

**NOTE TO THE PUBLIC**  
**PROPOSED AMENDMENTS TO FUTURE LAND USE PLAN**  
**APRIL 17, 2018 PUBLIC HEARING**  
**By Wayne Marshall, Director, Code & Planning**

The City's adopted Future Land Use Plan, which is part of the City's Comprehensive Plan, dates to October 2009. A Future Land Use Plan identifies City policy and serves as the underpinning for City land use regulation reflected in City Zoning. To date, the City has not implemented needed amendments (adopted Zoning Ordinances) to reflect all policy direction identified in the 2009 adopted Future Land Use Plan. Many areas in the City still reflect the land use recommendations identified in the adopted 1997 Comprehensive Plan.

The area that Nordic Aquafarms proposes to develop as a land based salmon aquaculture farm is identified in the adopted Future Land Use Plan as an area that would mostly remain rural in character. Most of this area is included in the proposed designation of Outside Rural, Rural Road Class 2 area, and the land owned by Mathews Brothers on Perkins Road is included in the Near By-Pass, Business Park area. The City proposes to amend the current Future Land Use Plan (Comprehensive Plan) to create a new land use area, Near By-Pass, Perkins Road Business Park, and to include the land that Nordic Aquafarms intends to develop, land that the City of Belfast may acquire from Belfast Water District and land owned by Mathew Brothers in the newly proposed Perkins Road Business Park Land Use Area.

The information presented for public consideration at the upcoming April 17 public hearing as part of the amendments to the Future Land Use Plan includes the following:

- 1) Description of the proposed Perkins Road Business Park area.
- 2) A map that identifies the land/properties proposed to be included in the Perkins Road Business Park area.
- 3) Currently adopted language for the Outside Rural, Rural Road Class 2 area. The City notes that there are no substantive changes to the adopted language for this area. The only changes are to the adopted map; reference # 5) below.
- 4) Adopted map from the 2009 Plan for the Outside Rural, Rural Road Class 2 area.
- 5) Proposed amendments to map from the 2009 Plan for the Outside Rural, Rural Road Class 2 area.
- 6) Proposed amendments to the current adopted language in the 2009 Plan for the Business Park area (This area includes Mathews Brothers property).
- 7) Adopted map from the 2009 Plan for the Business Park area.
- 8) Proposed amendments to map from the 2009 Plan for the Business Park area.

The purpose of the April 17 public hearing is to provide the public an opportunity to comment on the proposed amendments. The April 17 hearing is required by State Statutes as part of the process for considering and adopting amendments to a Comprehensive Plan. It is noted that the language for the Future Land Use Plan amendments is the same as the language that the Council considered at the hearing it conducted on March 20, 2018.

**CITY OF BELFAST FUTURE LAND USE PLAN  
PROPOSED PERKINS ROAD BUSINESS PARK AREA  
4-20-18 PUBLIC HEARING**

**NOTES TO PUBLIC:**

- 1) Explanation of Amendments and Background Information.

The proposed Perkins Road Business Park area is not identified in the adopted 2009 Future Land Use Plan (part of the Belfast Comprehensive Plan) as a specific Land Use Area. The City now proposes to amend the 2009 Plan to create the Perkins Road Business Park area as a specific Land Use Area. The proposed language for the newly proposed Perkins Road Business Park area and a map that identifies the properties proposed to be included in this new area are the subject of this amendment. The Perkins Road Business Park area is proposed to be included in the section of the Future Land Use Plan that is identified as the Near By-Pass Area.

The proposed creation of a specific land use area for the Perkins Road Business Park is a direct result of the January 2018 announcement by Nordic Aquafarms to pursue development of a significant land based salmon aquaculture farm on property owned by the Belfast Water District and Sam Cassida near the lower reservoir of the Little River. Nordic Aquafarms announced their intent to purchase about 55 acres of land from the District and Mr. Cassida on which to construct the proposed aquaculture farm. Nordic Aquafarms has stated that their Phase 1 investment would approach \$150 million by 2020, and a future investment of \$400 - \$500 million at full build-out of the farm. The company anticipates having 60 employees during Phase 1 operations, and more employees would be added at full build-out.

The Perkins Road Business Park area is being proposed because the current Land Use Area designation for all of the property in this area does not allow land based aquaculture or other industrial activities. The proposed Perkins Road Business Park area would include the Mathews Brothers property and most of the property owned by the Belfast Water District and Sam Cassida. The Mathews Brothers property is identified

in the 2009 Future Land Use Plan as being in the overall Business Park, and the Water District and Sam Cassida properties are shown as being in the Rural Road Class 2 area. The new Perkins Road Business Park area would specifically allow land based aquaculture and associated uses, industrial uses, office uses, and many similar activities as permitted activities. A key purpose of establishing this Land Use Area is to encourage the creation of jobs and investment, while recognizing the need to retain public access to the Little River trail. e

## **2) Format of Amendments.**

All of the language for the Perkins Road Business Park Area is new language as this is a newly proposed Land Use Area. Thus, all language is shown in black font as there is no need to differentiate between existing language and language to be added or deleted.

## **3) Public Process Regarding Amendments**

The City stated its intent to amend the Future Land Use Plan at the February 21, 2018 public informational meeting at the Hutchinson Center regarding the Nordic Aquafarm project, and provided additional information regarding the proposed amendments at the March 6, 2018 regular City Council meeting. The Council conducted an initial public hearing on this proposal at the Council meeting of March 20, 2018.

The Council has scheduled the public hearing on the Future Land Use Plan amendments required by State Statute for the Council meeting of April 17, 2018.

Public comment on the proposal can be submitted in one of three ways:

- a) Attend the April 17 public hearing and offer verbal comment to the Council.
- b) Submit comment in writing by the date of the hearing to: Wayne Marshall, Code & Planning, City of Belfast, 131 Church St, Belfast, ME, 04915.
- c) Submit comment via email to: [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org).

All comment that is submitted in writing or via email will be provided to the City Council. The Council grants equal consideration to all forms of

comment that are offered, meaning that there is no preferred method to offer comment.

Questions regarding the proposed amendments or the Council process for consideration of the amendments should be directed to Wayne Marshall by calling 338-1417 x 125, or by email at [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org).

#### **4) Council action on proposed amendments.**

The Council, following the public hearing to be conducted at the April 17, 2018 Council meeting, has the authority to take any of the following actions:

- a) Adopt the amendments as presented.
  - b) Reject the amendments as presented.
  - c) Make changes to the amendments as presented. If significant changes are made, the Council would need to conduct another duly noticed public hearing.
  - d) To take no action at the meeting at which the hearing is conducted and to schedule Council consideration and action at a subsequent meeting.
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## **TEXT OF PROPOSED AMENDMENTS**

### **PERKINS ROAD BUSINESS PARK**

#### **“INVESTMENT & JOBS ZONE”**

##### **Goal**

To establish an area that encourages significant new business investment and development in Belfast and the accompanying creation of more jobs, including a specific type of development, land bases aquaculture, that may not be practical in other areas of Belfast.

##### **Overview of Past, Present & Future Use**

The Perkins Road Business Park area includes about 105 acres of land that is generally bounded to the north by Perkins Road, to the south by the Little River and the lower reservoir, to the east by Route 1, and to the west by Herrick Road. The land proposed to be included in the Perkins Road Business Park area is owned by only three parties, including the following:

- a) Mathews Brothers owns about 38 acres. The property and their existing manufacturing operations front on Perkins Road. Mathews Brothers has made doors, windows and associated products in Belfast for more than 150 years, and has operated at their Perkins Road facility since 1989. The company has developed about 10 acres of the property, including 3 buildings that have a total footprint of about 4 acres. In 2018, the company had about 140 employees. The City also worked with Mathews Brothers in 2005/2006 to help extend sewer to the area when the company constructed the warehouse addition at the site.
- b) The Belfast Water District owns about 55 acres near the lower reservoir of the Little River. The property also has about 850 feet of frontage on Route 1. The Water District offices are located near the dam that creates the reservoir. The District facilities also include an equipment storage building and small parking area. The District has developed only about 3 acres of the site for their active operations. The remainder of the site is undeveloped, except for the Little River Trail, a public recreation trail. The District has not used lower reservoir as a public water supply for the

past 37 years and has no future plans to use the reservoir as a public water source.

- 3) Sam Cassida owns a parcel of land that is about 12 acres in size that has no road frontage. He also owns a house with road frontage on Route 1, but that land is not proposed to be included in the Perkins Road Business Park area. With the exception of timber harvesting, Mr. Cassida does not have any active use on the 12 acre property.

Mathews Brothers and Truit Brothers (shoes) have used land in this area for industrial purposes for nearly half a century. The Water District has had facilities in this area for over 120 years. The proposal to include this area in the Perkins Road Business Park area represents both past types of development and a major change from the bucolic character and operations of the Water District. The City intent in including all of the proposed lands in this area is to create an opportunity to allow a development activity, a major land based salmon aquaculture farm, that offers potential significant benefits to the tax base, job base and community of Belfast.

## **Recommendations**

### **Permitted Uses (Examples of Main Uses)**

- 1) Manufacturing, processing and industrial activities, including accessory retail sales.
- 2) Aquaculture, land based
- 3) Professional office
- 4) Warehouses
- 5) Research laboratory
- 6) Recreation and public parks
- 7) Municipal and quasi-public uses
- 8) Agriculture

### **Minimum Lot Size**

2 acre (sewer or septic) for any use  
Minimum 250 lineal ft of street frontage

### **Density (Number of Housing Units per Acre)**

It is recommended that housing not be allowed in this land use area. The main purpose of this area is to benefit industrial oriented development, including land based aquaculture.

## **Setbacks (Distance Structure must be Located from a Lot Line)**

- 1) Generally 50 feet from all lot lines.
- 2) Standards for large scale development also should require naturally vegetated buffer yards.

