

**MEMORANDUM TO CITY COUNCIL
SEPTEMBER 17, 2014 PUBLIC HEARING
PROPOSED ORDINANCE AMENDMENTS
From Wayne Marshall, City Planner**

The City Council is scheduled to conduct a series of public hearings on Wednesday, September 17, beginning at 6:00 p.m. at the Boathouse at Steamboat Landing regarding the proposed Ordinance amendments to the Inside the Bypass area. I have attached the following information which you should bring to the meeting for that hearing.

- 1) **Agenda for the September 17 public hearing.** Please note that I will be making 5 presentations, 1 for each zoning district, and that each will be followed by a public hearing on that respective area. At the end of the meeting, the Council can decide if you want to take any action on the proposed amendments that evening. If you do not want to take action on the 17th, we should schedule a workshop at which you will discuss the proposed amendments.
- 2) **Maps for Traditional Setbacks.** I have included 5 maps that help to illustrate the traditional neighborhood setback requirements. You can view these in a pdf format on the City website under the Planning and Codes folder if you want to enlarge or zoom in on any of the respective maps.
- 3) **New Public Comment.** I have included the 2 new email comments that I have received in response to the public hearing ad for the September 17 public hearing.
- 4) **Written Public Comment to Planning Board.** I have included all written comment submitted to the Belfast Planning Board for their June 25, July 2 and July 8 public hearings. Much of this comment involved the Board's decision on the Seaview Terrace area. The majority of the remaining comment involved the proposed Residential 1 zoning district.

I would be happy to answer any questions.

CITY OF BELFAST CITY COUNCIL
BOATHOUSE at STEAMBOAT LANDING
SEPTEMBER 17, 2014
6:00 P.M.

SPECIAL COUNCIL MEETING & PUBLIC HEARINGS

- 1) Call to Order
- 2) Roll Call: Mayor, Walter Ash, Councilors, Mary Mortier, Roger Lee, Eric Sanders, Michael Hurley and Nancy Hamilton, Joseph Slocum, City Manager and Manda Cushman, Administrative Assistant.
- 3) Adoption of the Agenda
- 4) Explanation of Meeting and Hearing Process. - Wayne Marshall, City Planner. (The official public hearing announcement is provided below).

The Belfast City Council, at a Special Council meeting to occur on Wednesday, September 17, 2014, at the Boathouse at Steamboat Landing, beginning at 6:00 p.m., shall conduct a public hearing regarding proposed amendments to the City of Belfast Code of Ordinances. Persons who may be affected by the proposed amendments are encouraged to attend the public hearing and offer comment to the Council. Public comment on the proposed amendments also can be submitted by the hearing date in writing to following address; City of Belfast, Code and Planning Department, 131 Church Street, Belfast, Maine, 04915, or via email to public@cityofbelfast.org.

Copies of the proposed amendments can be inspected during normal business hours, Monday - Friday, 8:00 am - 5:00 pm, at the Code and Planning or City Clerk's offices in Belfast City Hall located at 131 Church Street or at the Belfast Free Library. The proposed amendments also can be viewed on the City of Belfast website, cityofbelfast.org. Questions regarding the proposed amendments should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or at wmarshall@cityofbelfast.org.

The proposed amendments affect areas located inside or near the Route 1 Bypass, and apply to the following provisions of the City Code of Ordinances:

- Article V, District Regulations, Division 1, Generally. Section 102-301. Amendments to Official Zoning Map
- Article V, District Regulations, Division 30. Establishment of Table of Uses for the following zoning districts located Inside the Bypass or near the Bypass: Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.
- Article V, District Regulations, Division 31. Establishment of a Table of Dimensional Regulations for the following zoning districts located Inside the Bypass or near the

Bypass: Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.

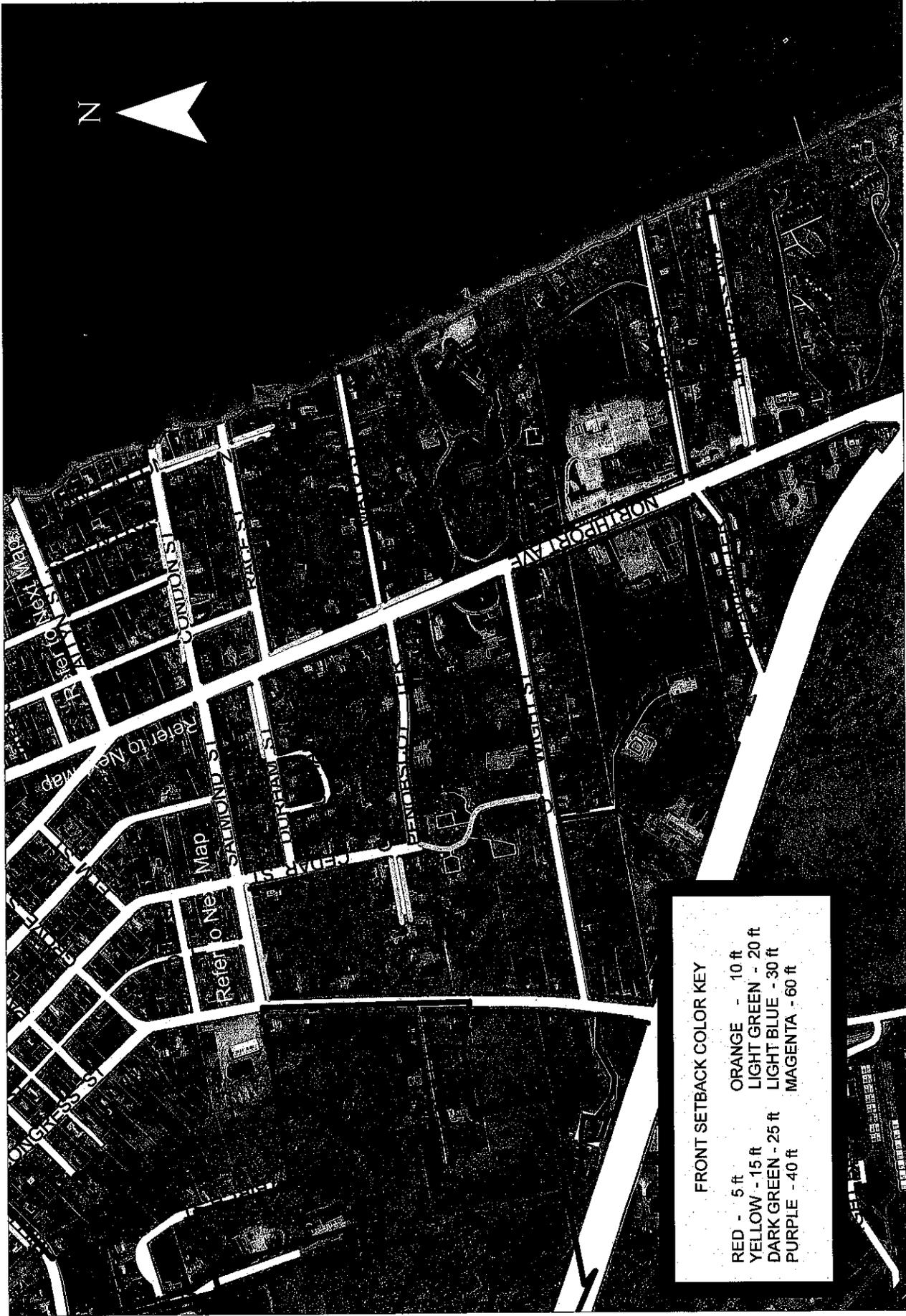
- Article V, District Regulations, Division 6, Residential I Urban District; Division 8, Downtown Commercial District; Division 10, Waterfront '1A' District; Division 11.5, Waterfront Mixed use District; and Division 23, Health Care District. Current Ordinance provisions for the above zoning districts will be eliminated.
- Article X, Contract Rezoning, Division 3, Bradbury Manor, is proposed to be amended to establish Contract Rezoning provisions for certain properties located in the proposed Residential 1 and Residential 2 zoning districts.
- Article X, Contract Rezoning, Division 4, Waterfront Mixed Use District and Waterfront Development District, is proposed to be amended. Amendments recognize the establishment of the Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts, and the requirement that all properties in the Waterfront Mixed Use 1 District, except a single family house located on Field Street, be required to use the contract rezoning process.

