From:	Gaffney, Heidi
To:	Rick
Cc:	walterahaines@yahoo.com; Hediger, David
Subject:	ZP 806 - Information Request #3
Date:	Wednesday, September 16, 2026 1:42:29 PM
Attachments:	MFS_review_09_14_2026.pdf HPC_review_08_26_2026.pdf EcologyGroup-MNAP_review_08_25_2026.pdf

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Good afternoon Rick,

Zoning petition ZP 806 was determined to be complete for processing on July 27, 2026. LUPC staff have now completed a full review of the application materials and have found that additional information is needed to fully evaluate the rezoning petition. On September 9, 2026, the Commission reviewed the requirement that a public hearing must be held on this application and directed the Presiding Officer, Acting Executive Director, and staff to coordinate the scheduling and logistics. Therefore, staff strongly recommend that the information requested below be submitted by September 30, 2026. Please let us know if you will need additional time. Public hearings are not scheduled until all information requests are addressed and after third-party reviews by other agencies are completed. Providing a complete, up-to-date application at the time of the hearing ensures that the Commission and the public review the final submission, eliminating the need to reopen the record and extend the comment period. Staff will provide an update as to the hearing date and location once determined.

Staff are also requesting that you submit a new revised version of the application packet that includes the updated supplemental information from the initial review requests for completeness (May 6 & 22), as well as the information requested below, along with a cover letter. This will facilitate review by the Commissioners and the public during the hearing process. As part of this revision, please revise the labels from “Section” to “Exhibit” to match the application format. Please note: Once additional application information is received, staff may have additional questions regarding that information.

Application form

- Revise the “lot size” information to indicate the acreage for each lot affected by the proposed rezoning (instead of each zone affected). For the lots where only a portion is proposed to be rezoned, provide the acreage of the portion of the lot to be rezoned and indicate that it is a portion of the lot.
- For the “all zoning…” and the “zoning at development site” sections, there is an existing P-GP which is not listed, but there is not an existing P-SL1 which has been listed. Confirm the following revisions:
    - P-SL1 is deleted; P-GP and P-WL1 are added.

Under the project summary, revise the total acreage once confirmed (see more below).

Exhibit 2: Project Description

- The application references 145 acres proposed to be rezoned. Confirm or update the acreage, taking into consideration any changes to the proposed zoning boundaries since the original submission, or as a result of further revisions based on comments below.
- The project info states, in part, "...rendering him unable to create a residential subdivision as the area doesn't qualify for a General Management Subdivisions". Please clarify the statement with additional information.
- Correct the existing zones affected and update the acreages for each existing zone proposed to be rezoned.

Exhibit 3: Deed, Lease, Sales Contract, or Easement - Provide additional information and/or clarification for the following items:

- Ownership of the road: the deeds reference at least two 50-foot ROW's, but it is unclear which existing roads these refer to, or if Walter Haines owns Beal Pond Rd and West Beal Pond Rd, or has a ROW.
- There is a reference in the 1981 deeds to a prohibition on subdivision, but a reference in a 2016 deed states that the prohibition is extinguished.
    - Confirm if any of the deeds for any of the parcels subject to the proposed rezoning have restrictions that would prohibit subdivision or any other restrictions that would be relevant to this application or provide additional details and information if there are relevant restrictions.

Exhibit 5: Land Division History (LDH)

- Provide the Land Division History in accordance with the instructions in the application. Include drawings and acreages, as well as any divisions and transfers, including leases, in the past 20 years. A link to more detailed instructions can be found at Land_Division_Instructions.pdf.
- Review the deed information and provide any additional deeds or clarification. For example, MRS lists Book 4207, Page 283 for Plan 06, Lot 30.1, and Book 4145, Page 89 for Plan 06, Lot 14.1, but these deeds are not listed in the LDH provided.

Exhibit 6: Structures, Features, and Uses

- Although referenced in part in other Exhibits, please describe in detail the present condition of the property and the site to be rezoned, per the instructions in the application.

