
PUBLIC COMMENTS RECEIVED FOR ADJACENCY REVIEW PROCESS

Maine Land Use Planning Commission
Maine Department of Agriculture, Conservation and Forestry

Adjacency Review Comments, Group #4: *Comments about proposed rule revisions related to application of the adjacency principle*

The Commission appreciates the broad public interest in its review of the adjacency principle, and will consider comments about the review when submitted. Because the comment period will span almost four months, the Commission will generally make written public comments available on the website after a Commission Meeting where the adjacency review is discussed. Groups of comments include those received to date from the last time the Commission published a group.

Note: This document includes written comments received after the public hearing on June 20, 2018. However, some comments are intended to accompany verbal testimony provided at the hearing.

Comments received between: June 23, 2018 – July 6, 2018

Public Comment Deadline: September 24, 2018



Written Comments for LUPC Proposed Revisions to Application of the Adjacency Principle

June 20, 2018

The Appalachian Mountain Club is the nation's oldest outdoor recreation and conservation organization. We are dedicated to promoting the protection, enjoyment, and understanding of the mountains, forests, waters, and trails of the Northeast. Here in Maine, we own and manage 75,000 acres of land in Piscataquis County, and focus our efforts on public outdoor recreation, resource protection, sustainable forestry, and community partnerships. This project, called the Maine Woods Initiative (MWI), is the largest land conservation effort in AMC's 140 year history. Our experience provides us with multiple interests in the adjacency review process as a landowner, recreation facility operator, and conservation organization.

The unorganized territories are a unique and invaluable resource to the state. The mostly undeveloped landscape of the jurisdiction provides a wide range of economic, social and ecological benefits to landowners, local communities, residents and visitors, each of whom has their own reasons for valuing it.

After a thorough review of the proposed changes and an ongoing dialogue with LUPC staff, AMC proposes the following recommendations to encourage development near the communities in and near the UT.

Primary Locations

Encouraging development along roads for 10 miles from the boundary of the rural hubs identified in the proposed rules will have negative impacts on the character of the area and wildlife habitat. The distances outlined in the primary and secondary areas are much too far and don't accomplish the stated goal of locating new development "close to existing development and public services". **AMC recommends running additional analysis to test alternative distances in the primary locations. We recommend 3 miles from a rural hub and within 1 mile of a public road as a much more appropriate starting point.**

In addition, many of the roads that would be open for development under this new system are designated scenic byways. A quick search shows Maine's scenic byways are popular travel destinations. Route 201 has the additional distinction of being named a Federal National Scenic Byway called the "Old Canada Road National Scenic Byway". The Maine Tourism Association has an entire page dedicated to these routes describing them as:

“Boasting one of the oldest Scenic Byway programs in the country, Maine offers travelers diverse landscapes such as the Western Mountains and the rugged Downeast coastline. Maine’s Byways feature outstanding year-round recreation opportunities, well-preserved rural character, traditional arts and culture, abundant wildlife.”

Designated scenic byways should receive a higher level of protection. **AMC recommends retaining a 1-mile adjacency provision for scenic byways or limiting the primary areas along scenic byways to 1 mile from rural hubs.**

Rural Hubs

AMC appreciates the ongoing efforts from LUPC staff to refine the rural hub list to encompass the most appropriate places for development. We especially appreciate the removal of specific areas where geographic features or regional preferences were taken into consideration.

AMC would like to recommend some additional changes to further refine the rural hub list. There are some areas where the presence of more than one rural hub in a region creates a long contiguous stretch of primary locations between communities. These contiguous sections would contribute to strip development and create a 20 mile or more stretch along some rural roads and scenic byways. **We suggest removing the more remote rural hubs to break up these contiguous segments. Some specific townships we would suggest removing to address this issue include: Newry, Eustis, and Jackman.**

We have also expressed concern throughout the process about how measurements are conducted in this proposal. While we prefer measuring allowable distance by road mile and from the town centers, we understand there are inherent logistical challenges. Perhaps LUPC can find a better proxy to measure from within the designated rural hubs. If the major issue is the provision of emergency services, perhaps the staff can work with these emergency service providers or community leaders to identify a better starting point for measurement or the limits of their services. The key is to better anticipate public service needs and measuring from the border of a rural hub seems to unnecessarily add substantial distance to the proposal depending on where the town center is physically located in the parcel.