NOTE TO READER: The proposed Ordinance amendments can be found on line on the City website, cityofbelfast.org. Go to City Government, Planning and Codes heading. There is a folder on this page entitled: "September 17 Hearing - Zoning Ordinance Amendments".

- 5) Residential 1 Zoning District Proposed Ordinance Amendments - Presentation by Wayne Marshall, City Planner
- 6) Council Public Hearing on Proposed Ordinance Amendments for the Residential 1 zoning district.
- 7) Residential 2 Zoning District Proposed Ordinance Amendments - Presentation by Wayne Marshall, City Planner
- 8) Council Public Hearing on Proposed Ordinance Amendments for the Residential 2 zoning district.
- 9) Residential 3 Zoning District Proposed Ordinance Amendments - Presentation by Wayne Marshall, City Planner
- 10) Council Public Hearing on Proposed Ordinance Amendments for the Residential 3 zoning district.
- 11) Downtown Commercial Zoning District Proposed Ordinance Amendments - Presentation by Wayne Marshall, City Planner
- 12) Council Public Hearing on Proposed Amendments for the Downtown Commercial zoning district

- 13) Waterfront Mixed Use 1 and Waterfront Mixed Use 2 Zoning Districts Proposed Ordinance Amendments - Presentation by Wayne Marshall, City Planner
- 14) Council Public Hearing on Proposed Amendments for the Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts
- 15) Council discussion and potential action on any or all of the proposed Zoning Ordinance amendments on which public comment was accepted at the above public hearings. This is the Second Reading of the above amendments and the Council has the authority to adopt the amendments presented at the above hearings at the conclusion of the public hearing.
- 16) Other Business
- 17) Adjournment

FRONT SETBACK TRADITIONAL PATTERN - MAP # 1



FRONT SETBACK COLOR KEY

RED - 5 ft	ORANGE - 10 ft
YELLOW - 15 ft	LIGHT GREEN - 20 ft
DARK GREEN - 25 ft	LIGHT BLUE - 30 ft
PURPLE - 40 ft	MAGENTA - 60 ft



FRONT SETBACK TRADITIONAL PATTERN - MAP # 2

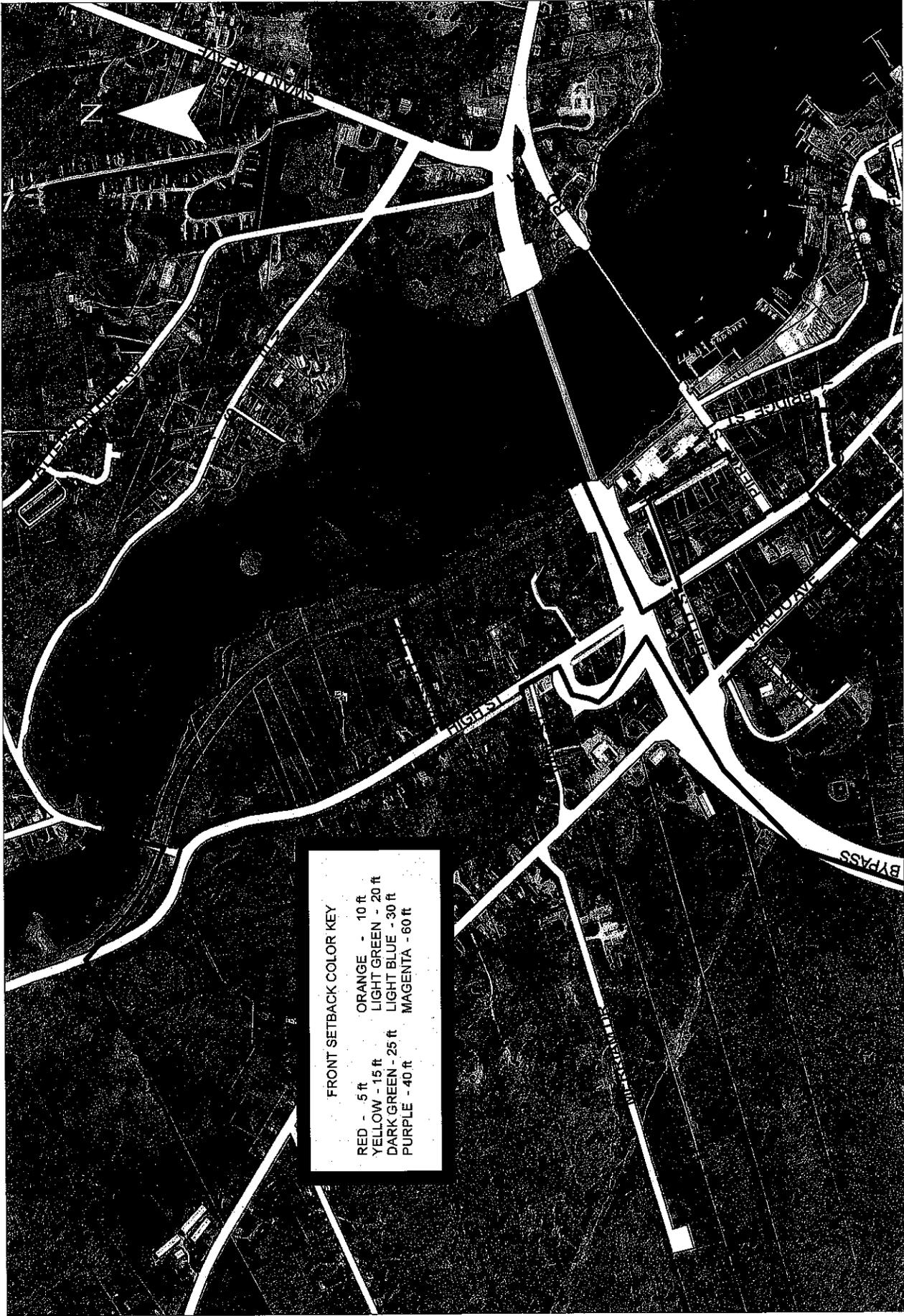


FRONT SETBACK TRADITIONAL PATTERN - MAP # 4



830 415 0 830 1,660 2,490 3,320 Feet

FRONT SETBACK TRADITIONAL PATTERN - MAP # 5



830 415 0 830 1,660 2,490 3,320 Feet

Email Testimony for City Council September 17, 2014 Public Hearing

Dear Wayne,

Please use this version for the public record. Thank you.

2:54 PM
(1 hour
ago)

James Constable <jeconstable847@gmail.com>

Dear Wayne,

Thank you for your message.

I sense that the goal is to create a homogenous business district and a uniform, dependable housing district, or set of neighborhoods, and I note that our area has expanded R2 characteristics for more than 35 or 40 years - I sense that the people in these affected areas would be harmed, - would have a use taken away from them, which is not the thing to do.

I would suggest the following to avoid claims for 'taking', etc as against the City (but also because the traffic patterns already seem to be in place for all these years)....

