

Fox Hill App. Notes: Zoning Ordinance “Pros & “Cons”. Draft revised 1/02/14

Pros:

1. McLean is an excellent treatment facility with an excellent track record for rehab. work.
2. Addiction treatment is needed and recognized as a societal problem.
3. Articles I & II-1: Purpose. Encourage the most appropriate use of the land... to protect existing neighborhoods and encourage formation of new neighborhoods...
4. Note: The suggested positive economic impact through the provided study is potentially revenue neutral to any applicant including residential. If expanded residential use occurs property tax revenue to the Town will most likely be higher, construction jobs will be more numerous over a longer period of time, and the numbers of ongoing service jobs needed to maintain any residential development will be at least similar.

Cons: Is this proposed facility compatible with the Comp. Plan & ZO in the CR District?

1. This CR-Coastal Residential District is on the outer edge of Town adjacent to a V-Traditional Village District. The CR District in overview states in part...“The intention is that **development be designed to fit into the existing** character that includes rolling terrain and interspersed woods, fields, structures, and views of the water.” The V District, closer to Town, in overview states...“The purpose of this district is to **maintain these highly livable neighborhoods**, which include single family homes large and small, small-scale multifamily structures...etc.”

I wish to focus on two phrases... “fits into the existing character...” & “maintain these highly livable neighborhoods...” Character and livability not only speak to the visual qualities but equally to the social fabric, the interactions and activities of families living in these districts. Locating this treatment facility or any stand-alone commercial entity via “Special Exception” in this CR district amidst a long standing residential neighborhood will alter the fabric of the neighborhood. This will not be a residential family oriented entity. It will be a commercial enterprise potentially resulting in further requests for “light commercial” entities in this zone which will be hard to justify denying leading to the slow erosion of the present residential scale and quality of life.

2. Uses Permitted by Special Exception:
 - a. Cemeteries
 - b. Nursery Schools & Day Care Centers
 - c. Golf Courses

Cemeteries are non-obtrusive and essentially “inactive” and function as “open space” and therefore would not change the character of the neighborhood. Nursery Schools & Day Care Centers are often associated with residential neighborhoods. Their size or student capacity can and has been easily restricted through the Zoning Board of Appeals process. Introducing golf courses in this particular CR district at this point is highly unlikely as the necessary open space to create one is no longer available.

3. Article III-4-Day Care center or (Nursery School) “A facility licensed by the State of Maine for the care or instruction of more than three (3) preschool age children, exclusive of children who may be living in the home which is serving as the day care or nursery school facility.”Day Care Centers & Nursery Schools as defined fit the definition of “Home Occupation”. **Note:** Revised separate definitions for daycare and nursery school facility may be needed.
- 4 Article VIII-B. Commercial Uses p.16-Item15: Under permitted uses... “Home Occupations”. ie. Day Care/Nursery etc.
- 5 Article VIII-17.D: Prohibited Uses: Uses not allowed as permitted uses or special exceptions are prohibited within this district.

In my view, individuals who have chosen Camden for their permanent or seasonal living and have purchased or built a home in a residential neighborhood of their choice and character should be able to rely on our Comp. Plan, Ordinance, and the planning board to reasonably protect their interests unless there is a compelling reason to do otherwise.

- 6 Art. VIII-25: Traditional Village District (V) Purpose: The Traditional Village District encompasses the older residential neighborhoods near the center of the community...**The purpose of this district is to maintain these highly livable neighborhoods... etc.**
- 7 Article VIII-39: Transitional Business District (B-3) Purpose: The TBD is meant to accommodate limited business uses in areas that are located along main traffic arteries but are residential in character. The explicit purpose of this district includes the prevention of strip highway development and **the preservation of the character and appearance of established residential neighborhoods. Note:** “Character & Appearance”.
- 8 Article VIII-47: Neighborhood Service District (B-4) Purpose: **The NSD is meant to accommodate limited business uses in areas that are residential in character. The explicit purpose of this district is to preserve the character and appearance of established residential neighborhoods... Note:** “Character and Appearance”. This goes beyond simply the visual character and addresses the social fabric of established residential neighborhoods.

9 **The terms:** “preserve, protect, maintain, respect...” residential neighborhoods are used throughout both the Comp. Plan and zoning ordinance.