

July 17, 2019

**NOTICE TO PROPERTY OWNERS
CITY OF BELFAST PLANNING BOARD
NORDIC AQUAFARMS PERMIT APPLICATIONS**

The City of Belfast Planning Board has initiated its review of permit applications submitted by Nordic Aquafarms, Inc to develop a land-based salmon aquaculture facility on a 56 acre site located on the northwesterly side of Route One near the lower reservoir of the Little River. To date, the Planning Board has conducted 3 initial meetings regarding the permit applications, including:

- June 26, 2019. Nordic Aquafarms representatives made a presentation on the application to the Planning Board. The Board did not accept any public comment at the meeting and similarly did not conduct any substantive review of the application. The City sent notice of meeting to area property owners, published notice in the Republican Journal and posted notice on the City website and in City Hall.
- July 10, 2019. The Board participated in a site visit conducted by Nordic Aquafarms representatives. The Board did not accept any public comment at the site visit and did not conduct any substantive review of the application. The City sent notice of site visit to area property owners, published notice in the Republican Journal and posted notice on the City website and in City Hall.
- July 11, 2019. The Board conducted a meeting at which it discussed procedural concerns associated with its review of the permit applications. The Board did not accept any public comment at this meeting and did not conduct any substantive review of the application. The City posted notice of the meeting on the City website and in City Hall.

AUGUST 5, PLANNING BOARD MEETING

The Planning Board, at its meeting of Monday, August 5, 2019, beginning at 6:00 pm in the City Boathouse at Steamboat Landing that is located at 34 Commercial Street, will initiate its substantive review of the Nordic Aquafarms permit applications. The Board will conduct two public hearings at the meeting, and will make decisions on the issues identified below associated with its review of the permit applications. Persons who seek to qualify for 'Person in Interest' status or who desire to submit comment on the issue of Right, Title and Interest are particularly encouraged to take note of this meeting and the accompanying First Procedural Order adopted by the Belfast Planning Board regarding these concerns.

Issue # 1: The Planning Board will determine if any Board member has a conflict of interest that may prevent them from serving on the review of the Nordic Aquafarms permit applications. Board members are responsible for declaring any potential conflicts and the Applicant and 'Parties in Interest' will have an opportunity to identify factual reasons why they believe a Board member has a conflict. The Board intends to select which members will serve on the review of the Nordic Aquafarms permit applications.

Issue # 2: The Board will consider statements from persons who seek to qualify as a 'Party in Interest'. All persons who seek this status are required to submit a statement to the Planning Board by **2:00 pm on Tuesday, July 30, 2019**; reference First Procedural Order of the Belfast Planning Board (copy enclosed). A 'Party in Interest' is a person/entity that 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. Statements must be emailed to **public@cityofbelfast.org** or sent/delivered to the City of Belfast, Code and Planning Department, 131 Church St, Belfast, ME, 04915. The Belfast Planning Board will vote at the meeting to determine who qualifies as a "Party in Interest". It also is noted that a person/entity does not need to qualify as a 'Party in Interest' to offer public comment on the permit applications.

Issue # 3: The Belfast Planning Board will make a finding to determine if Nordic Aquafarms has established sufficient Right, Title and Interest in all properties to allow the Board to consider their permit applications. All persons who choose to submit comment on this issue must do so in writing to the Board no later than **2:00 pm on July 30, 2019**. Comment must be emailed to **public@cityofbelfast.org** or sent/delivered to the City of Belfast, Code and Planning Department, 131 Church St, Belfast, ME, 04915. The Board will not be accepting any oral comment at the August 5 meeting on this issue; there is no public hearing. Reference the City website, cityofbelfast.org, planning and codes link, Nordic Permit Applications, to review the following information that has been submitted to date regarding the issue of Right, Title and Interest: a) Application from Nordic Aquafarms, reference Attachment 8; b) Supplemental information dated June 26, 2019 submitted by David Kalin, Attorney, Drummond Woodsum, on behalf of Nordic Aquafarms; and c) Information dated June 25, 2019 submitted to the Board by Kim Ervin Tucker, Attorney-at-Law, on behalf of Jeffrey R. Mabee and Judith B. Grace, Upstream Watch, and the Maine Lobstering Association.