- I would allow professional offices on the first floor outside the Bypass area, waterfront mixed use district, and Residential 3 zoning area only if -

1) **If the building** is within 500 yards of a large retail establishment (such as Belfast Variety); has previously been used for office or R2 or expanded R2 purposes, or is within 500 yards of a small Hotel, boutique bed and breakfast, or a rental home with more than four occupants.

The ' duplex ' nature - according to value should allow professional offices as a way to build property value and to counterbalance the affects of ' duplex ' structures - which usually harm residential neighborhoods.

I would limit the office to only the first floor.

I would also allow a bed and breakfast, small Inn or boutique residential hotel on R2 areas with high traffic counts)/ again in areas where ' duplexing ' is permitted.

2) **To avoid ' taking ' claims**, I would allow first floor professional offices in areas where the duplexes are permitted; also a bed and breakfast, small Inn, or boutique residential Hotels (this seems also to fit the traffic patterns).

3) I would **not** allow group rooming houses in these areas - the goal is to create an ambiance for the people who go through Belfast - to make them want to come back again.

Sincerely,

Thank you.

ZONING CHANGES - Section 102-305, Downtown Commercial Building Height

Mary Mortier <marym@92-94main.com>

Thu, Sep 11, 2014 at 6:32 PM

Reply-To: marym@92-94main.com

To: Wayne Marshall <planner@cityofbelfast.org>, Wayne Marshall <wmars@cityofbelfast.org>

City Planner, Wayne Marshall,

In reviewing the Inside the Bypass Zoning Changes on the city website, I came across -
Section 102-305, Downtown Commercial Building Height diagram.

My husband & I own a commercial building in the center of downtown at the traffic light.

It is commonly known as 90 Main, from the prior address & restaurant of that name.

It is more precisely identified as tax map 011 - Lot 018.

The current address is 92-94 Main.

The 3 & 3/4 story building sits on the front portion of the lot & occupies the SE corner of Main & High Streets
& to the rear is a now vacant lot (behind the stockade fence)
where previously a building stood.

In studying the diagram it appears that the orange boundary line, which separates a 60' building height limit
from a 45' building height limit divides our property in half.

If this were actually the intent it would mean the front portion of our building could be increased to 60' & the
balance or rear of the building could only be 45' high.

I believe this is an error.

Thank you for looking into this matter at your earliest convenience & correcting/amending the orange boundary
line so that our entire property lot is within the 60' height limit.

Mary & Alain Mortier

--

Mary P. L. Mortier
92-94 Main Street
Belfast ME 04915

207-323-1748 Cell
marym@92-94main.com



**City of
Belfast**

City Hearings <public@cityofbelfast.org>

**June 25, 2014 Public Hearing Re: Amendments to Proposed Residential 1
Zoning District**

1 message

Mon, Jun 23, 2014 at 9:39 PM

RONALD BURROWS <mielrb71@comcast.net>
To: public@cityofbelfast.org
Cc: "Jakielski, Trish" <tajabel@myfairpoint.net>

FROM: Ronald L. Burrows and Mary Ellen Burrows

213 High Street, Belfast, ME 04915

TO: The Belfast Planning Board

We are 2/3 owners of the above mentioned property along with my sister, Trish Jakielski. Regrettably, Ron and I will be unable to attend the Public Hearing on June 25th, but my sister will be there to represent us. We just wanted to take this opportunity to thank all of you for your hard work in trying to maintain the historic integrity of Belfast while at the same time, realizing the town's need for greater flexibility when dealing with the changes and growth of this beautiful coastal town. It's necessary to come up with new ways to handle the increased need for preservation of these big, beautiful homes and buildings while, at the same time, repurpose them so they can meet the ever changing demands of this growing community. The proposed zoning and contract rezoning is a great way to achieve this.

Respectfully,

Ron and Mary Ellen Burrows



**City of
Belfast**

City Hearings <public@cityofbelfast.org>

RE: Residential 1 Zoning District as proposed.

1 message

Allison Beards <windymount101@gmail.com>

Fri, Jun 27, 2014 at 2:13 PM

To: public@cityofbelfast.org

Dear Belfast Planning Department,

I own 34 High Street in Belfast. The proposed zoning sounds like good planning to me. My property is next to the White House (south) and next to next door to the Williamson House (north). When the White House was an Inn it was a handy place to have out of town company stay. I moved here in June 1995 ..then the White House was empty and for sale until 1997 when it was purchased and opened as a B & B. Now it has been empty again since the recent owners left for good in November, 2012. I do not believe I would be inconvenienced by any of the uses allowed under the new zoning. My south garden provides a significant buffer from any activity there. It is important to have these larger homes occupied and well cared for. I welcome the neighborhood diversity and activity. It would also be nice to finally see something good happen to Bradbury Manor... while we are all still living. Also (in another zone) the former Vincent's Restaurant. I have many wonderful memories of times in the late 1990's there when the 2nd floor would be full of people dining and enjoying the water view. In December of 1999 the Belfast Garden Club had our Christmas luncheon there too. I also look forward to new futures for Pierce and Crosby schools. Pierce was still a school when I moved here..it was wonderful to hear the bell ringing and all the children flooding out into the yard for recess. I am enjoying all the improvements in Belfast. Thank you. Best, Allison Beards



**City of
Belfast**

Wayne Marshall <planner@cityofbelfast.org>

Propose Amendments to City Code of Ordinances - Residential 1 Zoning District

1 message

Sat, Jun 28, 2014 at 4:55 AM

lumans@roadrunner.com <lumans@roadrunner.com>
To: wmarshall@cityofbelfast.org

Good morning,

Thank you for all the hard work that you and the planning board have put into drafting the proposed amendments to the City Code of Ordinances. My husband and I appreciated the opportunity to attend the public hearing regarding Residential 1 zoning on June 25. At the time, given the volume of information shared, we did not feel prepared to offer comments, but wish to do so now.

- 1) Belfast's growth trend is clear, and planning the ways to direct and encourage development is wise. However, we are concerned that some of the recommendations, if approved and made "law," will negatively affect the historic look and heart of Belfast.
- 2) As you know, Belfast's residential historic districts, with their many large lots and fine architecture, are widely lauded and were recently showcased in Antiques Magazine. Such neighborhoods, once modified through development, are lost forever.
- 3) We are satisfied with keeping 10,000 sq. feet the minimum lot size in the residential historic districts. But, we are only satisfied, not pleased, as the result includes multiple single-family properties having the way "paved" for the construction of auxiliary buildings on their much larger lots.
- 4) We fear that little one-bedroom cottages/ranch houses may dot the backyards of our residential historic districts. This is not acceptable, and not in keeping with the beauty and dignity of our historic neighborhoods.
- 5) We are excited and supportive of the expansion of contract rezoning possibilities. Again, however, the fabric of our residential historic districts must be kept in mind as decisions are made.
- 6) We do not believe restaurants, professional offices, health care services, or event sites (what you call an inn or B&B that would be permitted to hold special functions) belong in our residential historic neighborhoods. We are deeply concerned about the potential volume of day-time activity and parking required for all such uses, and the night-time activity (noise and lighting) inherent in a food-related business. We are not only historic, we are a residential neighborhood, and should remain so.
- 7) Development/growth opportunities outside the bypass will happen naturally. We ask that you aggressively encourage that growth, and not sacrifice that which is the historic heart of Belfast. Please remember that we are in Maine - septic systems and wells are not only good, but often preferable: Belfast does not have to provide sewer and water to outlying neighborhoods in order to encourage growth. (For us personally, the water in Belfast often tastes so poor that we bring in well water from our farm to drink and cook with -- We wish we had a well in town!)

