), if any:

   Blackboard Deli

3. Date of filing with the Secretary of State: Feb. 24, 2014

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Chad A. Cloutier	58 Park St., Ste #202 Rockland, ME 04841	5-12-72	100%

7. Is any principal person involved with the entity a law enforcement official?

   Yes [ ] No [X]

8. If Yes to Question 7, please provide the name and law enforcement agency:

   Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

10. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

_____

Signature:

_____ Esq
Signature of Duly Authorized Person

5/12/14
Date

Chad A. Cloutier
Print Name of Duly Authorized Person

Submit Completed Forms To:Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Luanne Clifford Phone 975-9954

Address of Applicant 111 Old Rockland St, Rockport Me 04856

Name of Business Claws Inc. Phone 975-1230

Address of Business 743 Main Street
Rockland, Maine 04841

Name of Property Owner (if different) Same

Type of License(s): X Liquor X Victualer _____Entertainment

_____Lodging House _____Commercial Hauler _____Landscape Contractor

_____Billiard Room _____Second Hand Dealer _____Other (Specify)_____

Type of Business Lobster Eatery

Expiration of Current License New

Fee(s) Paid $150.00 Date 5/8/14

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to ~~receive~~ the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature _____ Date 5/8/14

Approved By: License # _____

_____Code Officer_____Date
_____Approved _____Inspected; See Report

_____Fire Inspector_____Date
_____Approved _____Inspected; See Report

_____Police Chief_____Date

_____City Clerk_____Date

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☑ MALT ☐ SPIRITUOUS ☑ VINOUS

INDICATE TYPE OF LICENSE:

- ☑ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)	2. Business Name (D/B/A)
Luanne Clifford DOB: 11/9/69	Claws, Inc.
DOB:	
DOB:	Location (Street Address) 743 Main Street
Address 111 Old Rockland Street	City/Town Rockland State Maine Zip Code 04841
	Mailing Address
City/Town Rockport State Me Zip Code 04856	City/Town State Zip Code
Telephone Number 207-975-9954 Fax Number	Business Telephone Number 207-975-1230 Fax Number
Federal I.D. # 46-4992455	Seller Certificate #

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ _____ LIQUOR $ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES ☑ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☑
7. If manager is to be employed, give name: Steven Stinson
8. If business is NEW or under new ownership, indicate starting date: 6/15/14
   Requested inspection date: 6/10/14 Business hours: 11:30am - 9pm
9. Business records are located at: 111 Old Rockland St, Rockport Me 04856

10. Is/are applicants(s) citizens of the United States? YES ☑ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☑ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Luanne Clifford	11/9/69	Boothbay Harbor, Maine
Steven Stinson	6/4/69	Poughkeepsie, N.Y.

Residence address on all of the above for previous 5 years (Limit answer to city & state

111 Old Rockport, Maine / Boothbay Harbor, Maine

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ☐ NO ☑

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No ☑ If **Yes**, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☑ NO ☐

16. Does/do applicant(s) own the premises? Yes ☑ No ☐ If **No** give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Lobster Restaurant.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ☐ NO ☑ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? over 1 mile Which of the above is nearest? School

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☑ NO ☐

If YES, give details: Business Loan - Rockland Savings Bank.

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: Rockland, Maine (Town/City, State) on 5/12 (Date), 20 14

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Luanne Clifford
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

Site Plan Review Application:

SCALE: 1cm = 6.25 FT
Parking

743 Main Street
Rockland, Maine 04841

TAX MAP: 13 Lot B-2

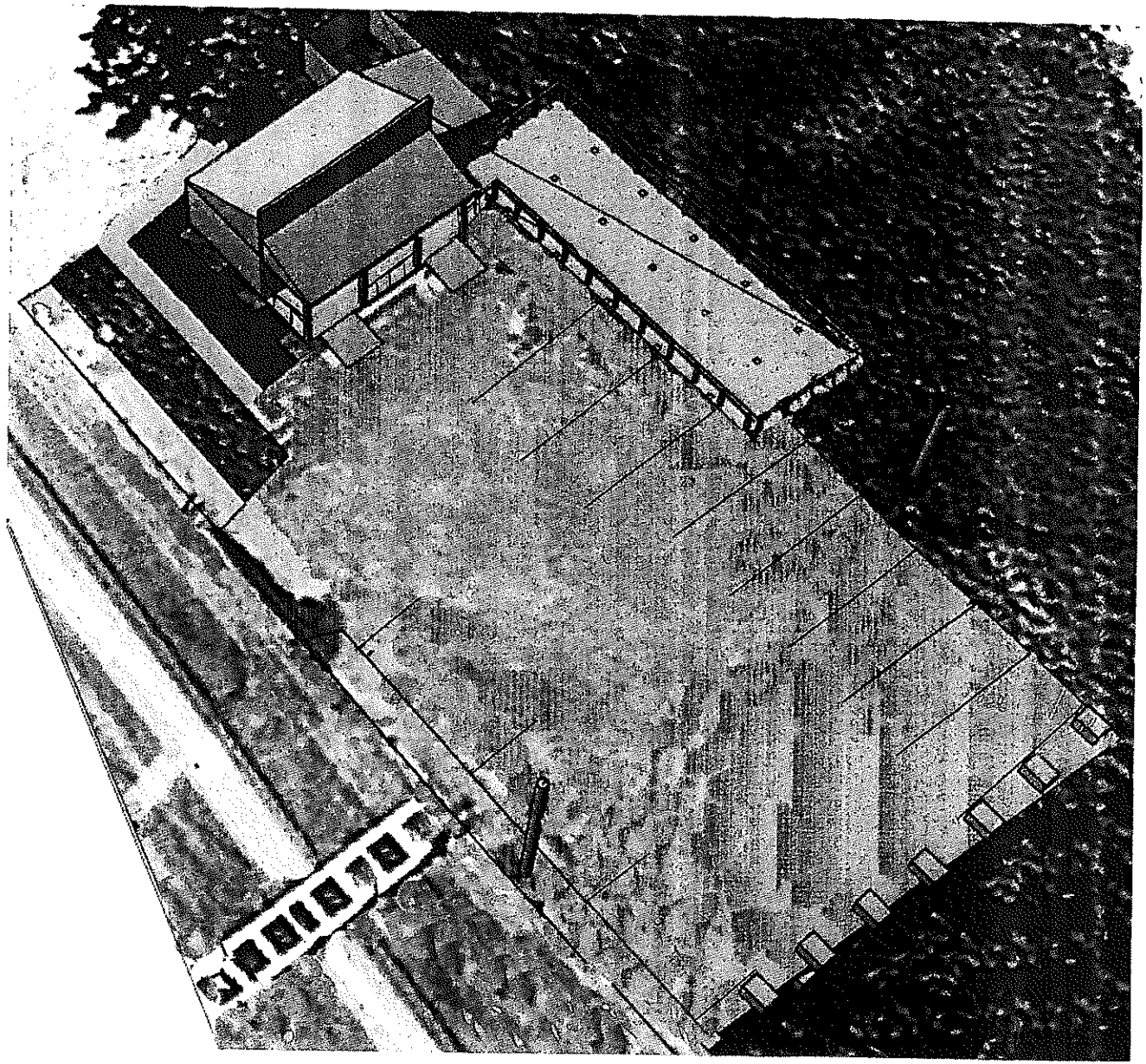
Owner: Luanne Clifford
Applicant: Steven Stinson
Luanne Clifford

Project:

Seafood Restaurant with
Deck for dining.
"Claws".