Issue # 4: The Board will consider if Nordic Aquafarms can satisfy requirements in Chapter 90, Site Plan, and Chapter 102, Zoning regarding Financial Capacity --- Does Nordic Aquafarms have adequate financial ability to develop the project in a manner consistent with state and local performance, environmental and technical standards? The Planning Board will be conducting a public hearing on this issue at the August 5 meeting and will be accepting oral comment. The Board also is accepting comment in writing and via email. Reference Attachment 9 in the Nordic Aquafarms permit application for information on Financial Capacity. As previously noted, the permit application is available on the City website.

Issue # 5: The Board will consider if Nordic Aquafarms can satisfy requirements in Chapter 90, Site Plan, and Chapter 102, Zoning regarding Technical Ability --- Does Nordic Aquafarms have adequate technical ability to develop the project in a manner consistent with state and local performance, environmental and technical standards? The Planning Board will be conducting a public hearing on this issue at the August 5 meeting and will be accepting oral comment. The Board also is accepting comment in writing and via email. Reference Attachment 29 in the Nordic Aquafarms permit application for information on Technical Ability.

The Planning Board specifically notes that it **will not** be considering other issues regarding the Nordic Aquafarms permit applications at the August 5 meeting. The only oral comment that the Board will accept at the August 5 meeting is at the public hearings scheduled for Issues 4 and 5 identified above. The Board will be conducting public hearings on other elements of the permit applications at future meetings, and it will periodically be providing public notice regarding the schedule of issues to be considered at a respective meeting.

The Planning Board is responsible for reviewing and making a decision on the following permit applications identified in the City Code of Ordinances:

- 1) Chapter 82, Shoreland Permit. Portion of the site near the current Belfast Water District offices is in the General Development District of the Shoreland Zone, and the Ekrote property/easement area is in the Limited Residential District.
- 2) Chapter 90, Site Plan Permit. Project qualifies as a development that may substantially affect the environment.
- 3) Chapter 102, Zoning Use Permit. The requested Use Permit also involves Board review pursuant to the Chapter 90 Site Plan standards. The Nordic Aquafarm site is in the Route One South Business Park zoning district and the Ekrote property is in the Residential II zoning district.
- 4) Chapter 102, Zoning, Significant Groundwater Well Permit. The development proposes using a volume of groundwater that requires Board issuance of a Significant Groundwater Well Permit; reference Article VIII of the City Code of Ordinances.
- 5) Chapter 102, Zoning, Significant Water Intake/Significant Water (Wastewater) Discharge Pipe(s) Permit (location of pipes). The volume of water that will be extracted from Belfast Bay and the amount of treated water that will be discharged to Belfast Bay requires the Planning Board to review and act on a permit for said use.

The Board's review of the above permits also involves other City Ordinances, including but not necessarily limited to Chapter 66, General Provisions, and Chapter 98, Technical Standards.

The properties associated with this permit application include:

- Map 29, Lot 39 (part of), located at 285 Northport Avenue that is owned by the Belfast Water District;
- Map 4, Lot 104, located off of Northport Avenue that is owned by Sam Cassida;
- Map 4, Lot 12A, (part of) located at 22 Perkins Road that is owned by Goldenrod Properties, LLC (Mathews Brothers); and
- Map 29, Lot 36 (part of), located at 282 Northport Ave, that is owned by Richard Eckrote.

Persons who want to offer written comment to the Planning Board on the permit applications at this time can do so in one of two ways. You can submit comment in writing to: City of Belfast, Code & Planning Department, 131 Church St, Belfast, ME, 04915, or by email to: public@cityofbelfast.org. Questions regarding the permit applications and the Planning Board schedule and procedures for the upcoming meetings should be directed to Wayne Marshall, Director, Code and Planning at 338-1417 x 125, or via email at public@cityofbelfast.org.

On behalf of the Planning Board,

Wayne Marshall
Director, Code & Planning
Code Enforcement Officer

Attachment: First Procedural Order of the Belfast Planning Board dated July 15, 2019