Again, we thank you for your efforts, and hope you will take into account our concerns as you go forward.

Leslie Umans
Fred Eickelberg
74 Church Street
Belfast

Subject: FW: Residential Zone One Public Hearing at Troy Howard Middle School 6/25/14
Date: Thursday, June 26, 2014 12:10:32 PM ET
From: Christopher Hyk
Priority: High

From: ~~Diana Hyk~~ <chyk@myfairpoint.net>
Date: Thu, 26 Jun 2014 10:41:33 -0400
To: <planningboardandcodes@cityofbelfast.org>
Subject: Residential Zone One Public Hearing at Troy Howard Middle School 6/25/14

Dear Members of the Belfast Planning Board,

Thank you for your Public Hearing of 6/25/14. Unfortunately I came away with more questions than answers after the "follow up" remarks by Mr. Marshall. Living on Church Street in a clapboard house built around 1830 one of my primary concerns is fire safety. These houses are tinder dry after almost two hundred years, they burn swiftly. I embrace each nonconforming lot in the neighborhood as a potential firebreak, perhaps Ms. Pinette of the Belfast Historical society could give you some insights on the number of times this city has been almost completely destroyed by fire. Having conforming lots of 10,000 square feet in the historic district is a good thing, however, since there is no delineated "Historic District" how can anyone be sure if a nonconforming lot will be built upon or not? Perhaps mapping out and defining the "Historic District" would be a good and logical beginning.

Speaking of Ms. Pinette, I found her memo to Mr. Marshall on the proposed zoning status of the James White House (dating from 1973,) to be interesting. In 1973 Belfast was in severe economic decline, the poultry industry was shrinking rapidly, the shoe factories gone, not a high point in the city's economic history. The James White house is one of the most architecturally significant houses in New England it's image has graced the cover of several books and been the topic of many articles and dissertations on greek revival architecture, I would like to think that we've come a long way towards better appreciating and preserving our grand architectural heritage since 1973. Spot zoning in order to accommodate a bank which has been foolish enough to back an outrageous and now defaulted mortgage is grossly unfair to the neighboring property owners. The neighboring property values could easily be negatively affected by a restaurant, or a large group home with more than seven beds, we have seen what can happen in Camden with Foxhill as an example, we have the ever deteriorating Bradbury Manor in our own backyard, Spot Zoning is a slippery slope. To endanger the White House with the increased fire hazard of a restaurant and to bother neighbors with increased traffic noise and the consumption of alcohol is a bad plan.

The White house is the jewel in the architectural crown of Belfast, it's fate must be given long and careful thought (as should the future spot zoning of the Williamson House and the Alden Inn). I received a telephone call from friends in Hudson, New York, who were inquiring about buying the James White house and using it as a single family home (it's best and safest use), they were completely put off by the property tax of 21.91 mills and the history of ever increasing property taxes over the past few years, I believe that may be the crux of the problem going forward: The White house will sell when the price is right, much as the Carriage House Inn in Searsport recently sold. Will the Bank take a beating? More than likely they will, however, had they done their due diligence they could have avoided this situation, the neighbors should not be penalized for the Bank's poor judgment. The Bank can take a tax loss against their ample profits from other more successful lending ventures.

As to the topic of Condominiums I could not hear the explanation from where I was sitting and have no clue as to what the policy might be. I would strongly suggest that the Planning Board not depend upon the RSU20 School District for your next Public Hearing, microphones are rarely if ever available. I would hope the Hutchinson Center

or some more suitable venue could be used so that the taxpayers of Belfast might actually hear the proceedings clearly.

Thank you for your consideration in this matter.

Sincerely,
Christopher Hyk
38 church street
Belfast, Me.



City of
Belfast

City Hearings <public@cityofbelfast.org>

Comment on Proposed Setback Ordinance - Residential Zone I

1 message

Caryn Converse <sea.sea@sbcglobal.net>
To: public@cityofbelfast.org

Wed, Jun 25, 2014 at 3:15 PM

To Whom It May Concern:

The proposed front setback requirements for Residential Zone I vary according to which "Area" within the Zone a property is located. Not being able to determine which "Area" within the Zone my property lies, I contacted the Planning and Codes Department for clarification. I was informed that my property lies within "Area 4", for which the proposed front setback is 20 feet.

Currently, the ordinance stipulates a front setback of 25 feet, or 20% of the depth of the property, whichever is less. In my case, although the property is over 16,000 square feet, it is very long and narrow. As a consequence, 20% of its depth (90 feet) would be 18 feet, which is less than the proposed setback requirement of 20 feet.

For some people, the proposed front setback change would likely not be an issue. However, in my case (and this could impact other property owners as well), it is my intention to take advantage of the the passive and active solar radiation from the southerly exposure. This means that the widest side of the house would need to have a South/North orientation. Unfortunately, the south-facing side of the lot runs along the 90 foot property depth. The house design under consideration, including the front porch, is 54 feet in width (South/North). For this reason, the front setback becomes very important.

I understand and appreciate the notion of "Traditional Neighborhood" in drafting the new front setback requirements. However, in this instance, the lots adjacent to mine on each side have not been developed to date. I'm told that, therefore, other properties further down on the same side of the street were taken into consideration in proposing the new front setback. Despite the fact that the two houses directly across the street from my property appear to have approximately 7 and 10 feet front setbacks, respectively (similar to the other houses on either side of those two houses), it sounds as if what has or has not occurred on the same side of the street is more instrumental in making the determination for the new setback proposals. Yet, in the written communication to all property holders about the proposed ordinance changes, it states thus: *... "This means that the amount of front setback required could vary from street to street, with the intent of having the future layout of development along a street similar to the current development pattern for a street."* In this particular case, it would seem that a 15 foot front setback, not a 20 foot setback, would certainly be a more reasonable standard for the "traditional neighborhood."

Interestingly, though, it seems that another proposed amendment would actually *reduce* the lot size requirements for a number of properties that will be collapsed into Residential Zone I (i.e. from 14,250 to 10,000 square feet). Given that, one would not envision that the purpose of the Belfast future land use plans would penalize existing property holders. Granted, along with the new front setback proposals are proposed new (and uniform) rear setback standards (from existing 15 feet to proposed 10 feet). The fate of that part of the proposal is unknown, and somewhat a separate issue.

I would respectfully submit the following suggestions:

- (1) Consider a 15 foot setback applicable for the area in question (and revisit proposals for all "Areas" within Zone I);
- (2) Consider retaining the current language in the ordinance for front setbacks, i.e. "...or a distance equal

to 20 percent of the average depth of the lot as measured from the edge of the road right-of-way, whichever is less." (This may best be only applicable for properties within "Areas 3 to 8" for which the proposed front setbacks are 15 - 60 feet, respectively. Areas 1 and 2 have 5 and 10 feet proposed setbacks.)

Thank you for your consideration,

Sincerely,

Caryn Converse
West Haven, CT



**City of
Belfast**

Wayne Marshall <planner@cityofbelfast.org>

Proposed amendments -- Residential 1 Zoning District

3 messages

Fri, Jun 13, 2014 at 1:45 PM

John Chase <offaloffal@yahoo.com>
Reply-To: John Chase <offaloffal@yahoo.com>
To: "wmarshall@cityofbelfast.org" <wmarshall@cityofbelfast.org>

In the notice recently received it says that "the proposed boundaries of the Residential 1 zoning district differ greatly from the boundaries of the Residential 1 zoning district that is now in effect." Could you tell me where it is possible to see a "before and after" map showing both outlines on the same map?