Walkway changed from crushed stone to decking for ADA needs.

Proposal for construction of deck. 14.9 ft wide, 50 ft long.



APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Jeffrey Hill Phone 207-701-1974

Address of Applicant 16 Knowlton St.
Camden, ME 04843

Name of Business Hill's Seafood LLC Phone 207-701-1974

Address of Business 266 Main St. Rockland, ME 04841

Name of Property Owner (if different) Kate Miller

Type of License(s): X Liquor X Victualer X Entertainment

____ Lodging House ____ Commercial Hauler ____ Landscape Contractor

____ Billiard Room ____ Second Hand Dealer ____ Other (Specify) ____

Type of Business Family Style Seafood Restaurant

Expiration of Current License ____

Fee(s) Paid $300 Date ____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature ____ Date 5/20/14

Approved By: License # ____

____ Code Officer ____ Date
____ Approved ____ Inspected; See Report

____ Fire Inspector ____ Date
____ Approved ____ Inspected; See Report

____ Police Chief ____ Date

____ City Clerk ____ Date

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)	2. Business Name (D/B/A)
JEFFREY HILL DOB: 8/23/63	HILL'S SEAFOOD
SAMANTHA HILL DOB: 9/14/82	
DOB:	Location (Street Address) 266 MAIN ST.
Address 16 KNOWLTON ST.	City/Town Rockland State ME Zip Code 04841
	Mailing Address 16 KNOWLTON ST.
City/Town Camden State ME Zip Code 04843	City/Town Camden, ME State Zip Code 04843
Telephone Number 207-701-1974 Fax Number N/A	Business Telephone Number 207-701-1974 Fax Number N/A
Federal I.D. # 46-5643498	Seller Certificate # Applied For 5/19/14

CONF # 76006

3. If premises is a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS $ — FOOD $ _____ LIQUOR $ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐
7. If manager is to be employed, give name: N/A
8. If business is NEW or under new ownership, indicate starting date: JUNE 18th, 2014
   Requested inspection date: JUNE 15th, 2014 Business hours: 11Am to 9pm
9. Business records are located at: 266 MAIN ST Rockland, ME 04841

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
JEFFREY S. HILL	8/23/63	QUINCY, MA
SAMANTHA A. HILL	9/14/82	BOOTHBAY, ME

Residence address on all of the above for previous 5 years (Limit answer to city & state

CAMDEN, ME, PALM BAY, FL
OWLS HEAD, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: JEFFREY HILL Date of Conviction: 1987 ? 1982, 1981

Offense: OUI, CRIMINAL MISCHIEF, CRIMINAL MISCHIEF Location: WALDOBORO, ME, Rockland, ME, Rockland, ME

Disposition: GUILTY

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No ☒ If **Yes**, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If **No** give name and address of owner: KATE MILLER
27 HIGHLAND ST. ROCKLAND, ME 04841

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) FAMILY STYLE CASUAL SEAFOOD RESTAURANT

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ☐ NO ☒ Applied for: 5/20/14

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? .2 MILES Which of the above is nearest? CHURCH

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: MACHIAS SAVINGS BANK - BUSINESS LOAN

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: _____ on _____, 20____
Town/City, State Date

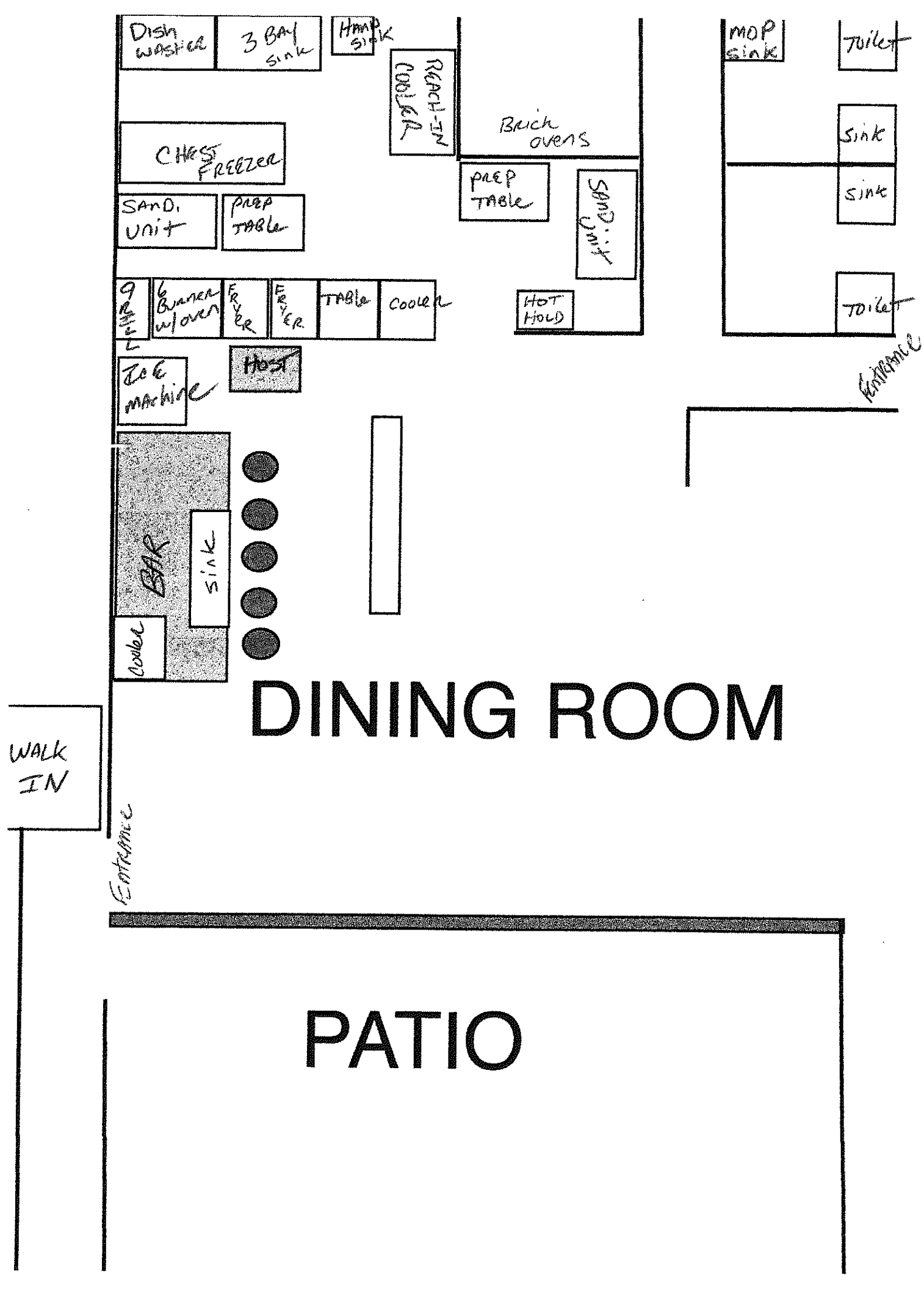
Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

JEFFREY HILL
Print Name

Signature of Applicant or Corporate Officer(s)