Low Density Subdivisions

AMC is concerned about the implications of allowing low density subdivisions. We fundamentally oppose the development of “kingdom lots” and see them as a real driver of habitat fragmentation and inappropriate for the UT. In rereading the research on market conditions conducted by LUPC staff in September 2015, we understand that there are regional differences in desirable characteristics for a marketable lot, but large lots run counter to the goal of this proposal and stated objectives of the CLUP. They take productive forest and farm

land out of production, increase costs for public services, and close off large areas for hunting, fishing, and other recreation opportunities.

AMC would prefer to see the low-density subdivision category removed from consideration.

We support the General Management Subdivision category and think this category along with the moderate and high density subdivision options should satisfy the majority of the needs in the region. If low density subdivisions remain in the final rule, we suggest LUPC staff cap the aggregate subdivision land area to 100 acres.

Residential Development Subdistrict (D-RS)

While we understand the general concept and desire for residential development near recreational resources, we are very concerned with the impact these developments will have on the experience these resources offer. In particular, we are concerned about the impacts on the expectations of the users, the level of use these resources can withstand, and the management goals of the various trails that would be impacted. There may be some specific recreational resources that are compatible with development but specific criteria must be developed to identify these places and protect those trails that are set up with different management and user experience goals. **AMC suggests considering trail heads located within the designated rural hubs or trail heads with some level of existing development or adequate parking as a place to start to outline criteria to identify appropriate trail heads.** Generally speaking motorized users are looking for a different experience than non-motorized users so special care should be taken to parse out those uses and expectations.

The Appalachian Trail, the Northern Forest Canoe Trail, the Allagash Wilderness Waterway, and many other permanent trails rely on a remote kind of recreational experience. That experience is wholly incompatible with residential development – especially development within one-half mile of these trails. Maine has some of the most remote sections of the AT and this proposal is a major threat to that reputation since it seems to drive development right to it. **We understand that the intention of this section of rule is to allow development near trailheads, but as currently written it allows recreation-based residential activity within one-half mile of permanent trails. This is an important distinction and one that must be corrected and clearly defined.**

Our read of the definitions in Section 10.08A also leaves the location of these subdivisions too open-ended. The rule states “D-RS subdistricts for recreation-based subdivisions may be located within one-half mile of the following:”. **The use of the word *may* seems to allow them within and beyond this criteria – I don’t think this was the intention and I have flagged this error for LUPC staff already.**

Resource –Dependent Development Subdistrict (D-RD)

In the same vein as above, we are concerned about how recreation day use facilities will fit with different types of recreation resources. People who choose to recreate in Maine's UT expect a certain experience. Allowing equipment rentals, guide services, or pre-prepared food at or near these remote locations may be incompatible with the character of the resource. The proposed activity standards outline some guidelines for these types of activities but don't address any characteristics about the user experience or capacity of the resource. These are important considerations that should be included in the permitting process for these types of facilities.

Ultimately, we believe these types of businesses should be located in the established communities in and around the UT to better support economic development efforts. Local outfitters and restaurants can creatively market their services by including gear delivery, shuttles, or bag lunch options for people traveling through who need these facilities.

AMC remains supportive of any effort to meaningfully incentivize all types of development within established communities in and around the UT. These towns are struggling to attract the development and residents they need to support the services they provide. We are deeply involved in the community development efforts in the Moosehead region and know that those communities are optimistic in the face of these challenges. They are trying to attract new businesses and families to the area. We believe the broad changes in this proposal that allow for development to locate too far beyond community borders will undermine these efforts.

We also want to thank the LUPC staff for their diligence in reviewing this proposal with us. Their attention to detail and openness throughout this process has helped us meaningfully engage as an interested stakeholder in this process. We know there are many other community leaders and stakeholders who have not yet had a chance to review this proposal and we hope LUPC staff will continue outreach throughout the comment period to ensure that key constituencies are included.