Thanks,

John Chase

Fri, Jun 13, 2014 at 2:30 PM

Wayne Marshall <planner@cityofbelfast.org>
To: John Chase <offaloffal@yahoo.com>

Mr. Chase

I have attached the two maps, current and proposed to this email. Information will be on the City website by the end of the day.

Sorry that they were not posted by the time you received the notice.

[Quoted text hidden]

--
Wayne Marshall
City Planner
City of Belfast
131 Church St
Belfast, ME 04915
207-338-1417 x 25 (phone)
207-338-1605 (fax)
wmarshall@cityofbelfast.org

2 attachments

-  **Residential 1 - Current Adopted Boundaries.pdf**
160K
-  **Residential 1 Zone Map - June 25, 14 Hearing - Copy.pdf**
252K

Fri, Jun 13, 2014 at 2:39 PM

John Chase <offaloffal@yahoo.com>
Reply-To: John Chase <offaloffal@yahoo.com>
To: Wayne Marshall <planner@cityofbelfast.org>

Many thanks. Though I did not mention it, I did look first on the website and am glad to hear the maps will be posted there. With the images in hand, it will be easier to understand the proposed changes. I see from the maps you sent, the changes are indeed substantial.

John Chase

From: Wayne Marshall <planner@cityofbelfast.org>
To: John Chase <offaloffal@yahoo.com>
Sent: Friday, June 13, 2014 2:30 PM
Subject: Re: Proposed amendments -- Residential 1 Zoning District

[Quoted text hidden]

Planning Board Will Hear Arguments Concerning Proposed New Restaurant

An application to open a restaurant sparked a considerable amount of public interest at a regular meeting of the Belton City Council Tuesday evening. Eighteen people were present at the meeting, including Dr. Oakes and members of the city council. The proposed development is a restaurant and several other businesses of the neighborhood.

Dr. Oakes presented his application for a liquor license and a general license for the restaurant.

who were among 24 signers of a petition which asked for council denial of the restaurant application.

The proposed restaurant location is the so-called Wilson House, located in the triangular piece of property formed by the intersection of Church and High Streets.

The building, considered a landmark by many residents, is located across the street from the Parce Elementary School.

Before hearing Dr. Oakes' application for victuallers and restaurant liquor licenses, the council heard the petition, which asked not only that the restaurant not be allowed at the 1 Church Street location, but that the zoning of the neighborhood be modified from residential and restricted to commercial to straight residential. This would exclude not only Dr. Oakes' proposed restaurant, but any future commercial business in that area.

Speaking on behalf of himself as a resident of the neighborhood, local attorney Richard Glass asked that the council hold in abeyance the restaurant application until the request for rezoning had been acted upon. Glass added that such rezoning of the neighborhood would follow the recommendations in the city's comprehensive plan.

It was pointed out by Councilman Archie Gaul and City Solicitor Thomas Hammond that

the steps involved included study by the planning board, possible public hearings and recommendation from the planning board before council action could be taken.

Upon motions by Gaul, both the permit application and the petition were referred to the planning board.

City Budget

The council waived the usual reading and heard the second reading of an appropriations resolve, which formally set the city budget at a total gross of \$771,513. The total net budget that part to be raised through taxes, was set at \$501,487, or some 16 percent over last year.

The only debated point in the resolve was over how much interest to charge on unpaid taxes. For the past two years, the rate has been eight percent. It was City Manager William Lund's recommendation that the rate be increased to the maximum amount allowable (nine percent) this year.

Lund explained that this would provide greater incentive to pay property taxes.

Councilman William Krug Jr. expressed his opinion that eight percent was "high enough" and moved that the eight percent figure be retained for 1971. Councilmen Knight and Goulet voted in favor of the motion while councilmen Gaul and

(Continued on page 20)

Campaign for Belfast

A board of directors voted to launch a wide clean up campaign to

make the community better. All service clubs and citizens are being invited to participate. The effort will be reported as

Men Approve License Purchase

There will be a small fee for the license.

More information on the license may be obtained from Officer A. Dakin, health officer of the town of Seareport.

The next regular select meeting in Seareport will be held at the town offices on April 13 at 7 p.m.

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**City of
Belfast**

City Hearings <public@cityofbelfast.org>

27 Seaview Terrace

3 messages

Candy Paquin <candy_paquin@yahoo.com>
Reply-To: Candy Paquin <candy_paquin@yahoo.com>
To: "public@cityofbelfast.org" <public@cityofbelfast.org>

Thu, Jul 3, 2014 at 10:50 AM

Good Morning,

My name is Candy Paquin. I own the property located at 27 Seaview Terrace. I am wondering if I am able to opt out and keep the zoning of my property as is?

Thank you,

Candy Paquin

City Hearings <public@cityofbelfast.org>
To: Candy Paquin <candy_paquin@yahoo.com>

Tue, Jul 8, 2014 at 11:34 AM

Dear Ms. Paquin

I want to make sure I understand your question.

Your property is currently in the Residential 2 zoning district which allows Houses and Professional Offices.

The Planning Board is now recommending that your property, like other properties on Seaview Terrace, would be included in the proposed Residential 1 zoning district. This zoning district will only allow single family houses and two family houses and will not allow professional offices. The Residential 1 zone, however, does allow a small office as a home occupation (owner operates the office and no more than 1 employee). And as you may know, the Planning Board originally proposed (based on the Future Land Use Plan) to include the Seaview Terrace area in the proposed Residential 3 zone which proposed to allow all professional offices and health care facilities, but the Board altered its recommendation in mid-June (following receipt of a petition of Seaview Terrace property owners) to include Seaview Terrace in the proposed Residential 1 zone.

My questions to you ---

1) Are you asking if the City adopts Ordinance amendments that includes the Seaview Terrace area in the proposed Residential 1 zoning district if you could opt out and be included in the proposed Residential 3 zoning district? OR

2) Are you stating your interest in being included in the proposed Residential 1 zoning district?

If your question is #1 above --- If the City includes your property and other properties on Seaview Terrace in the Residential 1 zoning district, the only way your property could be included in another zoning district would be to request a specific zoning ordinance amendment for your property. The City would need to know why you believe amended zoning would be appropriate for your property. If this is what you want, I believe your best

July 17, 2014

Post Office Box 36,
Belmont, Massachusetts 02478

Wayne Marshall
City Planner
131 Church Street
The City of Belfast
Belfast, Maine 04915

Dear Wayne,

Re: 333 High Street, Belfast, Maine

Thank you for your letter on the new/amended-zoning overlay for
333 High Street. (Light retail commercial/overlay R 2 district)

- If possible, I would like to be able to have a retail/commercial store or office property there at 333 High Street. The building has been utilized for many, many years previously for public traffic, and has a large steel structure clear span space on the first floor – where the church used to have its main room.

This seems more suitable for retail or office/commercial utilization.

- I have sent on 2011 corrected lot description – which was properly recorded several years ago. The lot size description is within a few hundred feet of the new proposed lot descriptions to create a lot and a flag lot-in- depth. I would be grateful to receive permission to create the extra lot in back of 333 High Street.

I would be grateful if the City Council would be so kind as to consider these requests. Thank you.

Sincerely,

James Constable
Managing Member
333 High Street, LLC



**City of
Belfast**

Wayne Marshall <planner@cityofbelfast.org>

Seaview Terrace Zoning Comments

1 message

Charles Beck <charlesbeck7@gmail.com>

Thu, Jun 19, 2014 at 10:06 PM

To: jslocum@cityofbelfast.org, citymanager@cityofbelfast.org, planner@cityofbelfast.org, planningandcodes@cityofbelfast.org, ward1councilor@cityofbelfast.org, ward2councilor@cityofbelfast.org, ward3councilor@cityofbelfast.org, ward4councilor@cityofbelfast.org, ward5councilor@cityofbelfast.org, mayor@cityofbelfast.org

Charles Beck – Owner/resident at 18 Seaview Terrace

Comments regarding Seaview Terrace Zoning in the new Comprehensive Plan.

