

Special exception proposal sent to Select Board

By Stephanie Grinnell | Jan 02, 2014

CAMDEN — The Planning Board on Jan. 2 approved sending the proposal for a special exception in the Coastal-Residential district for a high-end alcohol and substance abuse treatment facility to selectmen for potential inclusion on the next ballot.

The meeting, at Camden Opera House, opened at 5 p.m., despite wintery weather in the area, and reopened the public hearing that began Dec. 12 to allow members to discuss and vote on the proposal. Following more than two hours of discussion, the Planning Board voted 4-1 in favor of allowing voters to make the final decision on the proposal's merit. The sole dissenting vote was Richard Householder; those in favor were Lowrie Sargent, John Scholz, Jan MacKinnon and Kim Tuttle.

The select board will set additional public hearings on the matter before deciding if the issue should be included on the ballot. If included on the ballot, voters would be deciding on the appropriateness of substance abuse treatment facilities as a special exception in the C-R zone. The special exception was requested by investors in Fox Hill Real Estate LLC who hope to partner with McLean Hospital to offer high-end rehabilitation services at the property known as Fox Hill located at 235 Bay View St.

Sargent, acting as chairman due to Chris MacLean's recusal, noted the board heard from 120 speakers and received more than 75 letters regarding the proposal during the course of several months.

Town Attorney William Kelly noted the process for the Planning Board is "a black and white review process for you folks. ... select board is more of a bare-knuckle forum." He encouraged Planning Board members to look objectively at the proposal and addressed several legal concerns brought up by attorneys, noting each time the issue would not bar approval. Kelly spoke to standing of the applicants as well as the inference of illegal spot zoning.

"There's no reason for me to over-lawyer this," he said.

Planning Board members were each given an opportunity to speak and ask questions of Kelly as well as Fox Hill Real Estate LLC's attorney Paul Gibbons. Members also disclosed the thought processes behind their impending votes.

Planning Board member Richard Householder went through a list of questions he asked himself, answering each aloud. Householder said information presented by the public ranged from factual to speculative. He also expressed concern about the potential for paparazzi seeking out any famous clients being treated at Fox Hill but other members disagreed.

"People would take a picture of John Travolta at a treatment facility but not of John Travolta outside French and Brawn," Householder said.

"We know we have famous people that frequent town. ... Nobody fusses with them. [I find it] hard to believe the paparazzi would show up," Sargent said, noting there has been no evidence of paparazzi problems at Fernside, a rehabilitation center in Princeton, Mass., operated by McLean.

"This has a lot of potential for the town but I think the people should have a say," Planning Board alternate member Kim Tuttle said.

"This has been quite a journey," Sargent said, adding there are no defining parameters provided by town documents, including the 2005 Comprehensive Plan.

Sargent questioned the enforceability of the proposal by the code enforcement office but was reassured by Code En-