



CITY OF BELFAST, MAINE 04915

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CODE & PLANNING DEPARTMENT

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**SECOND PROCEDURAL ORDER OF THE BELFAST PLANNING BOARD
IN RE: APPLICATION OF NORDIC AQUAFARMS, INC.
DATED NOVEMBER 6, 2019**

The purpose of the Second Procedural Order of the Planning Board is to amend certain terms of the First Procedural Order of the Board dated July 15, 2019; a copy of the First Procedural Order is attached. All 'Parties-in-Interest' are advised to become familiar with and to comply with terms of this Second Procedural Order.

The Planning Board received the Nordic Aquafarms permit applications on June 11, 2019. The Board initiated its first formal review of the permit applications at its meeting of June 26, 2019, and through its meeting of October 23, 2019, has now conducted 10 public meetings on the application, including 7 public meetings at which one or more public hearings (a total of 19 public hearings on certain elements of the application) were conducted. The Planning Board, at its meeting of August 5, 2019, also identified parties who were awarded 'Party-in-Interest' status in accordance with terms of the First Procedural Order; a total of 8 Parties.

The First Procedural Order, reference clause 2, identified the specific process a 'Party-in-Interest' must comply with to submit expert testimony to the Planning Board. The Board, recognizing that the Nordic applications have now been available for review by all 'Parties-in-Interest' for 4 or more months (since mid-June 2019), that the Board has conducted public hearings on many elements of the application, and that the Board desires to receive complete future information from 'Parties-in-Interest' so that it may thoroughly consider such in a timely manner, hereby amends clause 2 in the First Procedural Order to read as follows:

2. Each 'Party in Interest' shall file all documentary evidence and expert reports, including the names, curriculum vitae (CV) and areas of expertise of any expert who might testify in accordance with the following schedule:
 - a. Air Emissions, Attachment 31 - Submission by November 13, 2019
 - b. Traffic, Attachment 17 - Submission by November 13, 2019
 - c. Chapter 102, Zoning Standards, Attachment 4 - Submission by November 26, 2019
 - d. Chapter 90, Site Plan Standards, Attachment 5 - Submission by November 26, 2019
 - e. Chapter 82, Shoreland Standards, Attachment 6 - Submission by November 26, 2019
 - f. Chapter 98, Technical Standards, Attachment 7 - Submission by November 26, 2019

A written or electronic copy of all evidence and required information must be submitted by 4:00 pm on the above identified dates to the City of Belfast, Code and Planning Department, 131 Church Street, Belfast, ME, 04915, or to public@cityofbelfast.org. The above schedule

shall replace the requirement identified in the First Procedural Order to file information a minimum of 7 days before the substantive review of the publicly noticed topical areas for these issues. The standard identified in the First Procedural Order shall continue to apply to other elements of the Nordic permit applications not identified in the above schedule.

The Second Procedural Order does not affect Clauses 1, 3 and 4 identified in the First Procedural Order dated July 15, 2019.

The Belfast Planning Board, at its meeting of October 30, 2019, approved the overall terms of the above amendments to the First Procedural Order dated July 15, 2019, and at its meeting of November 6, 2019, adopted a motion to approve the specific language in this Order.

The Planning Board specifically notes that the First and Second Procedural Order only apply to 'Parties-in-Interest'. Neither Order applies to any person who wishes to be heard as a member of the General Public. The Planning Board has and will continue to provide opportunities for members of the General Public to offer oral comment at specific public hearings conducted by the Planning Board, and to accept comment in writing or via email. Written comment should be sent no later than 3:00 pm on the date of a scheduled public hearing to: City of Belfast, Code and Planning Department, 131 Church St, Belfast, ME, 04915, and email comment to: public@cityofbelfast.org. Planning Board agendas will be posted on the City website, cityofbelfast.org, reference both the Planning and Codes link and the agendas, Planning Board link.

On behalf of the Belfast Planning Board,

A handwritten signature in black ink, appearing to read "Wayne Marshall", written over a circular stamp or mark.

Wayne Marshall
Director, Code and Planning

FIRST PROCEDRAL ORDER OF THE BELFAST PLANNING BOARD

IN RE: APPLICATIONS OF NORDIC AQUAFARMS, INC.

DATED JULY 15, 2019

Nordic Aquafarms, Inc. has filed a substantial amount of material to support multiple land use Permit applications for review by the Belfast Planning Board. It is anticipated that there may be a large number of persons or entities that wish to participate as a 'Party in Interest' before the Planning Board. The Belfast Planning Board, in the interest of providing orderly public hearings and to avoid prejudice of late filings, hereby issues the following Procedural Order:

1. All persons or entities who seek to be allowed to participate as a "Party in Interest" before the Board shall provide a written statement to be filed with the Planning Board on or before July 30, 2019, which is least six (6) days before August 5, 2019, and which is the date of commencement of substantive review by the Planning Board of the Nordic Aquafarm Permit applications. The statement shall contain the following information:
 - a. Name and residential address (or primary place of business) of the person or entity seeking to participate as a "Party in Interest", including a copy of the deed or other evidence of land owned by the "Party" or entity that may directly or indirectly be affected by the proposed use;
 - b. An explanation as to why land owned by the "Party" (person or entity) will be directly or indirectly affected by the proposed use in a way that would demonstrate a particular injury to the "Party in Interest" that is distinct from any impacts on the general public; and,
 - c. A good faith estimate of the length of time the "Party in Interest" anticipates it may need to provide testimony.
2. Each 'Party in Interest' shall file all documentary evidence and expert reports, including the names, curriculum vitae (CV) and areas of expertise of any expert who might testify, a minimum of 7 days before the substantive review of the publicly noticed topical areas to be reviewed by the Planning Board on

a date certain, as posted on the City of Belfast website, cityofbelfast.org, reference Planning and Codes, Nordic Aquafarms Permit.

3. Any documentary information or comment that the general public or a 'Party in Interest' seeks to file on the sufficiency of the Applicant's claim of Right, Title, and Interest, for the purpose of the Planning Board's review of its jurisdiction, shall be filed on or before July 30, 2019. The Planning Board will be considering this issue at its meeting of August 5, 2019. The Board will not be accepting any oral public comment at its meeting of August 5, 2019 on the issue of Right, Title and Interest.
4. Failure to file the information described herein on or before the deadlines described herein may result in the exclusion of said information from the record, in the Planning Board's sole discretion.

THIS PROCEDURAL ORDER WAS APPROVED UNANIMOUSLY BY THE BELFAST PLANNING BOARD ON JULY 11, 2019. EXCEPT FOR THE DEADLINE TO FILE INFORMATION REGARDING RIGHT, TITLE, AND INTEREST (reference #3 above), THIS PROCEDURAL ORDER DOES NOT APPLY TO ANY PERSON WHO WISHES TO BE HEARD AS A MEMBER OF THE GENERAL PUBLIC. THERE WILL BE MULTIPLE FUTURE OPPORTUNITIES FOR THE GENERAL PUBLIC TO COMMENT ON THE PERMIT APPLICATIONS. THE BELFAST PLANNING BOARD WILL PROVIDE PUBLIC NOTICE OF THE DATES FOR ALL PUBLIC HEARINGS, AND THE SPECIFIC ISSUES THAT THE BOARD WILL BE CONSIDERING AT THE RESPECTIVE MEETINGS.