Samantha A. Hill
Print Name


Dish washer
3 BAY sink
HMP SINK
REACH-IN COOLER
BRICK OVENS
MOP sink
TOILET
CHEST FREEZER
SINK
SINK
SAND. UNIT
PREP TABLE
SAND. UNIT
PREP TABLE
9 BURNER
6 BURNER W/OVEN
FRYER
FRYER
TABLE
COOLER
HOT HOLD
TOILET
ICE MACHINE
HOST
ENTRANCE
BAR
SINK
COOLER
DINING ROOM
WALK IN
ENTRANCE
PATIO

CITY OF ROCKLAND, MAINE

RESOLVE #26

IN CITY COUNCIL

June 9, 2014

RESOLVE Accepting Donations

WHEREAS, Rockland Savings Bank donated $3,119.27 to the Rockland Recreation Department for the purchase and installation of a new Scoreboard, to be receipted into the Recreation Department Miscellaneous Revenue Account (#10063-03250) and the same expended from the Recreation Department Building Repair and Maintenance Account (#10063-05035); and

WHEREAS, Lowe's Home Improvement Center in Thomaston, Maine, EBS Hardware in Rockland, and Dunkin Donuts in Rockland each donated a picnic table to the Parks Commission, with a total value of $363.00;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City gratefully accepts these donations and directs that letters of thanks be sent to each donor in recognition of their generous donations.

Sponsor: City Manager
Originator: City Manager

ROCKLAND
RECREATION DEPARTMENT
44 Limerock St.
Rockland, ME 04841

Stuart,

I would like to add a donation to be accepted for the June agenda.

Rockland Savings Bank is Donating a new scoreboard to the Recreation Department. The amount of the donation is $3,119.27. The new scoreboard will be installed over the summer.

Thank You

Sincerely,

Rene C. Dorr
Recreation Director
207-594-0321
rdorr@ci.rockland.me.us

From: alisonaw73@ymail.com [mailto:alisonaw73@ymail.com]
Sent: Wednesday, May 28, 2014 12:50 PM
To: tluttrell@ci.rockland.me.us
Subject: Parks and Rec

Good afternoon,

I am writing on behalf of the Parks and Rec Commission, we have 3 picnic tables donated to the city one from Lowes, one from Dunkin Donuts, and one from EBS. I don't know if this needs to get on the agenda for the next City Council meeting to accept the donations and send thank you letters to the businesses that donated them. If you have any questions I will be happy to answer them.

Thank You

Alison Weaver

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #12

IN CITY COUNCIL

May 12, 2014

ORDINANCE AMENDMENT: Terminating Off-Site Parking Lots As A Conditional Use In The Residential B Zone

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, ARTICLE III, Zoning Ordinance, SECTION 19-304, Zone Regulations, SUBSECTION (3), Residential Zone "B" BE AMENDED AS FOLLOWS:

Sec. 19-316(3) RESIDENTIAL ZONE "B"

Purpose: The purpose of this district is to protect the existing density and character of residential development, as well as limited home based businesses, while providing an area of the community for similar development.

A. Permitted Uses

	RESIDENTIAL ZONE "B" PERMITTED USES
(1)	One-family dwellings, two-family dwellings, multi-unit dwellings
(2)	Accessory Apartments
(3)	Home Occupation, Level 1 and Level 2, or a home occupation similar in scale and impact to a Level 1 or Level 2 Home Occupation
(4)	Churches, convents
(5)	Flag Lots
(6)	Golf courses, parks, playgrounds, municipal recreation use
(7)	Trailer parks
(8)	Accessory uses customarily incident to other permitted uses

B. Conditional Uses

The following are permissible with the approval of the Planning Board. In granting, denying, and/or imposing conditions, the Planning Board shall undertake a review, applying the process and standards outlined in Chapter 16-201 through 16-206 for site plan review and shall take into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography, and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian circulation; signage, and lighting; compatibility with existing uses; availability of necessary public services; and compliance with applicable requirements of all City ordinances. All property owners within 300 feet of the lot lines of any proposed conditional use shall be notified in writing, at the applicant's expense, at least 7 days prior to consideration of the conditional use by the Planning Board. Eff: 09/09/09

	RESIDENTIAL ZONE "B" CONDITIONAL USES
(1)	Bed and Breakfast Establishments

(2)	Home Occupation, Level 3
(3)	Home Occupation similar in scale and impact to Home Occupation Level 3
(4)	Lodging or Rooming houses;
(5)	Nurseries or commercial greenhouses shall be allowed north or west of Old County Road only, and provided that no greenhouse heating plant shall be located within 60 feet of any front lot line or within 25 feet of any other lot line
(6)	Farming
(7)	~~Parking Lots. Parking lots shall be allowed in a Residential Zone "B" only with the following additional restrictions:~~ ~~(a) Any parking lot located in a Residential Zone "B" shall be for the exclusive use of employees of the business requesting the special exception.~~ ~~(b) The parking lot shall be closed off and unavailable for use when the business requesting the special exception is not in operation.~~ ~~(c) No parking spaces shall be rented for profit.~~ ~~(d)~~(a) Special exceptions for parking lots granted pursuant to this section shall not be assignable to the successors or assigns of the business requesting the special exception, but shall apply only to that business. Eff: 10/12/94
(~~7~~8)	Private Non-Medical Institutes and Residential Care Facilities, Small.
(~~8~~9)	Schools and Day Care Facilities
(~~9~~10)	Quasi-Public Uses
(10~~11~~)	Any public utility building, if constructed to conform and harmonize with the buildings in this zone, provided further that the proposed use does not include a storage or service yard or repair shop, or outside storage of supplies.
(11~~12~~)	On lots served by public sewerage, Assisted Living Facilities, and multi-family dwellings that include an Assisted Living Facility.

C. Prohibited Uses

RESIDENTIAL ZONE "B" PROHIBITED USES	
(1)	Any use which is obnoxious, annoying, unsightly, detrimental to the character of the neighborhood, or offensive to a neighborhood by reason of odor, fumes, vapor, dust, smoke, gas, noise or vibration is prohibited

* * *

~~First Reading~~ 5/12/14
First Publication 5/22/14
Public Hearing 6/9/14
~~Final Passage~~
~~Second Publication~~
~~Effective Date~~

Sponsor: Councilor Hebert
Originator: Councilor Hebert

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #13
IN CITY COUNCIL

May 12, 2014

ORDINANCE AMENDMENT Parking on Main Street

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 17, Traffic and Vehicles, SECTION 17-801 Schedule I, Parking Prohibitions, BE AMENDED AS FOLLOWS:

Sec. 17-801 Schedule I. Parking Prohibitions

Parking is prohibited at all times upon the following streets or parts thereof:

Street	**Area Affected**
20. Main	M. East side beginning approximately ~~forty (40)~~ twenty-nine (29) feet south of the intersection with Tillson Avenue and extending to the intersection of Tillson Avenue.