## **Major Changes Compared to Current Requirements**

- 1) The Mathews Brothers property, about 38 acres, is now located in the Industrial IV Perkins Road zoning district. The proposed land use area designation, Perkins Road Business Park, is consistent with Mathew Brothers' current use of their property and current zoning regulations.
- 2) Most of the land in the proposed Perkins Road Business Park area, about 67 acres, that is owned by the Belfast Water District, about 55 acres, or Sam Cassida, about 12 acres, is now included in the Residential II zoning district. The Residential II district allows single family and two-family housing, home occupations, professional offices and hospitals, and quasi-public uses such as the Water District. The Residential II district does not allow any type of industrial use. The proposal to establish the Perkins Road Business Park area involves allowing industrial uses and prohibiting housing. It is a significant change from current land use regulatory requirements.
- 3) The City first proposed the establishment of the Perkins Road Business Park land use area in January 2018 following the public announcement that Nordic Aquafarms, a Norwegian company, was interested in purchasing land owned by the Water District and Sam Cassida for the purpose of developing a major land based salmon aquaculture farm. The company identified their plans to invest about \$150 million to develop Phase 1 of the project, and potentially \$400 - \$500 million at full build-out. The current land use regulations for this property do not allow aquaculture and associated activities as a permitted use. The Perkins Road Business Park area is being proposed to create a land use area that would allow activities such as those proposed by Nordic Aquafarms. The proposal to establish the Perkins Road Land Use area represents minimal change for the Mathews Brothers property, however, it is a significant change from the Rural Road Class 2 designation identified in the 2009 Future Land Use Plan for the Water District and Cassida properties.

## **Other Issues & Ideas To Consider**

- 1) The Belfast Water District, a quasi-public corporation, has long owned about half of the land located in the proposed Perkins Road Business Park area. While the District ceased use of the lower reservoir on the Little River as a public water supply over 35 years ago, the District has retained its office and equipment storage operations on this site. The Water District's only active use of the property occurs on about 3 of the 55 acres that they own and in the area near Route 1 and the dam for the lower reservoir. Most of the rest of the property is undeveloped. The fact that this land area has been owned by the District for many years has resulted in

little active past public discussion regarding the most appropriate use of this land area.

- 2) The Belfast Water District has worked with the Belfast Bay Watershed Coalition, the Coastal Mountain Land Trust and area residents to allow the establishment of a segment of the Little River Trail on District owned land near the lower reservoir and the Little River. This Trail is actively used by Belfast residents and non-residents alike as a public recreation area. It is critical that any future use of this area continue to support public use of the Little River Trail.
- 3) While the Water District has no need to retain the existing dam that creates the lower reservoir on the Little River as a public water supply, the reservoir creates opportunities for low intensity public recreation activities, such as canoeing, bird watching and sight-seeing. However, the presence of the dam has affected the character of the Little River and some of its natural functions. At present, the long-term future of the dam is uncertain; should it remain, who will own and maintain it, and such. The future of the dam is a public policy issue that warrants public discussion.
- 4) The land area within 250 feet of the lower reservoir and Little River is included in the City Shoreland Zone, and most of the area is included in the Resource Protection district. While most development activities are prohibited in the Resource Protection district, aquaculture activities are an allowed activity. The City should collaboratively work with the Water District, Nordic Aquafarms and other parties to maintain the natural integrity of the area now included in the Resource Protection District of the Shoreland Zone.
- 5) Mathews Brothers has operated a significant manufacturing and production facility in the Perkins Road area for over 25 years. City policy should present reasonable opportunities for this facility to thrive and evolve to address changes in the local, state, national and international business climate.
- 6) New development projects may create the need for new public services to the Perkins Road Business Park area. The City will need to consider the most appropriate way to address potential service needs.

# RECOMMENDED CHANGES to 2009 ADOPTED FUTURE LAND USE PLAN (4-17-18 CC Mtg)



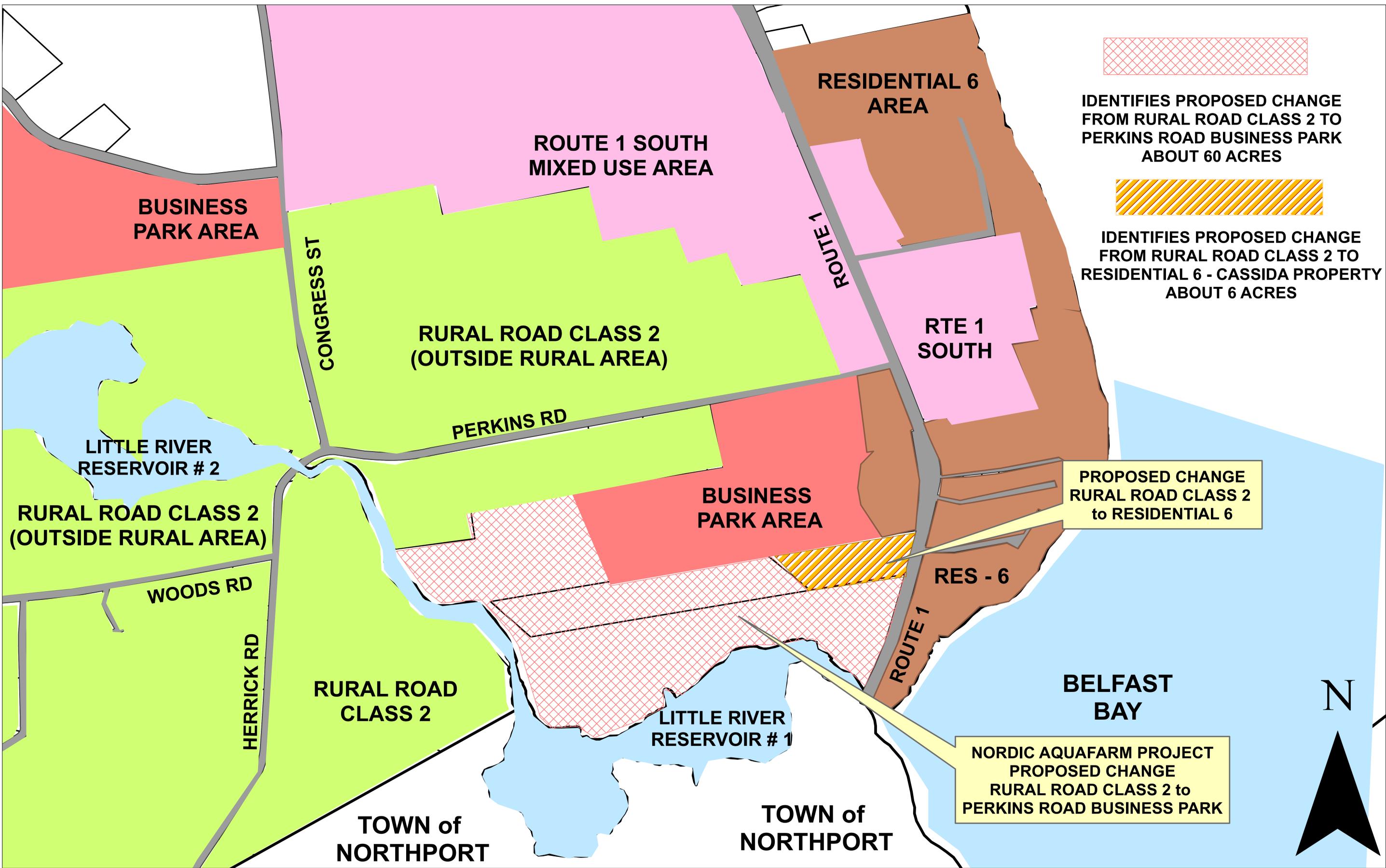
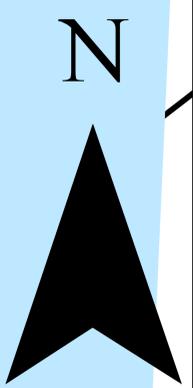
IDENTIFIES PROPOSED CHANGE FROM RURAL ROAD CLASS 2 TO PERKINS ROAD BUSINESS PARK ABOUT 60 ACRES



IDENTIFIES PROPOSED CHANGE FROM RURAL ROAD CLASS 2 TO RESIDENTIAL 6 - CASSIDA PROPERTY ABOUT 6 ACRES

PROPOSED CHANGE RURAL ROAD CLASS 2 to RESIDENTIAL 6

NORDIC AQUAFARM PROJECT PROPOSED CHANGE RURAL ROAD CLASS 2 to PERKINS ROAD BUSINESS PARK



This Map was prepared using information from the Overall Future Land Use Map identified in the 2009 Adopted Future Land Use Plan

**FUTURE LAND USE PLAN  
OUTSIDE RURAL, RURAL ROAD CLASS 2 AREA  
3-20-18 PUBLIC HEARING**

**NOTES TO PUBLIC:**

- 1) The Rural Road Class 2 area is a land use area identified in the adopted 2009 Future Land Use Plan (part of the Comprehensive Plan) for the City. The Rural Road Class 2 area is included in the Outside Rural area. The map of the Outside Rural, Rural Road Class 2 area, identifies that most of the land located southerly of Perkins Road is located in this area, including lands now owned by the Belfast Water District near the lower reservoir of the Little River. The main property on the southerly side of Perkins Road that is not in the Rural Road Class 2 area is the Mathews Brothers property. The attached map is a detail of the area in the Back Belmont Road area that identifies the land included in the Outside Rural, Rural Road Class 2 area.

The City now proposes to amend the amount of land area included in the Rural Road Class 2 area by removing about 55 acres of land now owned by the Belfast Water District and an additional 12 acres of land now owned by Sam Cassida. These land areas, together with land now owned by Mathews Brothers, are proposed to be included in the proposed Perkins Road Business Park area. The attached map identifies the land area that is proposed to be removed from the Rural Road Class 2 area and included in the Perkins Road Business Park area.

The Future Land Use Plan also includes a description of the Outside Rural area, including the Rural Road Class 2 area. The City is not proposing any amendments to the language for the Rural Road Class 2 area that was adopted in 2009. The City, however, has included the current language in the adopted Plan for the Rural Road Class 2 area so interested parties can compare the currently adopted language to the language now proposed with the establishment of the Perkins Road Business Park area.