Thank you for the opportunity to participate in this process. We look forward to reviewing the next iteration of this proposal. Please don't hesitate to contact me directly (at kbernard@outdoors.org or (207)808-4424) if you have any questions.

Kaitlyn Bernard

Kaitlyn Bernard
Maine Policy Manager



July 5, 2018

Ben Godsoe
Land Use Planning Commission
22 State House Station
Augusta, ME 04333-0022

Re: Proposed Revisions to Application of the Adjacency Principle

Dear Mr. Godsoe:

Thank you for the opportunity to submit comments on the proposed revisions to the application of the adjacency principle. Maine Audubon remains grateful to the Land Use Planning Commission (LUPC) staff for the time and creative thinking they have devoted to the question of how to locate future development in the unorganized territories. We are confident that the LUPC desires to achieve an outcome that appropriately balances development and the unorganized territories unique natural resources. We recognize progress toward that goal in this draft rule, especially the idea of concentrating development near existing areas of development.

However, we remain very concerned about the size and scope of the proposal, the real possibility of unintended consequences, and the pace at which this rule revision process is taking place. This is the most significant proposed policy change in the history of both the LUPC and the Land Use Regulation Commission. We urge the Commission to proceed carefully and conservatively. Landowners in the jurisdiction will undoubtedly perceive any changes as a right to develop, therefore there will be little to no opportunity to renege. In our estimation, these changes would be permanent. As such, they must be given adequate time and attention so as to not unreasonably impact the jurisdiction's outstanding natural resource values. Our comments below include specific recommendations for modifications and general comments we believe should be taken into consideration as the rules develop, including thoughts regarding time and process. We thank you in advance for your careful consideration of our comments.

A lot is at stake. Maine's North Woods, comprised nearly solely of unorganized territories, is the largest unfragmented forest east of the Mississippi, and one of the largest remaining temperate forests in the world. Maine is the crossroads of an extensive wildlife habitat network, spanning from upstate New York to Nova Scotia, where wide-ranging mammals like black bear, moose, bobcat, and fisher can move between core habitat areas to meet their daily, seasonal, and life needs. Maine is also home to 97% of the wild brook trout waters in the Eastern United States. Brook trout can only thrive in cold, inter-connected

waters, characteristics that are threatened in the absence of smart development. Maintaining the core values of the North Woods allows these species to move around and breed as habitats change due to climate change and also preserve genetic diversity within populations. It is also a globally recognized Important Bird Area because of its significance as breeding grounds for dozens of songbirds, many of which are in steep decline. Development in the North Woods should minimize habitat fragmentation by maintaining large habitat blocks, establish wildlife corridors between those blocks, and sustain resources and refuge for common and rare plants and animals across the jurisdiction. This is what guides Maine Audubon's assessment of the proposed rules and this effort on the whole. We implore the Commission to also consider these unique values as they continue to develop modifications to the application of the adjacency principle.

Specific Recommendations

(I) Expand opportunities for public engagement and continue community outreach. We're continuously impressed by the Commission's efforts to engage communities and stakeholders in this process. However, due to the enormity of this policy change and the direct impacts the change would have across the jurisdiction, including in communities near to the jurisdiction, we feel strongly that there needs to be more opportunity for local communities, local decision-makers, and the public to weigh in. Not only will this potentially lead to public "buy-in", but the Commission will benefit from incorporating knowledge unique to those that live and work in the jurisdiction into their final product. We offer the following recommendations:

- a. Hold public information sessions across the jurisdiction.** Maine Audubon was particularly impressed by the public information sessions held in Bingham and Millinocket, where we understand that LUPC staff received invaluable feedback, including gathering information that is uniquely held by members of those communities. For example, staff removed T2 R9 WELS from the primary locations based on feedback that the community members desired to concentrate development in Millinocket and Medway. This is information that can only be gleaned through targeted outreach. We encourage the Commission to hold additional meetings, such as in the Kingfield/Carrabassett Valley area, in the Bethel/Newry area, in Lincoln, in Lubec, and in Ashland to gather similar information. We recommend sharing with those communities how these changes would operate on the ground, including on lakes in their area. It is important for communities to understand the opportunity and risks associated with these changes, as well as for them to have an opportunity to understand the changes and give their feedback.
- b. Alert landowners and residents of the proposed changes by mail.** Maine Audubon understands that the Commission successfully engaged with landowners and residents via mail during the survey phase of this process. We encourage the Commission to send another mailing to landowners and residents, urging them to