Sponsor: Mayor Pritchett
Originator: City Manager

First Reading 5/12/14
First Publication 5/22/14
Public Hearing 6/9/14
Final Passage _____
Second Publication _____
Effective Date _____

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #14
IN CITY COUNCIL

May 12, 2014

ORDINANCE AMENDMENT Revising Parking Standards For Accessory Apartments

THE CITY OF ROCKLAND HEREBY ORDAINS THATCHAPTER 19, Zoning and Planning, ARTICLE III, Zoning Ordinance, SECTIONS 19-302, Definitions, BE AMENDED AS FOLLOWS:

Accessory Apartment: A second dwelling unit within or attached to a single-family residence. The accessory apartment shall not be considered an additional dwelling unit for purposes of the minimum lot size zoning standards. The accessory apartment will be approved only if the applicant has demonstrated that the proposed unit meets the following criteria:

a. The principal unit and the accessory apartment shall remain under common ownership and one of the units shall be owner-occupied at all times.
b. The accessory apartment shall not alter the basic character of the building as a single-family dwelling.
c. ~~One (1) driveway shall service both dwelling units.~~ Off-street parking for both units must be provided with two (2) on-site spaces for the principal dwelling unit and one (1) on-site space for the accessory apartment. Impervious surface area of the driveways shall be minimized to the greatest extent practical and still meet the parking requirements.
d. The accessory apartment shall include its own kitchen, three (3) fixture bath, and no more than one (1) bedroom. The floor area of the apartment must be at least four hundred and twenty-five (425) square feet and cannot exceed eight hundred (800) square feet and thirty-three (33) percent of the floor area of the existing home.
e. The accessory apartment shall comply with all applicable codes and ordinances.

Sponsor: Mayor Pritchett
Originator: Mayor Pritchett

First Reading 5/12/14
First Publication 5/22/14
Public Hearing 6/9/14
Final Passage
Second Publication
Effective Date

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #15

IN CITY COUNCIL

May 12, 2014

ORDINANCE AMENDMENT Zoning Map Amendment – 6 High Street

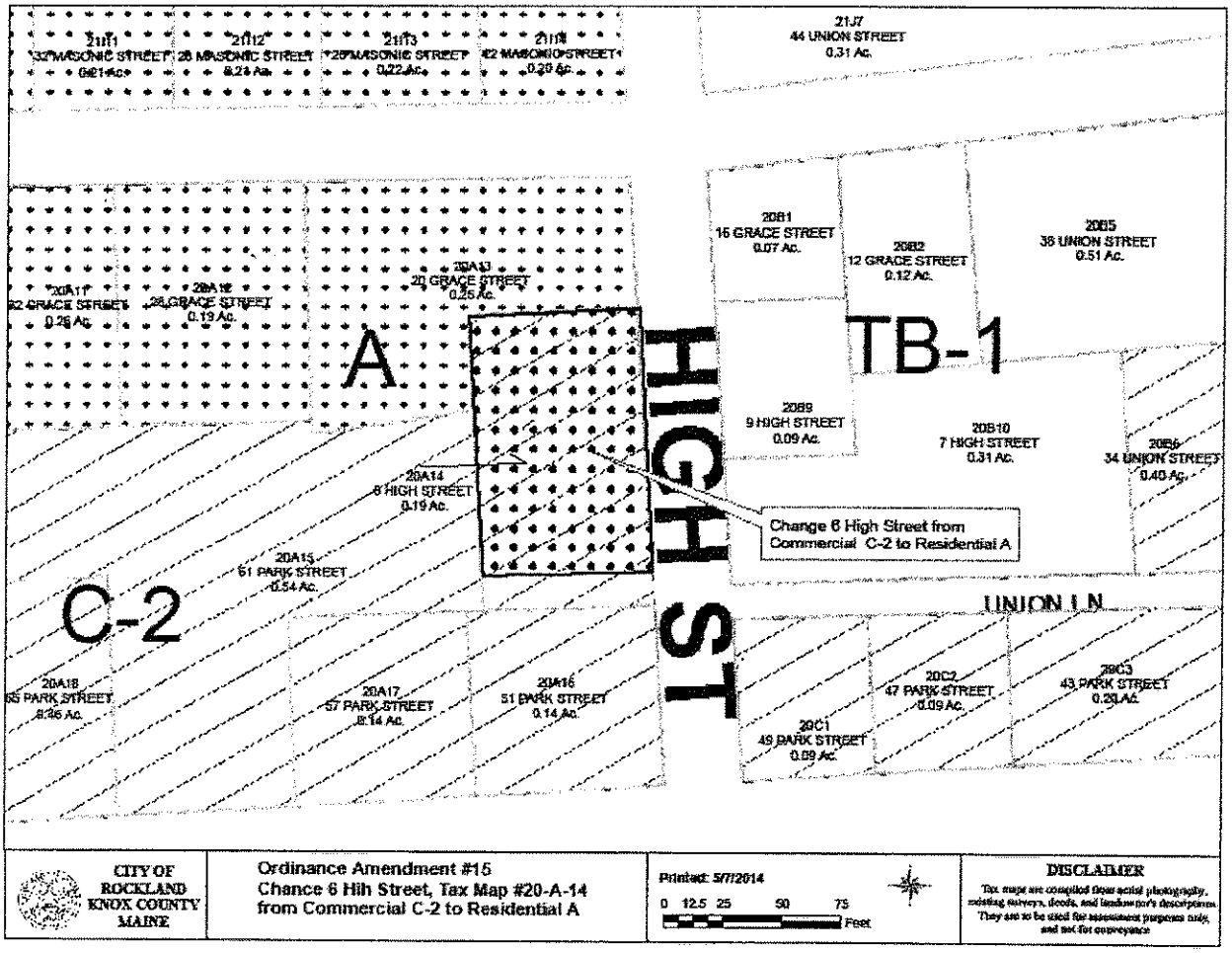
THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the Official Zoning Map of the City of Rockland be amended by changing the zoning classification as follows, and in conformance with the attached map:

- At 6 High Street (Tax Map 20-A-14), change the zone on the entire parcel from Commercial 2 Zone to Residential Zone A. The zone line is intended to follow the parcel lines.

Sponsor: Councilor Hebert
Originator: Code Enforcement Officer

First Reading 5/12/14
First Publication 5/22/14
Public Hearing 6/9/14
Final Passage _____
Second Publication _____
Effective Date _____


21J7
44 UNION STREET
0.31 Ac.
20B1
16 GRACE STREET
0.07 Ac.
20B2
12 GRACE STREET
0.12 Ac.
20B5
38 UNION STREET
0.51 Ac.
20A13
20 GRACE STREET
0.25 Ac.
A
TB-1
HIGH ST
20B9
9 HIGH STREET
0.09 Ac.
20B10
7 HIGH STREET
0.31 Ac.
20B6
34 UNION STREET
0.40 Ac.
20A14
6 HIGH STREET
0.19 Ac.
Change 6 High Street from
Commercial C-2 to Residential A
20A15
61 PARK STREET
0.54 Ac.
C-2
UNION LN
20A18
65 PARK STREET
0.26 Ac.
20A17
57 PARK STREET
0.14 Ac.
20A16
51 PARK STREET
0.14 Ac.
20C2
47 PARK STREET
0.09 Ac.
20C3
43 PARK STREET
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CITY OF
ROCKLAND
KNOX COUNTY
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CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #23

IN CITY COUNCIL

August 26, 2013

BOND ORDINANCE AUTHORIZING ISSUANCE OF THE CITY'S BONDS OR NOTES IN AN AMOUNT NOT TO EXCEED $_____ TO FINANCE THE CONSTRUCTION OF A PUBLIC WORKS GARAGE, PLUS AN AMOUNT NOT TO EXCEED 2% TO PAY THE COST OF ISSUANCE OF ANY BONDS OR NOTES WITH RESPECT THERETO.