The proposal to create a specific land use area for the Perkins Road Business Park is a direct result of the January 2018 announcement by Nordic Aquafarms to pursue development of a significant land based

salmon aquaculture farm on property owned by the Belfast Water District and Sam Cassida near the lower reservoir of the Little River. The proposed Perkins Road Business Park would include the Mathews Brothers property and the area proposed by development as a salmon aquaculture farm.

- 2) All text shown in Black font is existing language shown in the 2009 adopted Future Land Use Plan. All text shown in **red font** is text that is proposed to be added. All text shown in ~~blue and strike-through font~~ is text that is proposed to be eliminated. All text shown in **green font** is informational in nature to aid the public in understanding the proposed amendments. Text in **green font** is not part of the final proposed Ordinance language.

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**CURRENTLY ADOPTED LANGUAGE for the  
OUTSIDE RURAL, RURAL ROAD CLASS 2 AREA  
(NO SPECIFIC AMENDMENTS PROPOSED TO CURRENT TEXT)**

## **RURAL ROAD CLASSIFICATION AREAS**

### **“RURAL HOUSING & LAND USE”**

#### **Goal**

To create a land use regulatory system that promotes traditional resource industries, such as timber harvesting and agriculture, and the preservation of land, while recognizing that the most common type of development that now occurs is single family housing and that housing is the likely development for which that many land owners will chose to use their property.

#### **Overview of Past, Current and Future Use:**

This is by far the largest proposed land use area in Belfast. The size of this area equals or exceeds the combined amount of land included in all other proposed land use areas

described in this Plan. On the west side of the River, this area includes all land located northeasterly of Marsh Road along Routes 7 and 137, westerly of the Crocker Road and Edgecomb Road along Routes 3 and 52, and northwesterly of the Perkins Road area. On the east side, this area includes all land along and northerly of the Back Searsport Road, except for a small strip of land along Swan Lake Avenue.

One main contrast between this area and most of the rest of Belfast is the large amount of undeveloped land. Much of the area is former farm land that remains fields or that has been overtaken by woods. Most of the houses in the area are located immediately adjacent to the main roads, and there are few roads with a significant amount of housing on them that lead off the main road. Further, the developed lots that were created prior to the mid-80's often are quite small, ½ acre (100 ft by 200 ft), but others are in excess of 100 acres in size with only a single house on the lot. None of this area has public sewer, but some does have public water; mostly because the area is located along a road which leads to the deep water wells which the Water District uses to supply public water. Despite the vast amount of land in this area, the total number of residences in the area comprises less than 1/3<sup>rd</sup> of the total number of houses in Belfast.

There is a limited amount of nonresidential development in the area, and most of it is relatively small and quite scattered. There is only 1 operating convenience store (Belfast 52 Variety), 1 restaurant (the Road House on Rt 137), several small retailers (such as the Fabric Shop on Route 3), several professional offices (such as Robertson's Chiropractic Clinic and Atlantic Chiropractic, both on Route 3), several small auto repair shops (such as Gibb's on Back Belmont Road and Hanscom's Auto Body on Lincolnville Avenue), several construction or boat storage yards (Faulkingham on the Woods Road and Alex Turner's on Route 137), several licensed junkyards, and similar small scale businesses. In addition, there are quite a few gravel pits, including major operations such as Lane Construction and State Sand & Gravel, several small farms, and even a remaining chicken house or two. Most of the area off of the main roads, however, has seen little or no development.

The current zoning for much of this area changed dramatically in 1997 following adoption of a new Comprehensive Plan (adopted in 1995 and readopted as amended in 1997). Prior to 1997, most of the area was in the General Purpose zone which allowed most uses and required a minimum lot size of 1 acre with 100 feet of road frontage. In 1997, much of the area was removed from the General Purpose zone and included in either the Protection Rural (PR-1) or Residential Agricultural I (RA-1) zone. The Protection Rural zone generally limits uses to single-family and two-family houses and agriculture and requires a minimum lot size of 2 acres with 200 feet of road frontage. The Residential Agricultural (RA-1) zone also requires a minimum lot size of 2 acres (1 acre for an exempt division lot), but only 100 feet of road frontage is needed. The RA-1 zone allows housing and agriculture, and a limited number of nonresidential uses; such as but not limited to small convenience stores, small professional offices and restaurants. The stated goals in establishing the new zoning districts were to protect 'rural character' by limiting the types of development that could occur, and increasing the size of most new lots.

The City has examined the zoning adopted in 1997 and current development patterns. One problem with several areas is that the main roads often are used as the dividing line between zoning districts. Several examples include along Route 3, Back Belmont Road, and Back Searsport Road. This, unfortunately, has resulted in persons who live on one side of the road being able to use their land for activities that persons who may live on the other side cannot do.

In addition, current zoning rarely distinguishes between the different types of roads in Belfast; both the purpose of the road and the existing pattern of development along the road. For example, few would argue that Route 3 and the Rollerson Road are similar, but sections of both are now included in the same zoning district. Most of the state roads in Belfast, Routes 3, 7, 52, 137 and 141, experience high volumes of traffic, including persons who are traveling from one region of the state or country to another. Another class of roads in Belfast, such as Oak Hill/City Point, the Back Belmont Road and the Back Searsport Road, experience a significant amount of commuter traffic. While on others, such as the Hunt Road, Rollerson Road, and Baker Road, you likely could lay down in the middle of the road for five minutes or so and stand a good chance that you wouldn't get run over.

The approach recommended in this Plan for regulating land use in the Rural Area is based on the different types of road. Two classes of roads are suggested, Class 1 and Class 2. While the minimum lot size and the minimum amount of road frontage required for both classes of roads is similar, there are some significant differences in the type of uses allowed. Both Classes would allow single family housing and natural resource uses such as agriculture, forestry and gravel pits, but only the Class 1 roads would allow uses such as small scale auto sales and repair facilities and small scale offices (less than 4,000 square feet), and then only if the properties met specific criteria such as the amount of sight distance at the driveway entrance, amount of road frontage, and the ability to screen the use from neighbors. In addition, the proposal would allow somewhat smaller house lots with a lesser amount of road frontage if the lot does not front on the main road. The intent is to encourage back lot (no road frontage required) development.

## **Overview of Recommended Regulatory Approach**

**The main reasons for adopting this regulatory approach include the following:**

- 1) Areas that are or appear rural in character should remain rural in character.
- 2) The type of road often is a good indicator of the type of current that has occurred and the type of future development that should be permitted.
- 3) The approach will ensure that the regulations that apply to persons who live on one side of the road are the same as the zoning that applies to persons who live on the other side of the road.

- 4) This system has flexibility. If the character of a road changes over time, for example it begins to experience a much larger amount of commuter traffic, it is possible to change the zoning designation (Class of Road) of this road/area without affecting the zoning for the remaining area.
- 5) It is very important to manage the number and location of curb-cuts and driveways onto most roads in Belfast. The location and number of driveways is a significant public safety issue, and affects the speed of traffic on a road and the number of accidents.

**The regulatory guidelines that accompany this approach include the following:**

- 1) The depth of the zone for Class 1 roads is recommended to be 750 – 1,000 feet from the edge of the road right of way. All areas located more than this amount of distance from the edge of a right of way would be considered part of the Class 2 road system.
- 2) Notwithstanding # 1 above, it is recognized that 750 – 1,000 feet is an arbitrary distance and that it is not related to property ownership. Thus, a person whose property is in both a Class 1 zone and Class 2 zone that proposes a type of development that is only permitted in a Class 1 zone, can request a ‘Special Exception’ from the Belfast Zoning Board of Appeals to include more of their property in the Class 1 zone.
- 3) At the point at which Road Classes intersect, such as near an Intersection, the higher Road Class (Class 1) prevails.
- 4) Any existing use that may be rendered nonconforming by the adoption of this Code will be permitted to expand up to a maximum of 100% of the current floor area for any structure or 100% of the developed area on the site. Also, may allow an increase in size of lot on which nonconforming activity occurs.
- 5) City specifically endorses the long-term continuing use of all existing commercial properties in the Class 1 and Class 2 areas whose existing use would otherwise be rendered nonconforming by the implementation of these recommendations. Specific examples of such existing uses include the restaurant, convenience store and laundromat located at the intersection of Rte 137 and 7, and Belfast 52 Variety located at the intersection of Lincolntown Avenue and Back Belmont Road. Further, it is recognized that the above examples are just that, examples, and that this provision likely applies to other uses and properties in the Class 1 and Class 2 areas. The City shall examine alternatives to implement this policy and shall choose an approach that achieves the goal outlined in this policy.

### **Other planning concerns for this Area:**

- 1) The City should discourage the extension of public services to most of this area. This is a rural area. The extension of public sewer would be a tremendous public expense and would eventually cause the character of the area to change.
- 2) The City should strongly encourage the creation of ‘back lots’, including lots which have no frontage on the main road and which use a common driveway for access to the main road.
- 3) The City should allow the use of minor roads, roads which are about 16’ in width and which can remain a gravel surface, for developments which serve up to 7 house lots. These roads must remain in private ownership and would require a right-of-way width of 50’, and could use a hammerhead as a turn-around rather than a cul-de-sac at the end of the road. Why? Road construction is expensive, and roads which will generate little traffic do not need to meet the same construction standards as major travel roads.
- 4) The City, in an effort to encourage the construction of affordable ownership (non-rental) housing, should consider allowing small housing clusters on properties in which the lots created would be smaller than the minimum lot size required for the zone. The housing clusters typically would involve the provisions such as the following: no more than 7 single family housing units; construction of a single road to access all lots, usually a minor road; the retention of common open space area; offering homes which moderate income persons could afford to purchase; and provisions which cap that amount of appreciation in housing price for a reasonable period of time. This approach likely is more suitable for non-state roads, particularly Class 2 roads, and could apply to most Rural Road Class properties. While this provision could lead to residential growth occurring outside the established growth area, it also could result in one or more of the builders in the area undertaking a project which involves less risk in terms of land and infrastructure costs; two of the factors which often cause housing to be non-affordable.
- 5) The City should allow a wide range of uses which would be classified as home occupations to occur on a property, provided the use was operated by the owner/occupant of the property, and the use could satisfy applicable standards. Reference pages 14 & 15 of this Plan for greater detail regarding home occupations.