review the proposed changes and send their feedback. At the survey phase, staff did not have anything concrete for residents and landowners to react to. We suspect that, particularly if the Commission includes the proposed map in their next mailing, engagement will significantly increase. To save on cost, we recommend including this information with resident and landowner's tax bills. Alternatively, the Commission could send a simple postcard with links to the information online, encouraging people to visit and peruse the information online or at their local library or State office, where a packet of information would be made available.

c. Brief the Agriculture, Conservation, and Forestry Committee. The Committee of jurisdiction for the LUPC should be briefed on the effort as a whole, as well as the proposed rules. Committee members may share what they learned with their constituents and offer insights that reflect the desires and concerns of their constituents with the Commission. We recommend the Commission invite all legislators with unorganized territories in their district to this meeting.

d. Reach out to organized communities in proximity to the jurisdiction. There is no question that the proposed rule changes will impact organized towns near to the jurisdiction. The proposed changes will incentivize more development in the jurisdiction that will draw upon municipal resources, such as emergency services. We encourage the Commission to work with organizations such as GrowSmart Maine and the Maine Municipal Association to engage organized communities in the rulemaking process.

e. Hold a second public hearing. We recommend that the Commission hold a second public hearing when a draft rule is available for each element of the "adjacency package", including the subdivision rules, the activity specific standards, and the "next draft" of the proposed adjacency rules. Though rough concepts of these items are presently available, the detailed rule must be considered holistically in order for the Commission to receive meaningful feedback. We recommend that the Commission offer ample opportunity for the public to review the proposed rules prior to the public hearing. In our experience, a month is sufficient to review rules in their totality prior to a public hearing.

(2) Reduce the size of the development areas. Wildlife depends on large blocks of unfragmented habitat in order to thrive. While we support the concept of locating the majority of development in proximity to retail hubs and public roads, we feel very strongly that the proposed rules unnecessarily encroach on the core of the North Woods. We recommend reducing the size of the primary and secondary areas. Below are several ideas as to how to reduce the size of the "development areas". Note that we do not suggest that any one of these ideas operate alone. Instead, we recommend employing a combination.

- a. Remove primary and secondary areas that are proximate to areas with multiple, well-established retail hubs.** We have heard from colleagues whose work is centered in economic and community development a concern that increased development in the unorganized territories will draw new development away from established development patterns, draining municipal resources, and stymieing efforts to create centralized “destinations” for visitors. Removing such areas would address their concerns, as well as make strides towards resolving Maine Audubon’s concerns about encroaching development on some core habitats. The primary area and secondary areas adjacent to Newry and Bethel are an example of an area that we would recommend removing altogether, due to the pattern (i.e. contiguous) of retail hubs (Newry, Bethel, and Rumford), and the concerted efforts of those communities to establish themselves as outdoor recreation destinations. Because of the areas’ proximity to the White Mountain National Forest, removing that area would support habitat connectivity and both economic development and conservation goals of the local communities. The areas adjacent to Carrabassett Valley and Kingfield are another example of areas that could potentially be removed altogether.
- b. Reduce the primary areas to 1-2 miles from a retail hub and 0.5 miles from a public road.** Maine Audubon has run mapping scenarios using three miles from a retail hub and 1 mile from a public road and found that it addresses some, but not all, of our concerns. For instance, it reduces extensive strip development, which negatively impacts not only habitat connectivity, but also our scenic byways. The proposed rules could result in strip development spanning 10 miles, spanning multiple townships. This is a significant departure from the current interpretation of the adjacency principle. Under the “three mile by 1 mile” model, we saw a positive change in Dennistown Plantation and Sandy Bay Township, for example, as well as Chain of Ponds Township. We also saw that reducing the primary areas resolves the problem of particularly dense areas of development where there are lots of public roads, such as east of Medway and Lincoln where Routes 2 and 2A, and Route 170 and 171, respectively, converge. Dense areas of development reduce resources that sustain wildlife. Reducing the primary areas to 1-2 miles from a retail hub and 0.5 miles from a public road is altogether a more reasonable expansion of development opportunity, while avoiding some potential unintended consequences such as strip development.
- c. Utilize “service centers” instead of “retail hubs”.** Maine Audubon recommends that the LUPC locate development proximate to service centers, as opposed to both service centers and retail hubs. This recommendation reflects our concern that tax data (it is our understanding that retail hubs are determined based on tax data) alone is not a reliable indicator of a community/development center or community’s ability to, for example, support emergency services. A stand-alone gas