June 19, 2014

Members of the Belfast Planning Board, Belfast City Council, Mayor Walter Ash, City Manager Joe Slocum and City Planner Wayne Marshall and others as appropriate:

I am sending this letter after the planning board decision of 6/18/14 to recommend that Seaview Terrace be taken out of the new R3 Healthcare and Housing zone placed instead in the R1 Residential zone. I strongly support this move. I am traveling out of state for the next week so wanted to send this now; I will not be here when the letter with information for the 7/2/14 hearing arrives.

I won't be too wordy here; your time is valuable. And I realize that my thoughts may be perceived as and are in fact are self-serving; but that should be expected given how our system works and the extreme importance of one's home and future.

I moved to Seaview Terrace in 2006 or so, because it was a quiet dead-end residential street of modest homes and yet still conveniently within the Belfast beltway. I have invested quite a bit into making this my home and have hopes to retire here. As have others.

I am definitely not in favor of including Seaview Terrace in the new Health Care zone. As the plan clearly states this sort of zone can expect more traffic, and it also notes that health care facilities that have been located in other areas within Belfast have created tensions with neighboring home owners.

To mitigate these problems and to also encourage more health care expansion in the city; this new R3 zone has been proposed. Other than apparently being located within some general boundary lines that have been outlined, I do not see how Seaview Terrace in particular has the criteria that makes it a logical choice or that might lend itself easily to such a transformation.

- It is not a major road.
- It is not a through street, it is a dead end.
- There are no existing health care entities currently on the street.

- The street has about 13 dwellings and all are single family except for one unit with a small in-law apartment
- The vast majority of Seaview owners and residents owners we've been able to contact do not favor changing our zoning status. We have collected our signatures in one place and will be sending under separate coverage to, at this point, show our support for the Planning Board recommendation to move Seaview Terrace to the R1 zone, where we share the most common characteristics.

It does seem as if our street were originally included in the new Health Care and Housing zone simply because it is surrounded by other streets where some health care growth has already occurred in proximity to the hospital. This is in contrast to, for example, nearby Fahey Street, also formerly in the R2 zone, that actually borders the hospital and already has two or three medical entities on it, and portions of it moves from an R2 to an R1 primary residential zone.

So we are very appreciative that the City Planner and the Planning Board has recommended that Seaview Terrace also be placed in the R1 zone. Thank you.

One other related thought. I travel quite a bit and talk to many folks who have visited Belfast. The vast majority immediately remark how much they like our city; the waterfront, the downtown and the nature of the Route 1 bypass which allows Belfast to be Belfast. To quote a certain M Hurley "Life the Way it is". Within the beltway, our city has unique charm and character. Within the beltway, for all residents, and for visitors and tourists, there is a sense of place and quality of life that I think we'd be wise to preserve. Thank you for the work you all do to each and every day.

Again, thanks again for listening to residents, providing information, and for giving us the opportunity to voice our opinions. It is appreciated.

Sincerely

Charles Beck
207 478 6520

June 2014

Members of the Belfast Planning Board, City Council, Mayor Ash, City Manager Slocum, City Planner Marshall and others:

We the homeowners and/or residents of the 13 homes on Seaview Terrace - who are available and willing - have respectfully signed this paper (as you have suggested) to assist you in quantifying and gauging our thoughts as you consider adjusting and moving the Comprehensive Plan forward.

We all have chosen to make our homes on Seaview Terrace because it is a quiet, long established dead-end residential street of single family homes, conveniently located within the Belfast beltway. As is perhaps understandable, it is our strong desire to maintain our quality of life on Seaview Terrace as we know it by maintaining the current characteristics of our neighborhood into the future.

Our concern is that in limiting Belfast's health care growth to one new zone, the R3 "Health Care and Housing" zone, and including Seaview Terrace within that zone, there will be additional pressure on our street (more than there is now in our current R2 zone) to accommodate new health care entities. Unlike other nearby streets within the new R3 zone plan, Seaview Terrace is not a major street, is not a through street, and has no pre-existing health care entities!

We ask that you please consider including Seaview Terrace in the new R1 zone of established residential neighborhoods, with which we share the most common characteristics. We note that the plan moves portions of other streets currently zoned for R2 into R1, including those close, or even closer to the hospital than Seaview Terrace and already hosting existing health care entities.

Thank you for your consideration.

Respectfully,

NAME - PRINT	NAME - SIGNATURE	SEAVIEW ADDRESS	DATE	PHONE NUMBER
David Smith	David Smith	5 Seaview	6/18/14	338-4466
Patricia Heath	Patricia Heath	5 Seaview Terrace	6/18/14	802-473-6945
Linda Carson Smith	Linda Carson Smith	5 Seaview	6/18/14	338-4466
MARK KELLEY	Mark Kelley	26 Seaview Terrace	6/18/14	218-1131
Mary A Gibbons	Mary A Gibbons	40 Seaview Terrace	6/18/14	338-1892
Mary R. Keys	Mary R. Keys	40 Seaview Terrace	6/18/14	338-1892
Richard A. Gonyea	Richard A. Gonyea	30 Seaview Terrace	6/18/14	338-6254
Martha L. Kelley	Martha L. Kelley	26 Seaview Terrace	6/18/14	218-1131

June 2014

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Thank you for your consideration.

Respectfully,

NAME - PRINT	NAME - SIGNATURE	SEAVIEW ADDRESS	DATE	PHONE NUMBER
Erin Wofford	<i>Erin Wofford</i>	22 Seaview	6/18/14	323-8153
Wesley Wofford	<i>Wesley Wofford</i>	22 Seaview	6/18/14	323-8152
Sally Taskold	<i>Sally Taskold</i>	18 Seaview	6/18/14	338-0928
Charles Beck	<i>Charles Beck</i>	18 Seaview	6/18/14	478-6520
Kathleen Keavins	<i>Kathleen Keavins</i>	11 Seaview	6/18/14	603-275-0702 (cell)
Frank Costello	<i>Frank Costello</i>	11 Seaview Terrace	6/18/14	338 9953
Rosemarie Costello	<i>Rosemarie Costello</i>	11 Seaview Terrace	6/18/14	338 9953

June 2014

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Thank you for your consideration.

Respectfully,

NAME - PRINT	NAME - SIGNATURE	SEAVIEW ADDRESS	DATE	PHONE NUMBER
Jean Cole	<i>Jean Cole</i>	27 "	6/19/14	508-274-4627
BOB COLE	<i>Bob Cole</i>	27 "	6/19/14	508-274-0732
Kevin Marriner	<i>Kevin Marriner</i>	49 Seaview Terr	6/19/14	338-0225
Kevin Marriner	<i>Kevin Marriner</i>	49 Seaview Terr	6/19/14	338-0225



**City of
Belfast**

Wayne Marshall <planner@cityofbelfast.org>

Thank you from Seaview Terrace

1 message

Mark Kelley <kelleymark2@gmail.com>

Thu, Jun 19, 2014 at 8:56 AM

To: planner@cityofbelfast.org

Good Morning, Mr. Marshall,

We want to add our thanks to those I'm sure you've already received for the very accurate and thorough job you did last night in reporting the zoning concerns of Seaview Terrace residents to the Planning Board. Thank you, as well, for listening to us so carefully as we shared our concerns with the city council Tuesday night. We will, of course, follow through with communicating our concerns to the council members in writing and will be sure to attend the hearing on July 2. I told my wife shortly after we moved here and saw all of the great things happening in Belfast that this is obviously a city that works. The conversations we've entered into on the zoning questions just confirm my initial impressions. Thank you again for the excellent job you are doing in serving the people of our city.