The Rural Road Class 1 and Rural Road Class 2 areas are both considered ‘Rural’ areas. While housing and some nonresidential uses are allowed, the City is not attempting to direct significant amounts of growth to these areas. For example, the City does not intend to expend significant capital project monies on constructing infrastructure improvements, such as public sewer (which is a recommended action in the growth areas), and proposed land uses are generally of lesser intensity and scale in this area.

# CLASS 1 ROADS

## “MAJOR RURAL TRAVEL ROADS”

### Goal

To carefully manage the intensity and scale of development so it does not conflict with use of the road, and to encourage development that is compatible with the general rural character of the area.

### List of Proposed Class 1 Roads

- 1) Route 3 (Belmont Ave), from Edgecomb Road to the Belfast – Belmont line. This area also includes a 40+ acre property now owned by Bank of America (formerly owned by the Gould/Perry families) that is located easterly of Edgecomb Road.
- 2) Route 137, (Waterville Road) from Marsh Road to the Belfast – Waldo line.
- 3) Back Searsport Road

**NOTE TO PUBLIC:** The remaining adopted language for the Rural Road Class 1 area is not shown because this land use area is not affected by this proposal.

## **CLASS 2 ROADS**

### **‘LOCAL COMMUTER ROADS & QUIET ROADS’**

#### **Goal**

To allow only low intensity development and to preserve, to the greatest extent practical, the rural character and amount of open space in the area.

#### **Examples of Class 2 Roads**

This district includes all roads and areas (area more than 750 - 1,000 feet from a Class 1 Road) that are not Class 1 Roads and which generally are located westerly of the Edgecomb Road, Crocker Road and Marsh Road on the westerly side of the River, and northerly of the Back Searsport Road on the east side of the River. Examples of these roads are listed below. This is not a complete list of all Class 2 Roads.

- Back Belmont Road
- Lincolnville Avenue (Rt 52), area located westerly of Troy Howard Middle School
- Route 7 (West Waldo Road)
- Doak Road
- Oak Hill Road
- Edgecomb Road
- Woods Road
- Jesse Robbins Road
- Pitcher Road
- Poors Mill Road
- Kaler Road
- Smart Road

#### **Permitted Uses (Examples of Main Uses)**

- 1) Single Family and Two Family Residential
- 2) Home Occupations, larger scale, including Bed & Breakfast and day care home (reference pages 14 & 15)
- 3) Agricultural, including accessory sales of products from the farm
- 4) Nurseries/greenhouses
- 5) Gravel Extraction (if not in watershed area)
- 6) Forestry operations, including wood processing

## **Permitted Uses Subject to Obtaining a Special Exception from the Zoning Board of Appeals**

- 1) Boat building, storage & repair
- 2) Self storage buildings
- 3) Recreational facilities, indoor & outdoor (golf courses & campgrounds)
- 4) Schools/churches & Child Care Centers (more than 13 students)
- 5) Kennels
- 6) Consider allowing contractor service yards, such as John Faulkingham yard on Woods Road
- 7) Septage disposal, treatment and spreading operations

The above types of uses often generate more impacts, and as such, warrant review by the Zoning Board of Appeals as a ‘Special Exception’ to ensure the proposed use does not adversely affect neighboring properties. Suggested criteria which the Board of Appeals would consider could include:

- 1) A use must have a larger lot size than the minimum 2 acre threshold otherwise required for a nonresidential use.
- 2) A greater amount of road frontage than 200 feet; likely 400+ feet.
- 3) Greater setbacks from the road, with the goal of establishing good quality screening for the project to create a buffer between the road and the use.
- 4) Greater setbacks from all side lot lines, likely 100+ feet, with the setback area to be a natural buffer area. Goal is to lessen conflict with abutting property owners.
- 5) Consider the amount and type of traffic generated by the use, and ensuring that there is good quality sight distance and adequate separation between the entrance to this site and adjacent driveways.

## **Minimum Lot Size & Density (Number of Housing Units per Acre)**

- 1) Single Family or Two-Family on 2 acres & 200 feet frontage if frontage on a Class 2 road.
- 2) Single Family or Two-Family on 1.5 acre & 150 feet frontage if no frontage on a Class 2 road. Also, a back lot may not require any road frontage.
- 3) Multifamily residential is a prohibited use.
- 4) A nonresidential use must have at least 2 acres & 200 feet of road frontage, but the amount could be greater if it is subject to obtaining a special exception from the Zoning Board of Appeals.

## **Setbacks (Distance Structure must be Located from a Lot Line)**

- 1) Front structure setback of 30 feet for a residential use
- 2) Side and rear setback requirements of 15 feet for a residential use.
- 3) Front structure setback of 75 feet for a structure that is used for a nonresidential use. Also, the amount of front setback for a nonresidential use could be greater subject to a ‘special exception’ from Zoning Board of Appeals.

- 4) Side setback requirement of 30 feet for a nonresidential use, and the amount of this setback could be greater subject to 'special exception' from Zoning Board of Appeals.
- 5) Rear setback requirement of 50 feet for a nonresidential use, and the amount of this setback could be greater subject to 'special exception' from Zoning Board of Appeals.

## **Major Changes Compared to Current Requirements**

The amount and type of change is based on the zoning district in which the area currently is located. Four main zoning districts now apply to the areas that are proposed to become Class 2 Roads; Residential Agricultural-1, Protection Rural-1, Residential Growth, and Residential II. The land use maps provided in this document illustrate both current zoning and the proposed land use designation.

Areas that currently are in Residential Agricultural-1 zone would be affected as follows. This mostly includes all areas along Route 7 (West Waldo Road), the southwest side of the Doak Road, the westerly side of the Edgecomb Road, the area near the intersection of Lincolnville Avenue and the Back Belmont Road, the easterly side of the Jesse Robbins Road, and all of the Pitcher Road and Poors Mill Road area.

- 1) The minimum lot size would remain the same for most residential uses, but the current 1 acre exemption for exempt subdivision lots would no longer apply.
- 2) The minimum amount of road frontage would usually increase from 100 feet to 200 feet.
- 3) There will be a decrease in the range of nonresidential uses that would be permitted compared to the current zone. For example, restaurants, professional offices and convenience stores would no longer be permitted. The proposed amendment would result in Belfast 52 Variety on Lincolnville Avenue being considered a nonconforming use.
- 4) The amount of side and rear setbacks could increase for some nonresidential uses.

Areas that currently are in Protection Rural 1 zone would be affected as follows. These areas mostly include Smart Road, northeasterly side of Doak Road, Oak Hill Road, the westerly side of Jesse Robbins Road, and the Woods Road.

- 1) The minimum lot size and minimum amount of road frontage would remain the same for most purposes.
- 2) The range of uses that would be permitted would be expanded to include a few nonresidential uses that currently are prohibited; boat repair, recreational uses, and self storage buildings for example.
- 3) The amount of side and rear setbacks could increase for some nonresidential uses.

Areas in Residential Growth zone would be affected as follows. This includes only the area along the easterly side of Edgecomb Road.

- 1) The minimum lot size would increase from 1/2 acre to 2 acres.
- 2) The minimum amount of road frontage would increase from 60 feet to 200 feet in most cases.

- 3) The range of uses that would be permitted would be expanded to include some nonresidential uses; such as boat repair, storage facilities and recreation facilities.
- 4) Also, some uses that are now permitted would be prohibited, such as professional offices.
- 5) The amount of side and rear setbacks could increase for some nonresidential uses.

Residential II zone includes only the area along ~~the~~ Herrick Road and Perkins Road, and would be affected as follows.

- 1) Lot size increases from ½ acre to 2 acres.
- 2) Road frontage increases from 60 feet to at least 200 feet.
- 3) Allows a few nonresidential uses that are now prohibited, such as kennels, but also prohibits a use that is now permitted, professional offices.
- 4) Amount of structure setbacks would increase.

### **Other Issues & Ideas To Consider**

- 1) Many of these roads experience commuter traffic. The speed of this traffic often conflicts with how residents view their area as being located on a ‘Rural’ road, and an area in which they expect both the amount and speed of traffic to be reasonable. This conflict likely will be exacerbated as more of the rural land in Belfast and surrounding towns is developed.
- 2) Most existing development, particularly housing development, is often located fairly close to the road. The proximity of existing houses to the road can lead to conflicts between the amount of activity on the road and residents’ expectation that they live in a quiet rural area.
- 3) It is critical that the City manage the location and number of curb-cuts along these commuter roads.
- 4) Much of the land in this area is undeveloped, including many large tracts of land (50+ acres). This land, however, rarely is being used for a natural resource purpose, such as forestry or agriculture, and one of the main reasons it remains undeveloped is the current lack of development pressure. This current lack of development pressure could be transitory, and as the desire for more development occurs, land that is now considered rural could be developed in a manner that eliminates the general rural character of the area. For example, a person who owns a single family house on a 5 acre lot on the Woods Road may be concerned if a 25 unit subdivision is proposed on an abutting 50 acre parcel; a feeling of too much development. The City should consider implementing regulatory provisions that attempt to retain the rural character of the area, such as requiring open space subdivisions and/or requiring the preservation of natural buffer areas.
- 5) The City, in an effort to encourage the construction of affordable ownership (non-rental) housing, should consider allowing small housing clusters on properties in which the lots created would be smaller than the proposed minimum lot size

required for the zone. The housing clusters typically could involve provisions such as the following: no more than 7 single family housing units; construction of a single road to access all lots, usually a minor road; the retention of common open space area; offering homes which moderate income persons could afford to purchase; and provisions which cap that amount of appreciation in housing price for a reasonable period of time.