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

Section 1. Subject to Section 2 hereof, an amount not to exceed $_____ is hereby appropriated to finance the construction of a public works garage (the "Project"), and such other ancillary and related costs with respect thereto, plus an amount not to exceed 2% to pay the cost of issuance for any bonds or notes issued with respect thereto.

Section 2. For purposes of financing the foregoing appropriation contained in Section 1, the City is hereby authorized to issue its general obligation bonds and notes in anticipation thereof in a principal amount not exceeding $_____.

Section 3. Subject to this ordinance, the City Charter, and all other applicable laws and such orders, or resolutions as may hereafter be adopted by the City Council fixing the terms and details of the bonds or notes to be issued to finance such appropriation, the Director of Finance of the City, with the approval of the Mayor, is authorized to take all steps necessary and expedient in respect to the aforesaid borrowing.

Sponsor: City Council
Originator: City Manager
Postponed 8/26/13 to 1/13/14
Postponed 1/13/14 to 3/10/14
Postponed 3/10/14 to 6/9/14

Thomas J. Luttrell
Finance Director

MEMO

TO: Mayor Pritchett
City Councilors

May 29, 2014

RE: Ordinance #23 & Order #28

The Public Works garage is coming back to council on the June agenda. I would like to recommend that council defeat both ordinance #23 and Order #28 as staff is not ready for council action. As you know, we are researching a better location for the Public Works Garage on Transfer Station Property. We need time to develop a master plan at the Transfer Station to encompass the Sand/Salt Shed, Public Works Garage, Snow Dumping Area and a new lay down area for C&D waste. Once the master plan is done, we will present to council and then restart the discussion on the Public Works Garage Bond Ordinance. By defeating the Ordinance and Order, we will not have to keep postponing.

.

270 Pleasant Street • Rockland, ME 04841 207-594-0307 (office) 207-594-9481 (fax) tluttrell@ci.rockland.me.us

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #16

IN CITY COUNCIL

June 9, 2014

ORDINANCE AMENDMENT: Amending the Maximum Height in the Downtown Zone

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, BE AMENDED AS FOLLOWS:

Sec. 19-304 Zone Regulations

14. Downtown Zone "DT" Regulations.

* * *

C. Standards.

(1) The standards of Section 19-316 shall be observed.
(2) The following space and bulk standards shall apply to all lots and/or parcels of land:

Table 304-14 **"DT" ZONE**

	COMMERCIAL AND MIXED USE
MINIMUM FLOOR AREA PER DWELLING	200 sq. ft. per dwelling
MAXIMUM BUILDING HEIGHT	Either 65 feet or 5 stories north of the center line of Park Street and Park Drive; either 50 feet or 4 stories south of the center line of Park Street and Park Drive to Central Park.

Sponsor: Councilor Dickerson
Originator: Councilor Dickerson

CITY OF ROCKLAND, MAINE

ORDER #28

IN CITY COUNCIL

August 26, 2013

ORDER Adopting Declaration of Official Intent and Establishing Date for Public Hearing on Bond Ordinance

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, WHEREAS, the City desires to borrow up to a maximum amount of $_____ for purposes of financing construction of a public works garage, and such other ancillary and related costs with respect thereto; and

WHEREAS, the provisions of Treasury Regulation § 1.150-2 require that the Declaration of Official Intent be adopted by the City in order for the City to reimburse itself for costs of the project with proceeds from the issuance of tax-exempt bonds;

NOW, THEREFORE, it is hereby

ORDERED: That the Declaration of Official Intent attached hereto be and hereby is adopted; and

ORDERED: That the Bond Ordinance attached hereto and incorporated herein by reference be scheduled for a public hearing to be held on September 9, 2013; and

ORDERED: That the City Clerk be and hereby is authorized and directed to publish notice of the public hearing at least seven (7) days prior to the date of the public hearing.

Sponsor: City Council
Originator: City Council

Postponed 8/26/13 to 1/13/14
Postponed 1/13/14 to 3/10/14
Postponed 3/10/14 to 6/9/14

DECLARATION OF OFFICIAL INTENT

TREASURY REGULATION § 1.150-2

WHEREAS, the City of Rockland, Maine (the "Issuer") currently intends to proceed with the following project (the "Project"): Construction of a public works garage, and such other ancillary and related costs with respect thereto;

WHEREAS, the Issuer intends to finance the costs of the Project through the issuance of bonds or notes in anticipation thereof; and

WHEREAS, certain of the costs of the Project may be paid by the Issuer prior to the issuance of notes or bonds and be reimbursed from the proceeds thereof; and

WHEREAS, Treasury Regulation § 1.150-2 requires that an Issuer declare its official intent to reimburse expenditures with proceeds of borrowings prior to the date of expenditure;

NOW, THEREFORE, the Issuer does hereby declare its official intent as follows:

1. **Declaration of Intent.** The Issuer reasonably expects to reimburse expenditures made on the Project with the proceeds of bonds or notes in anticipation thereof to be issued by the Issuer in the maximum principal amount of $_____, plus an amount not to exceed 2% for payment of the cost of issuance of bonds or notes issued with respect thereto.

2. **General Description of Property to which Reimbursement Relates.** The description of the Project in the first recital hereto is a reasonably accurate general functional description of the type and use of the property with respect to which reimbursement will be made.

3. **Public Availability of Official Intent.** This Declaration of Official Intent shall be maintained as a public record of the Issuer and shall be maintained and otherwise supervised by its Clerk on behalf of the Issuer.

4. **Treasury Regulation.** This is a declaration of official intent pursuant to the requirements of Treasury Regulation § 1.150-2.

5. **Authority for Declaration.** This declaration is adopted pursuant to the following action of the Issuer: Order adopted by its City Council.

CITY OF ROCKLAND, MAINE

ORDER #41

IN CITY COUNCIL

June 9, 2014

ORDER Setting Due Dates and Interest Rate – FY 2015 Taxes

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the taxes for the fiscal year ending June 30, 2015 shall be paid in two installments of one half (½) each; and

THAT the due dates for the taxes for the fiscal year ending June 30, 2015 shall be September 26, 2014 for the first installment of such taxes, and March 6, 2015 for the second installment of such taxes; and

THAT the Director of Finance and the Tax Collector are hereby authorized and directed to charge interest at a rate of 7.00% per annum from September 26, 2014 on the first installment of such taxes remaining unpaid after that date, and from March 6, 2015 on the second installment of such taxes remaining unpaid after that date.

Active Tax Club members enrolled prior to October 1, 2013 will have until December 31, 2014 to pay their first installment of taxes before interest would be charged on any unpaid balance, and until June 30, 2015 to pay their second installment of taxes before interest would be charged on any unpaid balance. Tax Club members who have an outstanding balance after those dates shall be charged interest on that balance at the rate of 7.00% per annum retroactive to the applicable due date.