Best,

Mark and Marty Kelley

26 Seaview Terrace

Belfast, ME 04915

207-218-1131

kelleymark2@gmail.com



**City of
Belfast**

Wayne Marshall <planner@cityofbelfast.org>

Thank you for proposed amendment to zoning re: Seaview Terrace

2 messages

sally jaskold <jazzwheel@yahoo.com>

Thu, Jun 19, 2014 at 8:36 AM

Reply-To: sally jaskold <jazzwheel@yahoo.com>

To: "planner@cityofbelfast.org" <planner@cityofbelfast.org>

Cc: "mayor@cityofbelfast.org" <mayor@cityofbelfast.org>, "citymanager@cityofbelfast.org" <citymanager@cityofbelfast.org>, councilors@cityofbelfast.org, "mstallworth@cityofbelfast.org" <mstallworth@cityofbelfast.org>

Mr. Marshall, City Council members, Mr. Mayor, Mr. Slocum,
Planning Board members:

As a resident of Seaview Terrace in Belfast, I am writing to thank you each for your part in listening to and considering the concerns voiced by my neighbors regarding proposed zoning changes. I appreciate your time, energy, and thoughtfulness in hearing our concerns, making suggestions on getting our concerns heard, and following through on the process.

Mr. Marshall, thank you in particular for formally making the suggestion to place Seaview Terrace into the R3 residential zone, putting it to the Belfast Planning Board at last night's (6.18.14) meeting that they approve the following change to the future Land Use Plan, City Code of Ordinances, Chapter 102, Zoning, for Inside the Bypass area: "that Seaview Terrace . . . become Residential 1 zoning instead of Healthcare District, the R3 zoning."

I look forward to attending the public hearings on this issue.

Best regards,
Sally Jaskold
18 Seaview Terrace
Belfast

Sally Jaskold
Gulch Road Editorial
18 Seaview Terrace

Belfast, ME 04915
USA
207.338.0928

Thu, Jun 19, 2014 at 10:02 AM

sally jaskold <jazzwheel@yahoo.com>
Reply-To: sally jaskold <jazzwheel@yahoo.com>
To: "planner@cityofbelfast.org" <planner@cityofbelfast.org>
Cc: "mayor@cityofbelfast.org" <mayor@cityofbelfast.org>, "citymanager@cityofbelfast.org" <citymanager@cityofbelfast.org>, "councilors@cityofbelfast.org" <councilors@cityofbelfast.org>, "mstallworth@cityofbelfast.org" <mstallworth@cityofbelfast.org>

Mr. Marshall, City Council members, Mr. Mayor, Mr. Slocum,
Planning Board members:

Alas, I failed to get the numbers right. Please see the very briefly amended (in yellow highlight) text below.

Sincerely,
Sally Jaskold

Sally Jaskold
Gulch Road Editorial
18 Seaview Terrace
Belfast, ME 04915
USA
207.338.0928

From: sally jaskold <jazzwheel@yahoo.com>
To: "planner@cityofbelfast.org" <planner@cityofbelfast.org>
Cc: "mayor@cityofbelfast.org" <mayor@cityofbelfast.org>; "citymanager@cityofbelfast.org" <citymanager@cityofbelfast.org>; councilors@cityofbelfast.org; "mstallworth@cityofbelfast.org" <mstallworth@cityofbelfast.org>
Sent: Thursday, June 19, 2014 8:36 AM
Subject: Thank you for proposed amendment to zoning re: Seaview Terrace

Mr. Marshall, City Council members, Mr. Mayor, Mr. Slocum,
Planning Board members:

As a resident of Seaview Terrace in Belfast, I am writing to thank you each for your part in listening to and considering the concerns voiced by my neighbors regarding proposed zoning changes. I appreciate your time, energy, and thoughtfulness in hearing our concerns, making suggestions on getting our concerns heard, and following through on the process.

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Best regards,
Sally Jaskold
18 Seaview Terrace
Belfast

Sally Jaskold
Gulch Road Editorial
18 Seaview Terrace
Belfast, ME 04915
USA
207.338.0928



**City of
Belfast**

City Hearings <public@cityofbelfast.org>

Zoning

1 message

David Smith <dls.smith7@gmail.com>
To: public@cityofbelfast.org

Fri, Jun 20, 2014 at 3:36 PM

Dear Members of The Planning Board,

My wife and I live at 5 Seaview Terrace. I read the material that came in the mail with great interest today. We live at the corner of Seaview and Northport Ave.

I am happy to see that you are recommending that Seaview Terrace be classified as Residential 1. This is the right thing to do. The street is 100% residential.

I will be attending the public hearing on July 2 to make a statement.

Sincerely,
David Smith
5 Seaview Terrace
Belfast



City of
Belfast

City Hearings <public@cityofbelfast.org>

"City often lacks adequate stormwater"

1 message

LAURIE ALLEN <laurieallen55@msn.com>

Wed, Jun 25, 2014 at 8:49 AM

To: "Public@cityofbelfast.org" <public@cityofbelfast.org>, "ward1councilor@cityofbelfast.org" <ward1councilor@cityofbelfast.org>, "ward2councilor@cityofbelfast.org" <ward2councilor@cityofbelfast.org>, "ward3councilor@cityofbelfast.org" <ward3councilor@cityofbelfast.org>, "ward4councilor@cityofbelfast.org" <ward4councilor@cityofbelfast.org>, "ward5councilor@cityofbelfast.org" <ward5councilor@cityofbelfast.org>, "mayor@cityofbelfast.org" <mayor@cityofbelfast.org>, "jslocum@cityofbelfast.org" <jslocum@cityofbelfast.org>, "wmarshall@cityofbelfast.org" <wmarshall@cityofbelfast.org>, LAURIE ALLEN <laurieallen55@msn.com>, "kathleenkearns@gmail.com" <kathleenkearns@gmail.com>

Per Maine Municipal Association, property taxes are to go to resident infrastructure/ storm water sewers. Per City Planner, Wayne Marshall "Examine how stormwater is managed in through out the area. City often lacks adequate facilities. This is a significant neighbor to neighbor issue and could hinder the developments of professional offices in the area. Relying mostly on-site stormwater managements is both expensive and land consumptive for many uses."

The City has forced most storm water to Seaview Terrace, illegally. We are not a natural outlet. More development will mean even more water slaughter to our private property. Wight St., sidewalks, huge development on the Sanderson parcel. From the Muck/Captain Albert Stevens School to National Guard down, illegally forcing into tiny Seaview Terrace. Probably even more.

Sending it to neighbors is not infrastructure. It's forced drowning. What is the plan to get all of this forced water out of Seaview Terrace (see my hand drawn map) and roadside sewer drainage for Seaview Terrace?