- 6) The City should encourage private efforts that result in the long-term protection of important open space resources, such as conservation easements.
- 7) City should consider locations in which a salvage yard or junkyard can be operated. Any such operation would need to conform to all State standards and be adequately screened and separated from neighboring properties. Further, the use should not result in any likelihood of adverse impacts on individual drinking water supplies or the area's natural resources. Currently, there are several salvage and junk yard operations in the area which is proposed to be Rural Road Class 2.

## **OUTLINE OF APPROACH TO REGULATE HOME OCCUPATIONS**

The approach outlined in this section identifies examples of the types of uses that could qualify as allowed home occupations, larger scale operations, and some of the issues that will be important to consider in the regulation of such uses. The overall approach would allow a fairly wide range of home based businesses to occur in the Outside Rural area, both the Class 1 and Class 2 areas, provided such businesses are small in scale and do not adversely impact other property owners in the area. It is noted that this list of guidelines is quite explicit, mostly so users of this Plan have a good start point for considering how home occupations should be regulated. It is also noted that these guidelines appear in the Outside Rural Area of the Plan, however, many of these would be applicable to other proposed land use areas identified in this Plan in which larger scale home occupations would be allowed.

- The owner/operator of the business must live on the property. It must be a home based business. It is noted that the standard specifically references 'live' on the property rather than 'own' the property, which means that someone who rents/leases the property could operate the business. The Belfast Planning Board has issued home occupation permits to a number of persons who rent a property, provided the owner of the property consents to the use.
- Home based businesses would allow the production of goods on site. Such businesses that produce goods on site or engage in trades that add real value to goods produced elsewhere would have the opportunity to sell such goods on the property, provided the size (square feet) of the retail sales area is quite small, usually no greater than 800 square feet. In addition, such sales also could include a limited number of goods not produced on the site, provided such goods are similar or related to the goods produced on the site (for example, candle holders for a person that produces

candles in their business), and that the production and accompanying sale of goods produced on the site is the prime activity. Examples of such uses include but are not limited to: a business that makes furniture on-site and sells such goods on site, a business that makes candles on site and sells such goods on site, a business that makes clothing on the site and sells such goods on site, and a business that produces art on site and sells such goods on site.

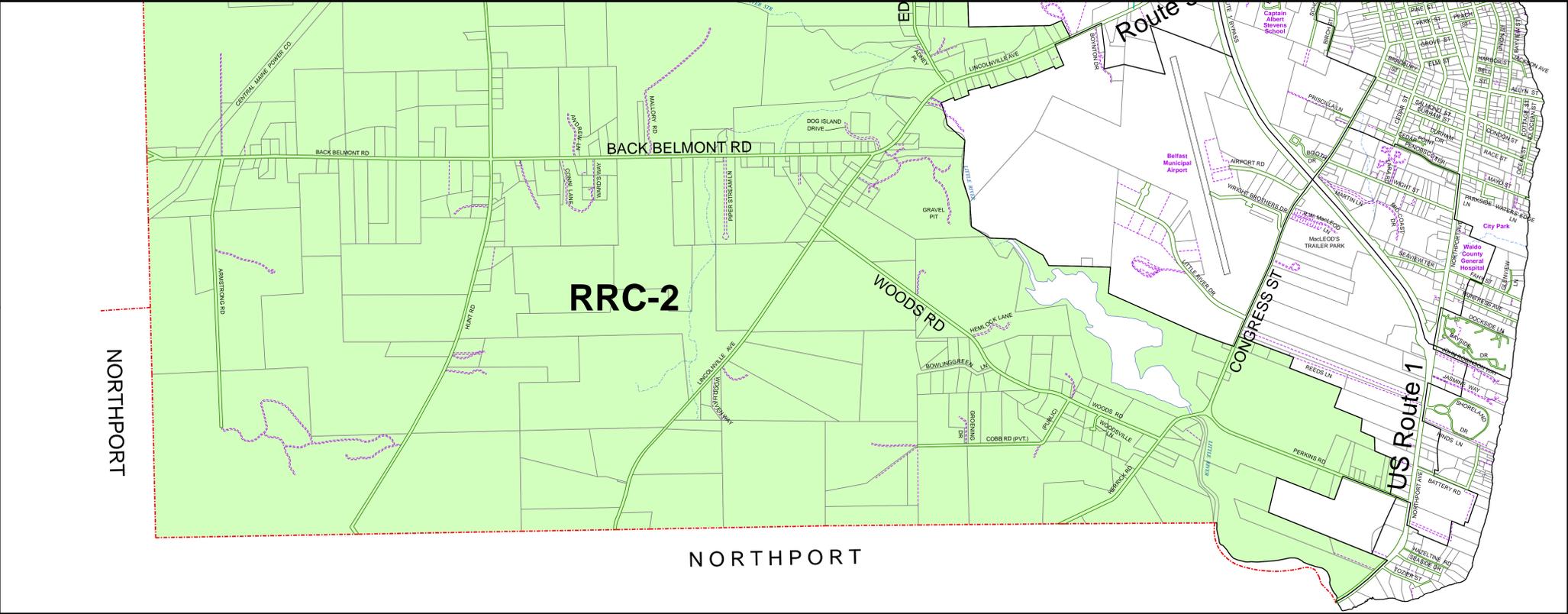
- Home based businesses that engage in the sale of second hand products would be permitted as special exception, provided the size of the structure in which sales occur is no greater than 1,200 square feet, and there is no outside display of goods for sale. Examples of such uses would be Joan's Tree House on Tufts Road and Mary's Oak Hill Barn in Swanville. (It is noted that this 'category' of use likely is the most difficult to regulate and could result in a proliferation of uses such as antique shops and similar retail stores along a road.)
- Home based businesses would allow the delivery of services on the site, provided the size of the area in which services are provided is quite small, usually no greater than 800 square feet. Examples of such service businesses include but are not limited to: a small engine repair shop, a shoe repair shop, a hair salon, and a seamstress.
- Home based businesses would allow the delivery of professional services, services usually provided in an office, provided the office use is quite small, usually no greater than 800 square feet, and does not involve more than 2 employees not related to the business owner.
- Home based businesses could include the operation of a small scale restaurant and places that sell food prepared on site. Small scale means a building that has no more than 20 seats.
- Home based businesses could include operations that are accessory to an on-site agricultural use. Examples of such may include a farm stand, a livery, a corn maze, petting farms, and such. It is noted that the 'face' of agriculture is changing, and that farms are now engaged in an increasing array of accessory operations to sustain the farm. For example, the Good Karma Farm on Perkins Road raises llamas and alpacas and sells fiber goods and soaps, and the Keene Farm on Shepard Road sells compost.
- Home based businesses specifically would include a home based day care business which the State currently defines as less than 13 students. Any facility with more than 13 students would need to be considered as a day care center.
- The City should consider the adoption of standards to regulate such uses to lessen any potential adverse impacts on neighbors. These standards could include but are not necessarily limited to: limitations on the hours of operation; prohibitions on the storage of outside goods; no noxious impacts on neighbors; and the amount of traffic should be low scale and all parking must occur on the site. It is expressly understood that these guidelines are suggestions, and that the City may consider more specific

standards in preparing the Zoning Ordinance language that would be adopted to implement this policy direction.

- City should monitor the number of small home based businesses and other types of businesses that occur in various sectors of the Outside Rural area and will consider if City regulations are effective in ensuring that this is a 'Rural' area and that one person's use of their property is not adversely affecting neighboring properties.