station, for example, could have major tax implications, but may not be accompanied by a fire station.

- d. Remove the secondary areas entirely.** Secondary areas are reserved exclusively for residential development. It's our understanding, based on the outcome of the Community Guided Planning and Zoning efforts, as well as the adjacency surveys, that there is little demand for residential subdivisions in the unorganized territories. As such, we recommend removing the secondary areas entirely.
- e. Significantly limit, or eliminate, General Management subdivisions.** General Management subdivisions are subdivisions that are allowed without a rezoning. Currently, such subdivisions are allowed in the General Management (M-GN) subdistrict within 1,000 feet of a public road in certain townships. Under the forth-coming proposed subdivision rule revisions, these new General Management subdivisions would be allowed in the M-GN subdistrict within primary areas, as long as they are within a ½ mile of a public road. Once the proposed subdivision demonstrates that the design meets some basic standards (to be detailed in the forth-coming subdivision rules), the proposed subdivision would only require a permit. This represents a significant expansion of potential development area all at once, without rigorous oversight or ability to assess incremental impacts. A rezoning petition typically provides the opportunity for the Commission to assess incremental impacts. General Management subdivisions do not require a rezoning. We recommend significantly limiting, or eliminating, the General Management subdistrict as one way to limit areas where new development could occur in the jurisdiction. For example, this would occur automatically if the primary area shrinks and the secondary areas are eliminated.
- f. Measure the distance from service centers by road mile, not as the crow flies.** We appreciate the simplicity of measuring "as the crow flies", but does not square with the fact that people in the jurisdiction generally travel via roads. We believe that measuring distances by road helps the Commission achieve their stated goal of locating new development nearer to emergency services, which travel by road. Alternatively, if this proves too difficult to measure and map, then substantially reduce the distance measured from the township boundary to avoid new development areas that, by road, are in reality 10 miles plus another 4-6 miles away from service centers and emergency services.
- g. Plan for evaluation of the changes in 5 to 10 years.** The possibility for unintended consequences is immense at this scale. It is also difficult to predict market pressures. We recommend designating only a very small area for testing this new approach at this time and evaluating the successes and challenges of the changes in 5 to 10 years. If there is increased development pressure, for example, the area could be expanded. If the Commission discovers unintended consequences, they

could also be addressed at that time, and the new rules could be modified before being applied across the entire jurisdiction. The Commission must bear in mind that once they grant landowners the potential for development, they will be significantly challenged to “take it away”. As such, the Commission must act conservatively.