Sponsor: City Council
Originator: Tax Collector

CITY OF ROCKLAND, MAINE

ORDER #42

IN CITY COUNCIL

June 9, 2014

ORDER Authorizing License Agreement – Use of Sea Scout Building

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to enter into a license agreement with Breakwater Kayak, LLC and the Sail Power & Steam Museum for use of the Sea Scout Building (so-called) at Snow Marine Park in substantial compliance with the terms and conditions of a license agreement attached hereto.

Sponsor: City Manager
Originator: City Manager

Thomas J. Luttrell
Finance Director

MEMO

TO: Mayor Pritchett
City Councilors

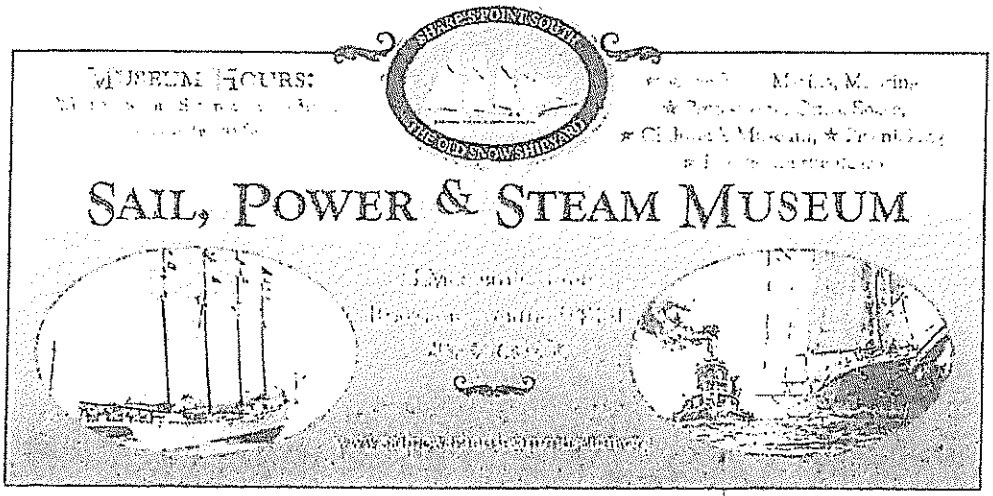
May 23, 2014

RE: Sea Scout Building

In January council passed Order #5 authorizing the City Manager to "explore leasing options for Sea Scouts building, evaluate any constraints on leasing, and report back to Council, with Harbor Management Commission recommendations, on specific options for leasing this building". I did report back to Council in March during the Manager's report of the Council Meeting that the building was inspected by Harbor Master Ed Glaser and Code Enforcement Officer John Root. It was reported that the only issue was that the sewer ran into a private septic system. At that time I reported that Public Works and the Waste Water Dept. would be researching how to connect the Sea Scouts Building into the City sewer line. The Waste Water department reported back that a pump station would be needed to pump up the hill to Mechanic Street. This work will be considered in the future and will not be done for the summer of 2014.

Recently, The City of Rockland received a letter from Captain Jim Sharp requesting rental of the Sea Scout Building. The Harbor Commission reviewed his request which is attached and recommends Captain Sharp's proposal of a short term lease during the summer of 2014. I would like to propose that we rent to Captain Sharp and Breakwater Kayak, per their request through a license agreement which will allow the rental of the building after approval at the June 9, 2014 meeting.

270 Pleasant Street • Rockland, ME 04841 207-594-0307 (office) 207-594-9481 (fax) tluttrell@ci.rockland.me.us



Captain Edward Glaser, Harbor Master,
City of Rockland,
Pleasant Street,
Rockland, Maine

John Just to keep you up to date - thanks Jim

Dear Captain Glaser,
and the City of Rockland.

Since our summer season is very much upon us, may I first, respectfully request that you to give this letter your earliest consideration.

Breakwater Kayak, LLC and the Sail Power & Steam Museum have a mutual need for a base of operation at the old Sea Scout Building located at Snow Marine Park. These are both waterborne business, dependent on marine operation and will help to bring the attention of the community to the South End of Rockland.

We wish to propose that the city of Rockland lease this building to us jointly, for the 2014 summer season. We would propose to pay $400.00 per month, for four months of the summer season starting June 1 and ending September 31. All maintenance and repairs will be at our expense and we will defray all utility costs for the period. We will winterize and leave the building in good state at termination. Should the City, at that time, wish to consider an off-season rental, we would be pleased to take it into account.

Would you kindly advise us at the soonest opportunity as our short season is imminent.

Breakwater Kayak,
Mark DiGirolamo

Sail Power & Steam Museum
Meg & Captain Jim Sharp

cc M. DiGirolamo

CITY OF ROCKLAND, MAINE

ORDER #43

IN CITY COUNCIL

June 9, 2014

ORDER Authorizing Expenditure of Funds – Tillson Area TIF Funds

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized expend $30,000 from the FY 2015 Downtown TIF District funds to support Rockland Main Street Inc. in its efforts to protect and enhance the economic vitality of Downtown Rockland.

Sponsor: City Council
Originator: Rockland Main Street, Inc.

Rockland Main Street, Inc.

May 30, 2014

Rockland City Council
Rockland City Hall
270 Pleasant Street
Rockland, Maine 04841

Dear Mayor and Members of the Rockland City Council,

This letter serves as an overview of the Rockland Main Street, Inc., [RMSI], 2013-2014 administrative year, and as a request for the City's annual commitment of financial support in the amount of $30,000 for Rockland Main Street, Inc.

This year was one of change. The transition created by the December departure of our founding director, Lorain Francis, followed by the hiring of our new director, Gordon Page, Sr., in March, has gone smoothly and has resulted in the discovery of new opportunities.

RMSI has focused a great deal of its energies in strengthening the implementation of the Main Street Four-Point Approach – Organization; Economic Restructuring; Design; and Promotions. Additionally, RMSI has a seat at the table in the City's Economic Development and Harbor Trail committees.

The organization conducted its first-ever combined volunteer appreciation and recruitment event in early May, at which time our stalwart volunteers were recognized, and more than a dozen new volunteers were engaged.

By the end of the administrative year, an estimated 4,500 volunteer hours will have been expended on behalf of the City of Rockland through programs, projects and committees of Rockland Main Street, Inc. Based on national research of the in-kind value of volunteer labor in the state of Maine, this volunteer time is equal to $91,000.

In addition to the ongoing Downtown and Main Street-based educational programs attended by our former director prior to her departure, our new director has participated in Downtown and Main Street-based professional development programs at the state and national levels.

At the state training, the director was accompanied to Waterville by 5 of our board members, at their own expense. For the national training, the director was accompanied to Detroit, Michigan, by one board member and one member of city staff.

This participation level highlights the interest in our local citizens that the program is worthwhile.

Both of these events featured workshops on the Four Point Approach, focusing on downtown revitalization through economic development, historic preservation, beautification and events.

Within the next several weeks, RMSI will transfer $5,000 in Healthy Main Streets [national] funding to the City, in order to enhance the value of the Harbor Trail through way-finding signage, Breathe Easy signage, bicycle racks, and a trail-head sign.

The downtown district has seen a great deal of activity as it relates to the reopening of several vacant storefronts, and significant renovation in one of the largest blocks on Main Street. The variety of these new businesses, nearly all of them retail establishments, is an indicator that the program is working and that merchants and other investors are recognizing Rockland as a good place to do business.