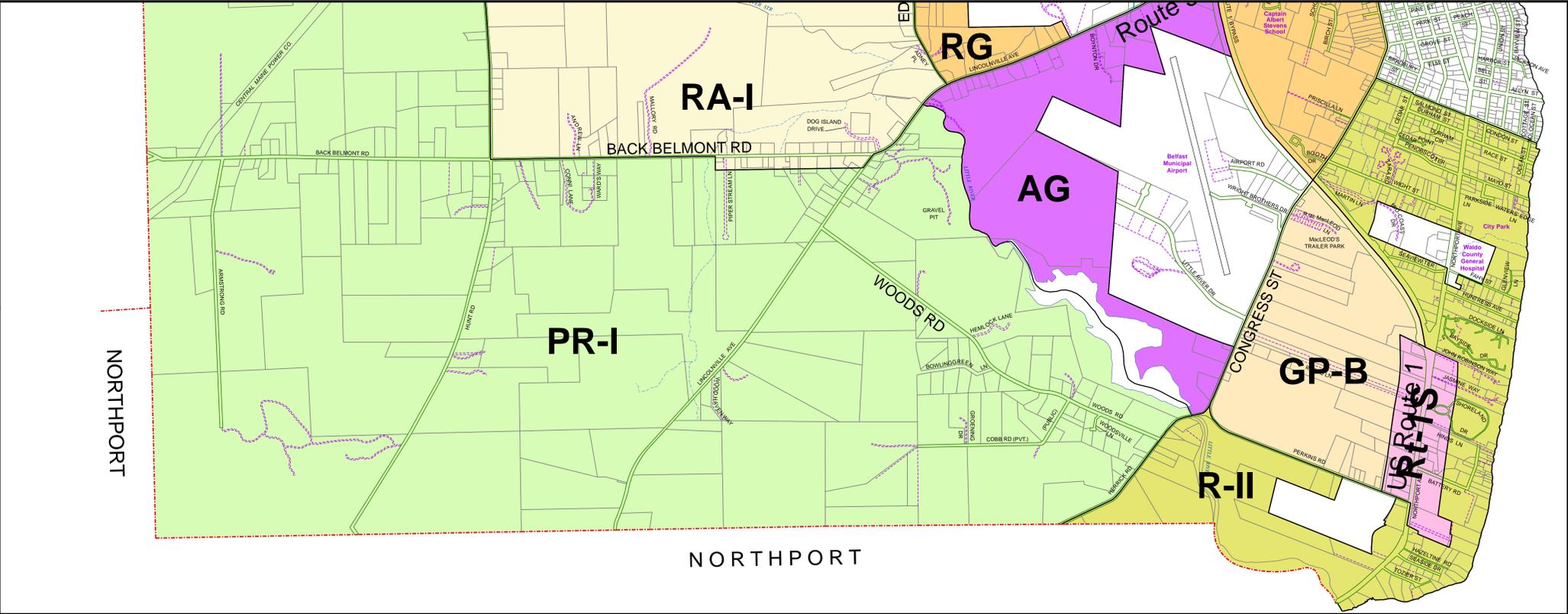
# Back Belmont Area Rural Road Class

## PROPOSED LAND USE AREA



Zone  
RRC-2 Rural Road Class 2

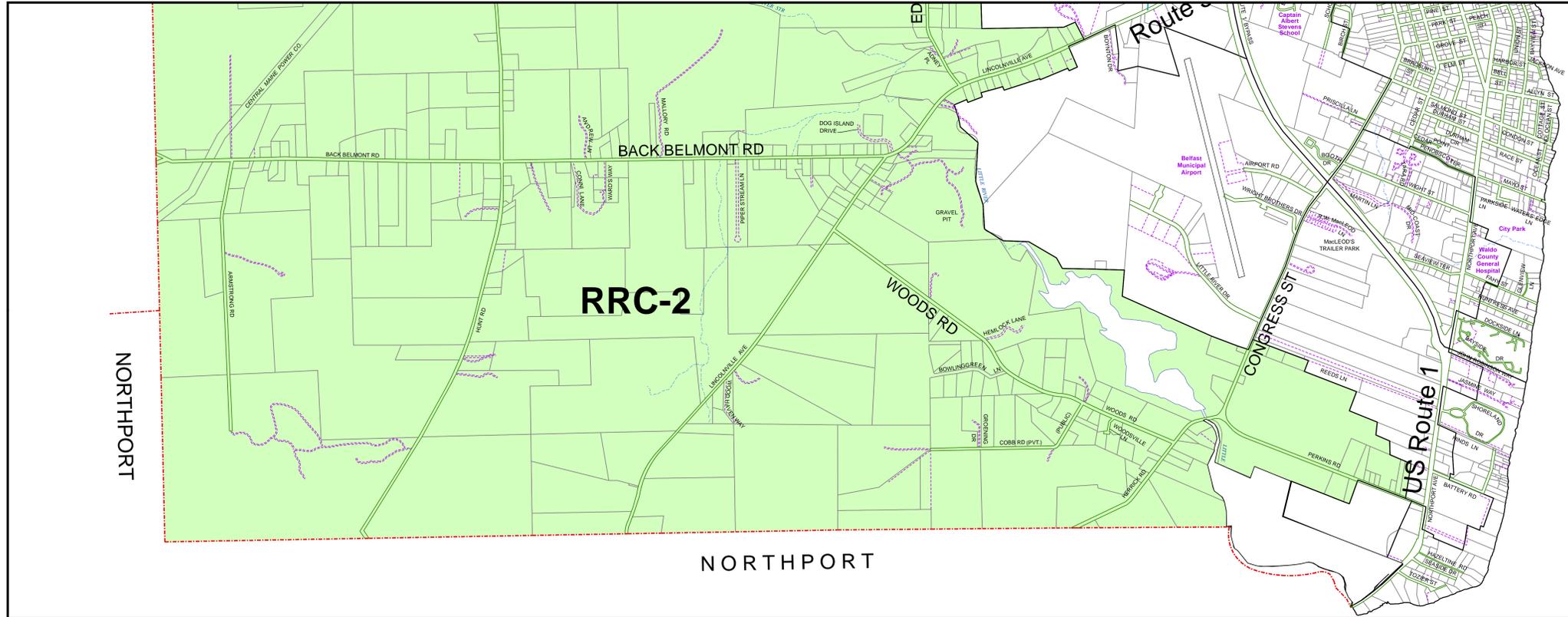
## EXISTING ZONING



Zone  
 AG Airport Growth District  
 GP-B General Purpose "B" District  
 PR-I Protection Rural District  
 R-II Residential II District  
 RA-I Residential/Agricultural I District  
 RG Residential Growth District

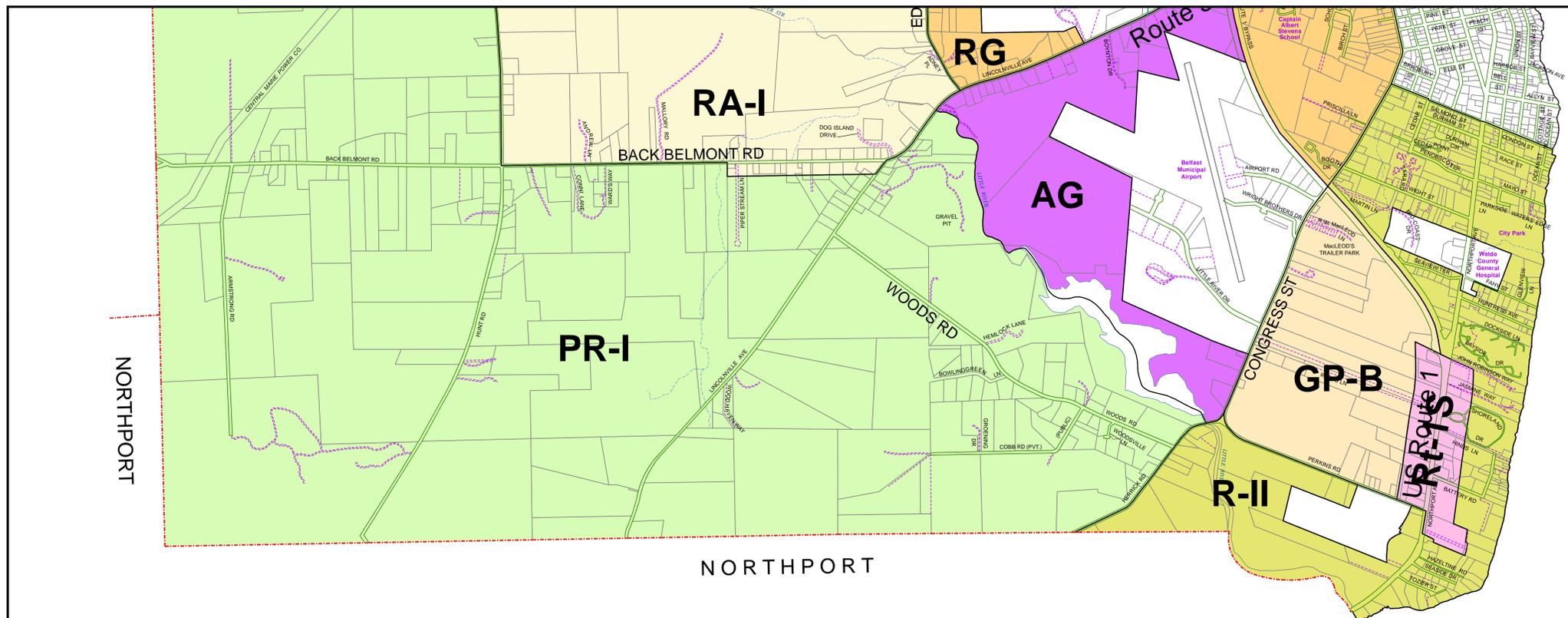
# Back Belmont Area Rural Road Class

## PROPOSED LAND USE AREA



Zone  
RRC-2 Rural Road Class 2

## EXISTING ZONING



Zone  
AG Airport Growth District  
GP-B General Purpose "B" District  
PR-I Protection Rural District  
R-II Residential II District  
RA-I Residential/Agricultural I District  
RG Residential Growth District

Proposed Amendment Removes about 55 Acres of Land Owned by Belfast Water District & Sam Cassida from Rural Road Class 2 Area

**FUTURE LAND USE PLAN  
BUSINESS PARK AREA  
3-20-18 PUBLIC HEARING**

**NOTE TO PUBLIC:**

- 1) The Business Park area is a land use area identified in the adopted 2009 Future Land Use Plan (part of the Comprehensive Plan) for the City. This area is included in the Near Bypass area. The City proposes to amend the currently adopted language for the Business Park area by eliminating all references to the Mathews Brothers property. The City also proposes to amend the adopted map that identified the areas included in the Business Park area by eliminating the Mathews Brothers property from this map. The text of the proposed amendments are identified in this proposal, and a map of the currently adopted Business Park area also is included.

The amendments are associated with the City's proposal to create and adopt a new land use area, the Perkins Road Business Park, as part of the Future Land Use Plan. This area would similarly be included in the Near Bypass area. Creation of a specific land use area for the Perkins Road Business Park is a direct result of the January 2018 announcement by Nordic Aquafarms to pursue development of a significant land based salmon aquaculture farm on property owned by the Belfast Water District and Sam Cassida near the lower reservoir of the Little River. The proposed Perkins Road Business Park would include the Mathews Brothers property and the area proposed by development as a salmon aquaculture farm. This area is identified on the map that accompanies the proposed Perkins Road Business Park area.

- 2) All text shown in Black font is existing language shown in the 2009 adopted Future Land Use Plan. All text shown in **red font** is text that is proposed to be added. All text shown in ~~blue and strike-through font~~ is text that is proposed to be eliminated. All text shown in **green font** is informational in nature to aid the public in understanding the proposed amendments. Text in **green font** is not part of the final proposed Ordinance language.

## TEXT OF PROPOSED AMENDMENTS

### BUSINESS PARK

#### “JOBS ZONE”

##### Goal

To establish an area that encourages business development within the City developed Business Park and on surrounding lands and which allows and supports airport operations and the expansion of such.