- (3) Include an explanation of what defines rural hubs, as well as areas within and outside primary and secondary locations.** See 108-A,B and 108-A,C,4-5. Maine Audubon has benefited from an explanation from Commission staff as to what constitutes a rural hub and why some areas have been included or excluded from the primary and secondary areas. We recommend that such an explanation be included in the basis statement for the rule changes, as well as in a place that is more easily accessible to the public, such as on the Commission’s website. On its face, these decisions appear arbitrary and could leave the Commission vulnerable to criticism.
- (4) Narrow the definition of “permanent trail”.** We’re concerned that the definition, as drafted, will drive development to areas where the expectation of the trail user is peace, solitude, and an otherwise “wilderness” experience. We encourage the Commission to work closely with groups such as the Appalachian Mountain Club, the Maine Appalachian Trail Conservancy, the Mahoosucs Pathways, and others to develop a definition that does not encourage development in areas of the jurisdiction where residents and visitors expect to enjoy a remote outdoor experience. Such areas often coincide with high quality wildlife habitat, which would be degraded by increased development.
- (5) Do not include an emergency services waiver.** As proposed, the Commission would require petitioners to demonstrate that the county, municipality, or other service provider is willing and able to provide emergency services. However, that requirement may be waived “provided the petitioner demonstrates notice of the absence of emergency services will be provided to all subsequent owners of property within the area proposed for rezoning.” See 10.08,B,2,a. We recommend that this waiver be removed, because we do not think it is enforceable and because we think it is unrealistic to expect all future developers and/or homeowners in the unorganized territories to appreciate the area’s limited public services.
- (6) Do not allow recreation day-use or supply facilities within ½ mile of Management Class 6 lakes.** See 10.21,K. The proposed rules would allow recreation day-use and recreation supply facilities within a ¼ mile of Class 6 lakes. The current standard for development is ½ mile. We recommend maintaining the current standard so as to protect the natural resources of Management Class 6 lakes, also known as remote ponds. Allowing recreational facilities within ¼ mile conflicts with the very essence of what constitutes “remote.” In addition, many of these remote ponds hold populations of wild brook trout, that would become more vulnerable to increased angling pressure and/or introduction of nonnatives.

(7) Further define “close connection to a recreational resource”. See 10.21,M. Maine Audubon is very concerned that the purpose statement for the Residential Development Subdistrict (D-RS) is not narrowly-tailored enough and as a result, will invite residential development in dispersed areas. Dispersed development can lead to greater fragmentation of habitat compared to concentrated development. This is because dispersed development requires greater road construction across a larger area, which in turn brings greater risk of wildlife roadkill, introduction of non-native species, and avenues for the spread of raccoons, skunks, and other animals associated with human habitation into the area. These species can have a devastating effect on local wildlife by preying on nests and competing for other resources. The incursion of dispersed development into a greater proportion of an area has a greater effect, acre for acre, than the same number of developed lots within a concentrated area. In addition, disturbance from human activity can extend over 3300’ beyond the roadway, ranging from phosphorous and other sediment run-off (160-3300’), to invasion by roadside species and increased human access affecting wildlife and sensitive habitats (>3300’).

(8) Complete a land use inventory and/or “build out scenario”. Much of this proposal is difficult to assess because no one knows precisely what is currently “on the ground” in the jurisdiction. While the Commission has a record of permits, it does not have a record of which of those permits have been built out, begging the question of how much “new” development this proposal represents. A land use inventory could be added to over time, as permits are issued and rezonings are approved, meaning that the inventory would remain up-to-date.

Additionally, we recommend completing “build out” scenarios of the current one-mile rule and the proposed rule changes, as this will help facilitate understanding of the impacts of the proposal. Even with limited development data, the Commission could complete a build-out scenario of the maximum number and locations of new subdivisions and/or homes, businesses, and recreational supply facilities that could be permitted under the new proposed rule compared with the current rule (starting with the assumption that all permits issued have been fully built out).

General Concerns

(1) The pace of the rule change process. We encourage the Commission to take their time modifying the application of the adjacency principle. While we appreciate that the Commission has spent several months exploring general concepts related to the principle, we’ve found that putting those concepts “to paper” is very difficult. Each time that Maine Audubon reads or considers the proposed rule draft, we uncover a possible unintended consequence. We recommend extending the timeline into 2019, to leave ample time for additional public engagement, as well as time to carefully vet the proposed rules.

(2) Unduly competing with existing communities. We're very concerned that the proposed rules will draw development away from existing communities in rural Maine that are in many cases struggling to maintain their population and vitality. For example, we're concerned by the increased development potential outside of Lubec. Lubec, like many other rural communities, is working hard to retain its character. Part of that character is being the development hub that is proximate to Moosehorn National Wildlife Refuge and the Cutler Coast Public Reserved Land Unit. If development is drawn away from that hub, it will not only mar the character of these incredible conserved lands, but the character of the town of Lubec.