- The camp on Lot 30.1 needs to be listed.
- Since this application is limited to a proposed rezoning, any future proposed infrastructure such as the turnouts would be considered under a separate subdivision or development application. These should be removed.

Exhibit 7: Site Plans

- The proposed rezoning boundaries need more detail to lessen the uncertainty on the exact boundaries of the proposal; refer to 12 M.R.S. § 685-A(2) for additional information on how district boundaries are interpreted. Following existing property lines, specified offsets from the centerline of existing roads or other features, the centerline of streams, etc., provide verifiable clarification and reduce uncertainty. Where that is not possible, additional metes and bounds descriptors with distances are needed. This is necessary both to assist in the analysis of the area proposed for rezoning as well as to reduce uncertainty regarding boundary locations for any approvals. ***Please reach out if scheduling a quick Teams meeting would be helpful.*
- Note/clarify on all plans where wetlands are shown that the wetland locations are preliminary and have not been delineated.
- Lot 19.2 has an area zoned P-WL1. The draft conceptual plan suggests this may be impacted; please clarify.
- The conceptual plan has a note under the "Lot Information" block that states "*Lot 31 is 0.81 AC as an existing recorded lot" but the lot number has changed as the plan has been revised. For clarity, refer to this lot by its existing Tax Map/Lot designation of Plan 06, Lot 30.1.
- Update all maps in the application to reflect the final area proposed to be rezoned in relationship to the conceptual plan and soils map. Add a revision date or other means to clearly identify the applicant's final proposed area to be rezoned.

Exhibit 11: Rezone to/from Protection Subdistrict

- Clarify whether a P-WL1 is being impacted.
- "Submit a letter from a qualified wetlands professional regarding the suitability of the proposed change to or from the P-WL Subdistrict due to resources that are or are not present", in accordance with the instructions for Exhibit 11.

Exhibit 13: Notice of Filing

- Although the individual County Commissioners were provided notice, notice needs to be provided to the Franklin County Commissioners Office

Exhibit 17: Fire, Police, and Ambulance

- For each service, please list the name of the provider and the distance from the proposed area to be rezoned.
- Provide an update on any responses received from the two rounds of requests you've sent to Fire and Ambulance, or any additional contact with them regarding the request for letters from them. Responses are needed from these service providers.

Exhibit 18: Educational Services

- Provide the names and distances of MSAD 58 schools from the proposed area to be zoned.
- Provide the required letter from the school district.

Exhibit 19: Solid Waste Disposal

- Provide the distance to the Phillips Transfer Station.
- A letter from the Town of Phillips Planning Board has been received noting concerns; however, it is not clear if the Phillips Planning Board has authority over the Transfer Station. If a response from the Transfer Station is not possible, I suggest reaching out to the Phillips Town Manager to seek the information required by Exhibit 19.
- Provide information explaining how the solid waste disposal needs would be met if it is determined that the proposal would exceed the capacity of the Transfer Station.

Exhibit 22: Site Access and Legal Right of Access

- Provide the details required in the application instructions.

Exhibit 23: Soil Suitability

- Update this section with the supplemental information provided from staff's May 22nd request.

Exhibit 26: Rare or Special Plant Communities and Wildlife Habitat

- Respond to the MDIFW comments as outlined in bullet point 3 of the application instructions for Exhibit 26.

The application has been sent to the following agencies for review: MDIFW Environmental Review; Ecology Group (formerly MNAP); MHPC; MFS; and Franklin County. Attached are review comments and questions received to date from MNAP; MHPC; and MFS. Comments are expected from MDIFW Environmental Review next week.

Thank you for your patience and cooperation throughout this process. Additional review comments and questions from staff and other agencies may be forthcoming. If you have any questions regarding this information request, would like to schedule a meeting, or need additional assistance, please contact me.

Sincerely,

Heidi Gaffney

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