##### Overview of Past, Present & Future Use

The City established the Belfast Business Park, formerly the Belfast Industrial Park, in the mid-1980's. Current development in the Park, such as Ducktrap Seafoods and Belfast Industries, employs over 300 persons. The City owned 6 unsold lots in the Park in 2009, the combined size of which is about 12 acres. The Business Park surrounds the Belfast Airport, a municipally owned airport that is experiencing increasing private use and which underwent significant improvement in 2005 – 2006. At present, however, there are no commercial carriers which provide regular/scheduled passenger or freight services at the airport.

The proposed district includes all lands in the Business Park and the Municipal Airport, and also includes the 100 acre parcel the County purchased in 2004 from Charles Boynton as a potential site for a new County jail, and other lands owned by the Boynton's. The main purpose of this area is to encourage business growth that creates jobs, particularly industry, warehousing and offices. The City Council, in 2004, amended terms of the former Industrial I zone to establish the Business Park zone. Current regulatory standards appear to be appropriate for this area. This approach recognizes that the City covenants that regulate the use of properties in the Park often provide more definitive standards to manage uses in the Business Park and at the Airport than via the use of zoning regulations.

~~In addition, Matthews Brothers' current operations on Perkins Road are now located in a zoning district that applies only to their property; the Industrial IV zoning district. It is recommended that this property be included in the Business Park area. This change would not adversely affect Matthews Brothers operations and would result in the elimination of a single property zoning district.~~

## Recommendations

### Permitted Uses (Examples of Main Uses)

- 1) Manufacturing, including accessory retail
- 2) Warehousing
- 3) Offices & some service businesses
- 4) Municipal & County uses
- 5) Single family (limited to 1 unit per parcel or 1 unit per every 5 acres for parcels greater than 5 acres. Also, no residential uses in the City Business Park or at the Airport per existing covenants).

### Minimum Lot Size

1 acre (sewer or septic) for any use  
Minimum 150 ft of street frontage

### Density (Number of Housing Units per Acre)

A maximum of 1 single family residence per lot, or if a parcel is greater than 5 acres in size, 1 housing unit per 5 acres. This density requirement reflects concern with the potential conflict between residential uses and use of Belfast Airport. It is also noted that residential uses are prohibited in the Business Park.

### Setbacks (Distance Structure must be Located from a Lot Line)

- 1) Setback requirements for the Business Park are now established by Business Park regulations, and this approach should continue.
- 2) Setbacks for other areas should be no less than 25 feet from all lot lines, ~~with the current front setback provision for the Matthews Brothers property (Industrial IV zone) remaining in effect.~~

### Major Changes Compared to Current Requirements

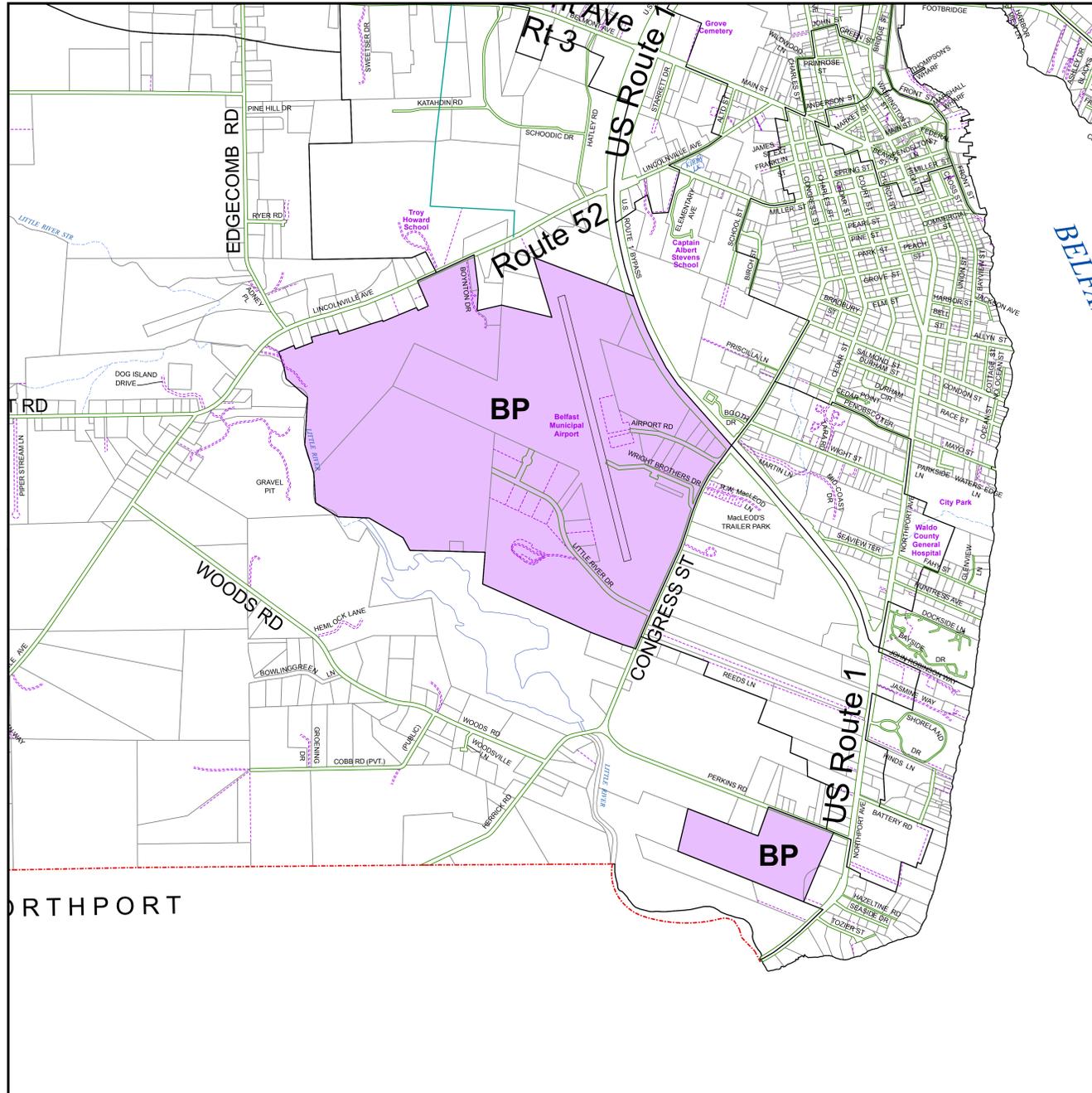
- 1) One change is to extend the boundaries of this area to properties now owned by the Boynton family and Waldo County that currently are in the Airport Growth zone.
- 2) Second change is to allow a maximum of 1 single family house for every 5 acres of land. Housing is now prohibited. It also is noted that housing is expressly prohibited at the Business Park and the Airport.
- 3) ~~Proposal also should apply to the Mathews Brothers property on Perkins Road, and should replace the current Industrial IV zone, which is a single property district.~~

## Other Issues & Ideas To Consider

- 1) It is important to better manage potential land use conflicts regarding current and future use of the airport by establishing an Airport Protection Overlay zone. The intent is to establish an overlay district that accurately reflects areas in which conflicts could occur, and regulations that effectively address these conflicts. The City Airport Committee should be consulted in establishing the boundaries and regulations that would apply to the overlay district. This proposed overlay district would replace the current Airport Growth zone area.
- 2) The City likely will need to upgrade the public sewer in the Business Park if a high volume water user locates at the Park. The current sewer can support low level users, but a high level user could require upgrades to the pump stations. City also may want to explore joint efforts with the County to extend sewer from this site to the Route 52 pump station near Troy Howard Middle School, rather than relying upon the current sewer line which pumps sewage to the Wight Street area.
- 3) City should consider acquiring land adjacent to the Airport and Business Park to enhance operations of such.
- 4) Consistent with 3 above, City should consider the long-term need to expand the size of the current Business Park. The few remaining lots in the Park likely cannot serve a larger scale use.
- 5) ~~All land adjacent to the Little River should be protected by a 250 foot deep Resource Protection Shoreland zone.~~