The RMSI organization has enjoyed a heightened level of visibility in the past few months through social media, local press, and frequent and direct outreach to downtown stakeholders. Further, our director has initiated a firmly-scheduled monthly downtown tour with the city manager and the mayor, in an effort to make observations together of ongoing progress and to proactively identify trends to avoid potential problems.

With support from the City's Community Development department and the chamber of commerce, RMSI has been directly involved in assisting businesses move to and/or remain in Rockland. As time goes forward, we anticipate a greater level of success in these endeavors.

RMSI has joined with the chamber and with City staff to ensure that newly established businesses are properly welcomed to the community. Where appropriate, the chamber, the City and RMSI work together to include an "Official" ribbon cutting ceremony for these new businesses.

I would be remiss if I did not mention the many events and programs produced by RMSI, notably, the hanging of Christmas Wreath decorations on Main Street; the Festival of Lights weekend and Parade; construction and lighting of the Lobster Trap Tree; the downtown Employee Appreciation Day; the Midcoast Has Talent Variety Show; the Summer Solstice Celebration; the You Think You Know Rockland competition; the Rockland Has Style Fashion Show; and the annual silent auction.

All of these events create vibrancy in our downtown, highlight our downtown businesses, and bring literally thousands of people to Rockland. Our RMSI events, combined with the City's three major festivals, ensures "Rockland as a destination", thereby marketing Rockland to future residents and investors.

Downtown districts across the country have been identified as holding the highest tax value per acre. Every effort to sustain and build on the positive aspects of our downtown district means a stronger future for the entire City.

Our new director has a framed sentiment in his office that reads, *"If we do this right, every small business will want to be located in Downtown Rockland, and everyone else will want to work, play and live here".*

The City's continued financial support of RMSI in the 2014-2015 administrative year, in the amount of $30,000, will ensure the continuation of the efforts of revitalization of our downtown district, and will bring us closer to the reality of the above sentiment.

Very truly yours,

ROCKLAND MAIN STREET, INC.

Paul Benjamin, RMSI Board President

Cc: City Manager; RMSI Board of Directors; RMSI Executive Director

CITY OF ROCKLAND, MAINE

ORDER #44

IN CITY COUNCIL

June 9, 2014

ORDER Authorizing acceptance and expenditure of funds from Emanuel & Pauline A. Lerner Foundation.

WHEREAS, The City Community Development together with interested citizens and arts organizations has initiated a program to identify the cultural and artistic assets in the Community; and

WHEREAS, The Emanuel & Pauline A. Lerner Foundation wishes to support the initiation of that program in the amount of $15,000 to support leadership and arts forum and a series of community meetings to gather community input on the cultural assets of the community;

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to accept funds from the Emanuel & Pauline A. Lerner Foundation.

Sponsor:
Originator: Community Development Director

To:	Tom Luttrell, Acting City Manager
From:	John Holden, Community Development Director
Cc:	Chris Brownawell, Farnsworth Art Museum
Date:	May 14, 2014
Re:	The Emanuel & Pauline A. Lerner Foundation support to Rockland Arts, Cultural Plan program

---

I learned yesterday that the Emanuel & Pauline A. Lerner Foundation (http://lernerfoundation.com/) has offered to support the Rockland Arts, Cultural Plan program. First, allow me to briefly remind you of the "Rockland Arts, Cultural Plan program." Then, briefly, outline the use of these funds and the need to present to Council in June for Council action to accept the funds.

My outreach and effort to work with the "arts community" and craft what I originally called a Community and Arts Development Strategy has evolved since last November when I began meeting with members of the City's "arts community." In essence, what I have learned from that community and others is that we are better served by taking a broader, community-engaged, review of the City's cultural (and arts) assets and devise a long-term Cultural Plan. Imbedded or part of that Cultural Plan can and will be a Community & Arts Development Strategy—outlining short and mid-term action items to implement the Cultural Plan. The Plan will be long-term and the Strategy short term implementation.

The above refined approach fits within our application for funding from the National Endowment of the Arts (we do not yet know the outcome of that application). It is also generally encouraged by the Maine Arts Commission, who has invited us to submit an application to its "Creative Communities = Economic Development" program. And, as I have learned and now believe, this is a good approach.

We (our informal "team" of arts community leaders) had approached the E&P Lerner Foundation for support. At the time of the application, we were told that the City was not an eligible applicant, thus "we" applied with the Farnsworth Art Museum (FAM) as the lead applicant. The Foundation would like partially support what we requested. Namely they wish to fund the initial civic engagement and civic leader engagement and education. Further, they have asked that the City be the lead applicant, not FAM. (Apparently, they have met their IRS requirements to donate a certain percent to non-profits and as their interest is in the civic leadership and engagement aspect, they would like the City to be the lead entity).

I will prepare a more detailed outline of what their funds will be used for with input from our arts community partners and be prepared to present that at the June "Agenda Setting" Council Meeting. Council will need to take action, of course, to accept the funds.

I wanted to give you (and for Council package) this briefing as we will discussing the details of this work with our partners in the coming weeks, issuing a press release, and preparing to begin this important work. And, as I will be traveling at the National Downtown Conference starting today and early next week wanted to make you (and Council) aware.

To: Tom Luttrell, Acting City Manager

From: John Holden, Community Development Director

Cc: Chris Brownawell, Farnsworth Art Museum

Date: May 30, 2014

Re: Follow Up memo, RE: The Emanuel & Pauline A. Lerner Foundation support to Rockland Arts, Cultural Plan program

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As per my May 14 Memo (attached), I am providing you additional details on the project and budget we have finalized with the Lerner Foundation.

Together with the Farnsworth (FAM) we will hold a leadership education and community arts forum to provide civic leaders with common history, context, and awareness of the role of arts in Midcoast Maine and Rockland. This will entail a leadership education presentation for a focused group of civic leaders and then a community forum (limited only by space).

The funds will also support the organization and facilitation of a series of community meetings to gather community input on the cultural assets of the City. These will be well advertised and held in at least three locations around the City to encourage as much civic input as possible. The Community Development Department will take a lead on this but may hire a facilitator to assist in the organizing facilitation of the meetings.

Emanuel & Pauline A. Lerner Foundation
Rockland Arts, Civic Leadership & Engagement
Project Budget

	FAM	City	Facilitator	Total
Arts Leadership Education & Forum	$ 7,000			$ 7,000
Cultural Asset Meetings		$ 5,000	$ 3,000	$ 8,000
Total	**$ 7,000**	**$ 5,000**	**$ 3,000**	**$ 15,000**

Note, Facilitator proposed and budget includes direct costs for meetings

Council will need to approve an Order to accept these funds and a draft is presented as part of the Agenda Setting package.

CITY OF ROCKLAND, MAINE

ORDER #45

IN CITY COUNCIL

June 9, 2014

ORDER Authorizing application and expenditure of funds for Coastal Communities Grant Program 2015.