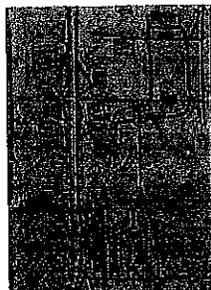
Sincerely,
Laurie Allen
17 Seaview Terrace
218-1125

Mike Hurley 6/14/14

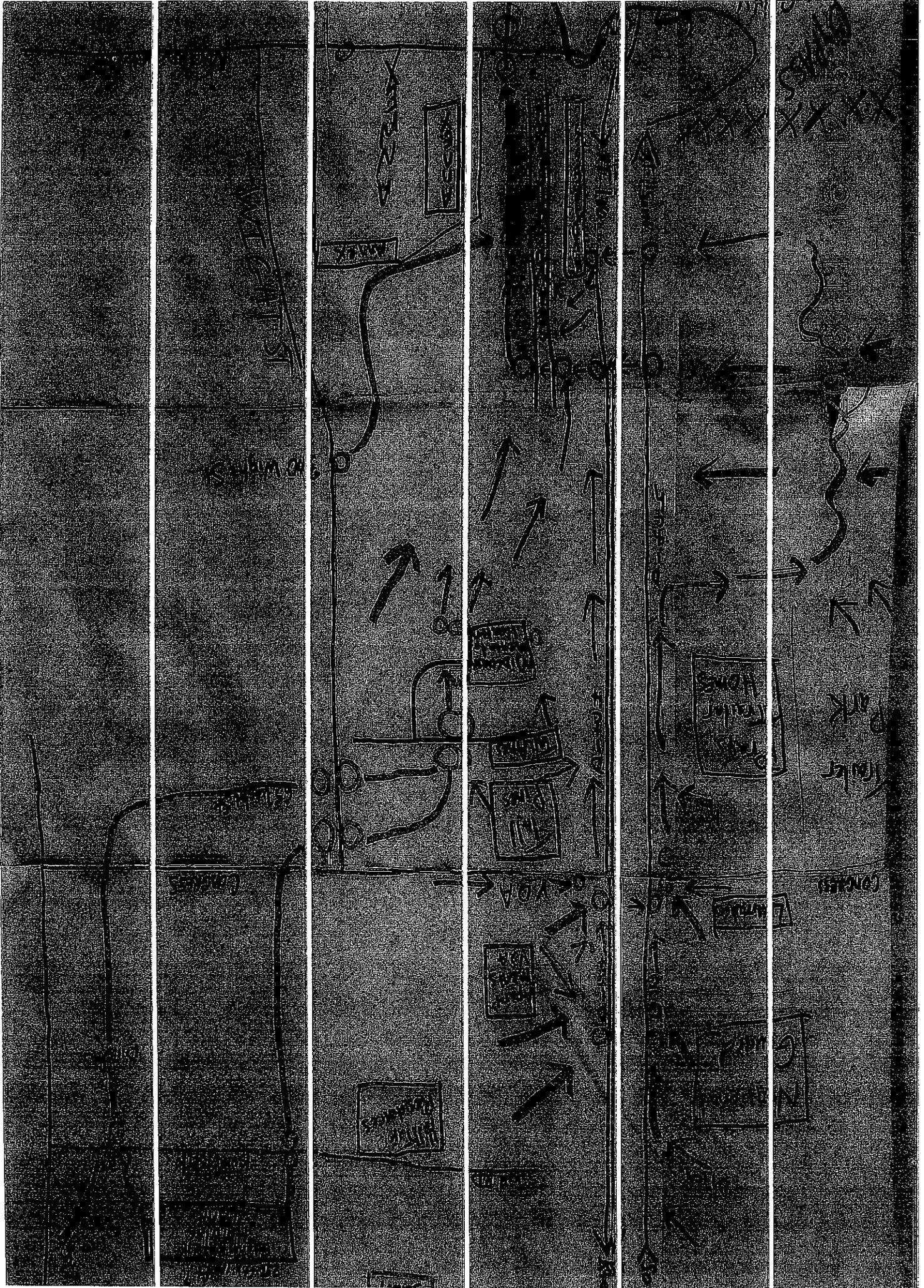
To: 'LAURIE ALLEN', citymanager@cityofbelfast.org, ward1councilor@cityofbelfast.org, ward2councilor@cityofbelfast.org, ward3co



Which one is it? An all-encompassing office complex or the new Grand Canyon?



DSCN1549.JPG
2257K





**City of
Belfast**

Wayne Marshall <planner@cityofbelfast.org>

Seaview Avenue

1 message

Kathleen Kearns <kathleenkearns@gmail.com>
To: planner@cityofbelfast.org

Sun, Jun 29, 2014 at 1:44 PM

June 29, 2014

Wayne Marshall
City Planner

City of Belfast
131 Church Street
Belfast, Maine 04915

Dear Mr. Marshall:

I am writing for two reasons. First, I want to thank you, the Planning Board and the Belfast City Council for "hearing" what we, the residents of Seaview Terrace, said at the June 3rd and June 17th City Council meetings regarding the proposed change in zoning for our street. Special thanks for quickly taking action and encouraging the Planning Board to vote at the June 18th meeting to adopt the amendment to change the Planning Board's zoning recommendation for Seaview Terrace to be R-1 and not R-3.

Second, I want to restate formally, in writing, that my family and I, like our neighbors, do not want the City of Belfast to change the zoning for Seaview Terrace to R-3. This is a street of well cared for residential, family homes that people have spent hard earned dollars to possess and maintain.

In spite of the proximity of Seaview Terrace to the hospital complex and the area along Northport Avenue with many existing, health-related small businesses located in homes; there are no businesses or doctor's offices on Seaview Terrace. As I said at the June 17th City Council meeting, there has been no natural, free market selection in this direction despite the obvious opportunity for it. I can see that it was neater to draw the proposed zoning map with Seaview Terrace as R-3, but this does not reflect present reality. Seaview Terrace is a quiet, residential, dead end street.

My parents, Frank and Rose Costello, have owned our home at 11 Seaview Terrace for over 20 years. I love Belfast. In the past year, I made significant and very difficult changes in my life to move back to Maine so that this property can remain the "family homestead." This is where we gather as a family. Over the years, this house on Seaview Terrace has grown on me. I like it here. I have chosen to live here. I would like for my potential grand children to someday come to visit me here.

We all know there is vast and rich opportunity in Belfast. Change is certain to occur. Having been a business owner in Maine, Massachusetts and New Hampshire, I am in no way adverse to business or growth. There are places in town that are currently seeing growth for health care; Seaview Terrace is not. There is a lot of space being zoned R-3 for future health care development. Even if it is more consistent on the zoning map, Seaview Terrace does not also have to be zoned R-3 health care. I do not see that it is as necessary for the city to override the property owners to steer this residential street into becoming health care. Thank you for your consideration.

Sincerely,

Kathleen Kearns

Frank Costello



**City of
Belfast**

Wayne Marshall <planner@cityofbelfast.org>

Planning meeting

2 messages

PAULA CARTER <paulajeca@mac.com>

Wed, Jul 2, 2014 at 1:27 PM

To: "planner@cityofbelfast.org" <planner@cityofbelfast.org>

Hello Mr Marshall,

Just wanted to add to the comments for the meeting tonight as I live on Lincolnville Avenue inside the beltway and can't make the meeting tonight.

Most of the proposed changes make great sense, especially moving the rt 3 commercial zone back out of the residential neighborhoods. On Lincolnville Avenue near Kirby Pond park and the school and the houses, commercial building would ruin the area.

Just one thing I don't really like is the idea of making the legal lot size smaller.

Thanks!

Paula J Carter
18 Lincolnville Avenue
Belfast

Wayne Marshall <planner@cityofbelfast.org>

Wed, Jul 2, 2014 at 1:32 PM

To: PAULA CARTER <paulajeca@mac.com>

Thank you for your comment.

I will provide it to the Board for tonight's meeting.

[Quoted text hidden]

--

Wayne Marshall
City Planner
City of Belfast
131 Church St
Belfast, ME 04915
207-338-1417 x 25 (phone)
207-338-1605 (fax)
wmarshall@cityofbelfast.org