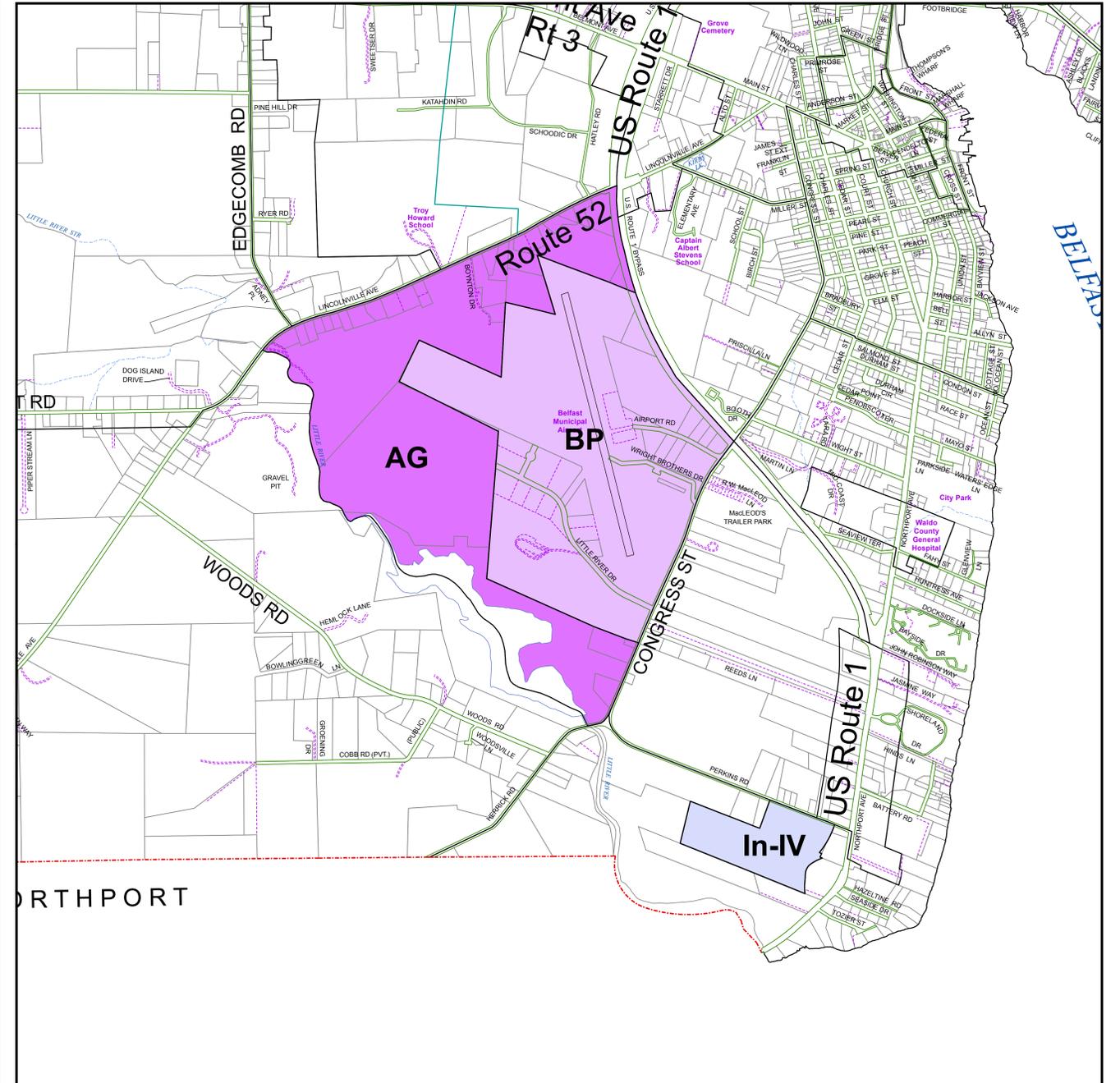
# Business Park

## PROPOSED LAND USE AREAS



Zone  
BP Business Park

## EXISTING ZONING

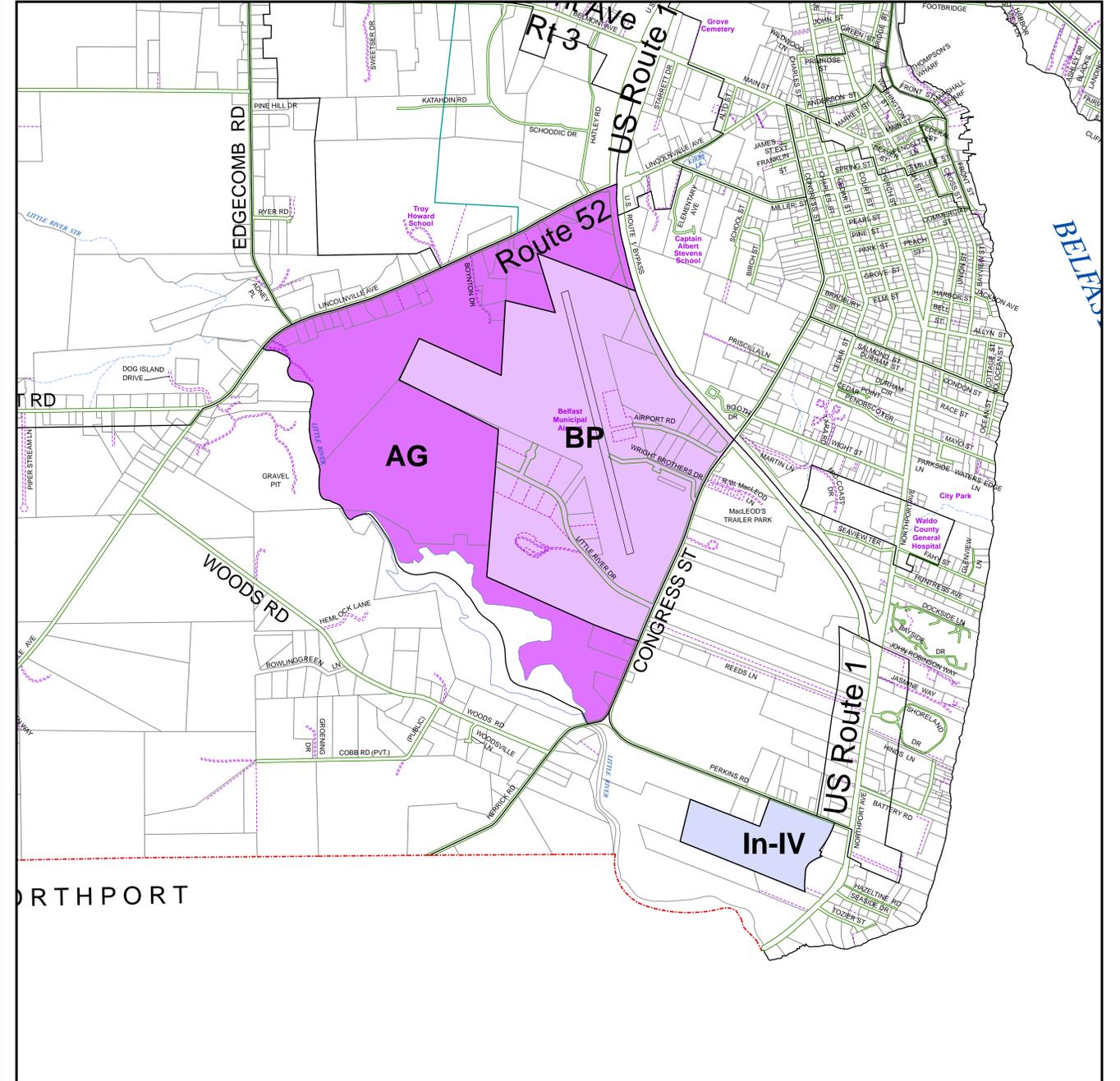
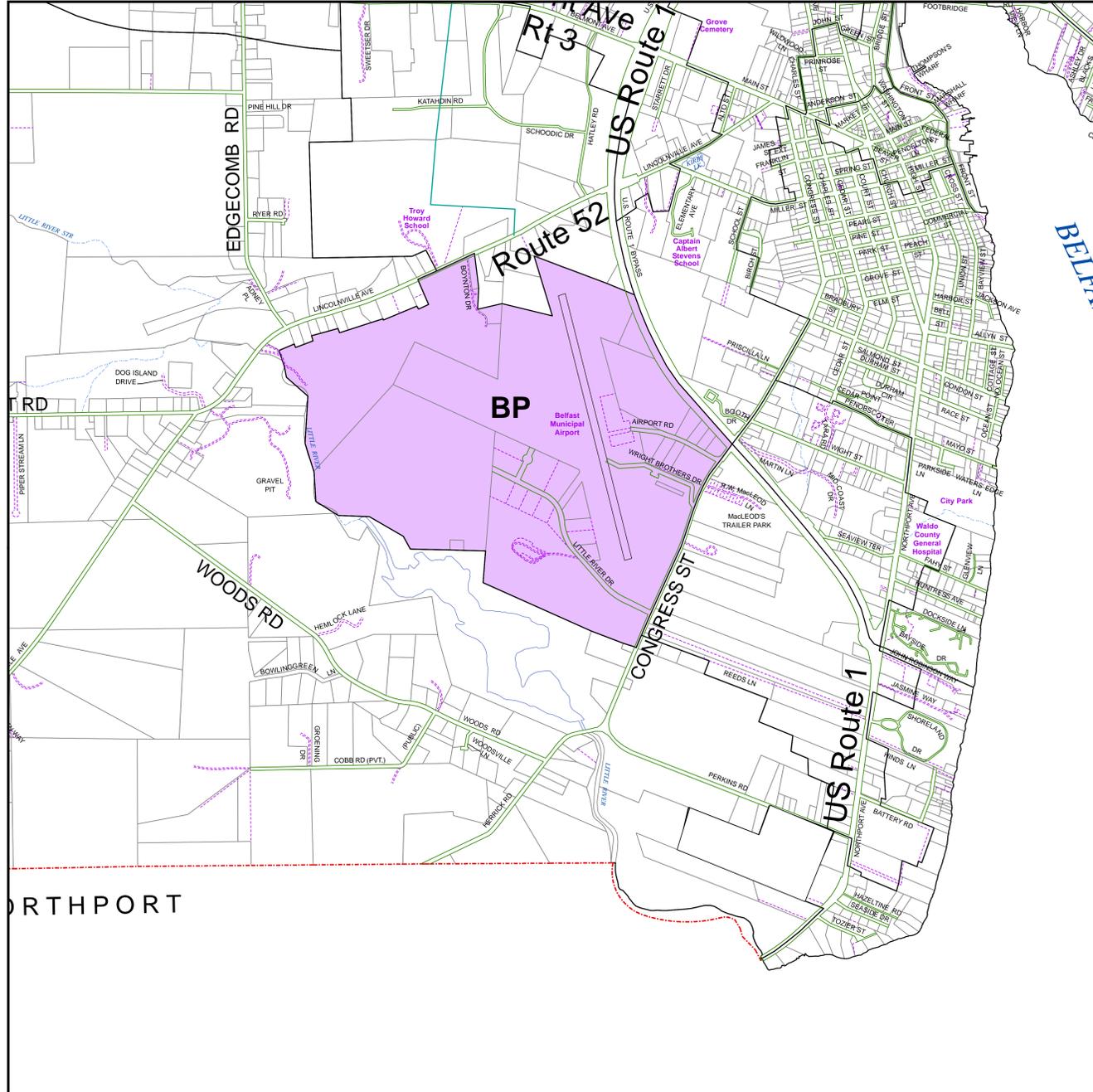


Zone  
AG Airport Growth District  
BP Business Park-Airport District  
In-IV Industrial IV Perkins Road District

# Business Park

## PROPOSED LAND USE AREAS

## EXISTING ZONING



Zone  
BP Business Park

Zone  
AG Airport Growth District  
BP Business Park-Airport District  
In-IV Industrial IV Perkins Road District

Proposed Amendment Removes Mathews Brothers property on Perkins Road from the Business Park Land Use Area