WHEREAS, The Public Landing (Pier) serves as a critical public access point to Rockland Harbor and is an integral part of Harbor Park; and

WHEREAS, The City has plans for the redesign and improvement of Harbor Park; and

WHEREAS, The Public Landing (Pier) is a component and integral to the plans for improvements at Harbor Park; and

WHEREAS, Public Landing is in need of improvements itself; and

WHEREAS, Plans for improvements to Harbor Park will require attention to future design, engineering and a portion of the improvements necessary at the Public Landing; and

WHEREAS, the Maine Coastal Communities Grant Program may fund up to $50,000 with a 25% match for planning, engineering and improvements to public piers in order to ensure sustainable vibrant coastal communities and improving public access; and

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager or designee is hereby authorized to submit and if successful execute a grant proposal to the Coastal Communities Program in an amount up $35,000 and use up to $7,000 from the Downtown Tax Increment Financing District Municipal Revenue Account in FY 2016 account as match.

Sponsor:
Originator: Community Development Director

CITY OF ROCKLAND, MAINE

ORDER #46

IN CITY COUNCIL

June 9, 2014

ORDER Authorizing application and expenditure of funds for Northern Border Regional Commission 2015.

WHEREAS, the City has accepted the Harbor Trail Plan by Resolve #80 dated October 12, 2011; and

WHEREAS, said Plan calls for Harbor Trail along the Harbor Park,; and

WHEREAS, The Harbor Trap Plan is consistent with preliminary designs approved by the Harbor Park Redesign Committee that include improvements and creation of a Boardwalk across Harbor Park; and

WHEREAS, the improvements to Harbor Trail and Harbor Park Boardwalk support the economic development in the Downtown by providing direct path to the Downtown District to and from the downtown to Snow Marine Park; and

WHEREAS, the Harbor Park Redesign Committee has met and previously endorsed an application to the Land and Water Conservation Fund (November 13, Order 46) for funding of an initial design and construction of the first segment of a Boardwalk, and

WHEREAS, the Northern Border Regional Commission may fund up to $250,000 towards a project with a 20% matching requirement projects that support transportation infrastructure, basic public infrastructure, and those that promote tourism, recreation, and preservation of open space in a manner consistent with economic development goals;; and

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager or designee is hereby authorized to submit and if successful execute a grant proposal to the Northern Border Regional Commission in an amount up $250,000 and use dedicate up to $105,350 from the Downtown Tax Increment Financing District Municipal Revenue Account in FY 2016 account as match.

Sponsor:
Originator: Community Development Director

To: *Tom Luttrell, Acting City Manager*

From: *John Holden, Community Development Director*

Date: *May 30, 2014*

Re: *Funding Package for Harbor Park*

I thought it may help to provide this cover Memo in regards to the funding options I have currently assembled to fund the redesign of Harbor Park—an item for Council Agenda setting, June 2, 2014. The timing of these funding announcements, my own schedule, and other outside influences has not allowed me the opportunity to review these more fully with the Harbor Park Redesign Committee or other groups and staff.

The table below provides the matrix or package of funding, I am proposing at this time. I remind you, as well, that there may be other funding options including the Economic Development Administration that may surface. In the end, we may apply for additional funds from other sources or devise a revised funding package, but each grant deadline forces us to present the most current package.

Recall that we applied for funding from the Land and Water Conservation Fund in November of last year for this project. I am using information gathered for that application as the basis of this current funding proposal (including estimated project costs from Gartley & Dorsky).

At this time, what I propose is that we apply to the Northern Border Regional Commission for $250,000 and the Coastal Communities Program for $35,000. As match and to cover the current estimate for the project we would request Council approval of $105,350 from the Downtown TIF District (FY 2016). We can use FY2016 as the project would not be built out until the fall of 2016, at the earliest.

Harbor Park Board Walk Improvements
Overall Budget, Funidng Options
June 1, 2014

		Funding Sources			
		NBRC	**CCP**	**City DT TIF**	**Total**
Boardwalk	$ 279,000	$ 250,000		$ 29,000	$ 279,000
Wave Attenuation System	$ 15,000			$ 15,000	$ 15,000
Site Work	$ 15,000			$ 15,000	$ 15,000
Subtotal	$ 309,000				
Contingency (15%)	$ 46,350			$ 46,350	$ 46,350
Survey, engineering, admin	$ 35,000		$ 35,000		$ 35,000
Total	**$ 390,350**	**$ 250,000**	**$ 35,000**	**$ 105,350**	**$ 390,350**
Percent of Project		64%	9%	27%	100%
Required match		$ 50,000	$ 7,000		

Funding Sources, additional description
NBRC. Northern Border Regional Commission, max grant $250,000, requires 20% match
CCP. Maine Coastal Communities Program, max grant $50,000, requires 20% match

As noted above, I will continue to consider other funding options (attached is my Memo of April 25). The NBRC and CCP grant applications are due on June 16 and July 1, respectively.

To: *Tom Luttrell, City Manager*

From: *John Holden, Community Development*

Cc: *Ed Glaser, Harbor Master*

Date: *April 25, 2014*

Re: *Midcoast Comprehensive Economic Development Strategy*

Allow me to update you on a regional initiative and our inclusion in that work.

Midcoast Economic Development District (MCEDD)
and
Comprehensive Economic Development Strategy (CEDS)

As one of seven federally designated economic development districts in Maine, MCEDD is required to complete a Comprehensive Economic Development Strategy for its region. It has incorporated this planning into the Mobilize Midcoast Maine Program (a separately funded regional planning program). The key point is that to be eligible and competitive for funding from the Economic Development Administration (EDA) and other federal programs, a community's project must be in the CEDS and considered of high-priority.

Last year, we successfully had the Harbor Park redesign included in the CEDS. This past week and the week prior, I resubmitted and presented the Harbor Park project to the MCEDD CEDS Committee. This does not constitute and application. It only "puts us on the list" and makes us eligible and more competitive for EDA (and other) grants.

This year, I have broadened the scope of the project to leverage the nearby private investments and plans for improvements to the Public Pier. I believe that combining Harbor Park and the Public Pier as the public portions of private investments, we will have a more competitive project when seeking funding from EDA or other sources. The proposed Harbor Park Hotel and ADZ proposed (unnamed) hotel represent valuable private investments in the City. My hope is to "leverage" those investments into EDA and other Federal and State grant programs. This CEDS submission is the first step towards doing so. I have spoken to the developer of the Harbor Park Hotel and have their support.

Attached is my submission and presentation to the CEDS Committee.

CITY OF ROCKLAND, MAINE

ORDER #47

IN CITY COUNCIL

June 9, 2014

ORDER Authorizing application and expenditure of funds for Shore and Harbor Planning Grant Program 2015.

WHEREAS, The City operates and manages the Rockland Fish Pier in support of the local and regional fishing community and economy; and

WHEREAS, Improvements will be necessary to the Fish Pier including dredging along its sides; and

WHEREAS, A written estimate to survey the Pier and the necessary dredging location has been secured for $4,500; and

WHEREAS, Other may be considered form improvements and making use of new technologies to reduce odor, fish nuisance, or other newer equipment such as but not exclusively new hoists, may require additional engineering budgeted at $5,500 and

WHEREAS, the Fish Pier Reserve Account (####-####) account has a balance of $70,000; and

WHEREAS, the Maine Coastal Program, Shore and Harbor Planning Grants provide up to $20,000 with 25% local match; and

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager or designee is hereby authorized to submit and if successful execute a grant proposal to the Shore and Harbor Planning Grant Program in an amount up to $10,000 and use up to $5,000 from the Fish Pier Reserve account as match.

Sponsor:
Originator: Community Development Director