(3) The proposed rules are very difficult to follow. Having followed the discussion surrounding the modification of the adjacency principle very closely, including reading the rule "concept draft", Maine Audubon has a good understanding of what Commission staff aimed to achieve in this proposed rule draft. However, we have had and are continuing to have a difficult time following how these concepts are translated into rule. Particularly, we are having a hard time understanding what subdistricts and activities are allowed in and out of primary and secondary areas. We recommend that the Commission carefully revise the proposed rules for clarity, particularly where subdistricts and activities may be located, as well as how to distinguish whether a subdistrict or type of activity guides the determination of location of development.

(4) Development on lakes. Under the proposed rules, significantly more Management Class 3 lakes and Management Class 7 lakes would be open for development. We are incredibly concerned about this aspect of the proposal, as increased development could negatively impact water quality, aquatic species habitat quality, riparian habitat, stream habitat, and both aquatic and terrestrial connectivity, plus homeowner and recreationist experiences. There are approximately 1,100 Class 7 lakes in the jurisdiction and it is unclear precisely how many could be available for future development or how many new homes could be built on each lake. While the actual number of lakes open for new development may be smaller than the total number of lakes in the Management Class due to the "screening criteria" included in the proposed rules, there still appears to be a significant expansion of lakeshore development beyond what is currently available.

While the management classification system will help to balance the amount of development on these lakes, it cannot adequately address the pace or placement of development, as all listed lakes that meet the rules' criteria would immediately become available for development. Management Class 7 lakes are particularly vulnerable. Enough about these lakes was known at the time the lake classification system was developed to not classify them as high value (Management Class 1 or 2), but often not enough about these lakes was known to afford them protections more stringent than those assessed on more developed, lower quality lakes. New data is available for many of these lakes (such as Heritage Water designation) and that should be taken in to consideration.

(5) Low density subdivisions. Allowing for low density subdivisions is an inefficient use of land and would represent a dramatic departure from current Commission policy. Between 1989 and 2001, the Legislature passed multiple bills to limit this type of development, which it deemed inconsistent with the CLUP. “Large lot” subdivisions, even with the proposed low density subdivision guidelines, can still result in house lots that are no longer available for commercial forest management or public recreation, and that reduce and fragment wildlife habitat—uses that should be supported by the Commission under the CLUP. Furthermore, the proposed 25-acre upper limit for low-density subdivision parcels, based on the ability of a landowner to secure an any-deer permit to hunt on their land, is not in keeping with Maine’s tradition of allowing hunters on any land unless it is posted. We’re concerned that the proposed rule change would begin moving us towards the European system of private ownership rights for hunting, which is not something Maine Audubon supports. Furthermore, allowing these subdivisions in both primary and secondary areas creates extensive new opportunities for development in areas far beyond existing centers of development and economic activity.

(6) Inflated land values. We anticipate that opening up hundreds of thousands of acres to potential development—even if not officially rezoned—will inflate land values and make it much more difficult for future landowners, whether they be private forest landowners, investors, or conservation buyers, to purchase land, particularly those areas zoned as primary areas adjacent to roads. We believe this is a significant unintended consequence that merits more review.

(7) Instead of modifying the application of the adjacency principle, utilize existing LUPC tools. It remains unclear why Community Guided Planning and Zoning, Prospective Zoning, and Lake Concept Plans could not be utilized in additional regions of the jurisdiction instead of moving forward with this wholesale new approach. The Aroostook County and Washington County Community Guided Planning and Zoning efforts and the Rangeley Lakes Region Prospective Zoning plan appear to have been successful efforts. Utilizing these existing “LUPC tools” could be a good way to avoid overlooking area and region specific concerns. Specific issues related to home businesses, recreational amenities, and Level II subdivisions could be addressed through more targeted changes to existing rules and policies.

(8) Do not eliminate the need to rezone. We have heard conversations about the possibility of the Commission rezoning the proposed primary and secondary areas to development zones. We strongly urge the Commission to reject this proposal. Rezoning petitions provide the opportunity for the Commission to take a “birds eye view” of development in the jurisdiction and to assess incremental impacts. While site-specific concerns are largely addressed in the permitting process, in our estimation there is no substitute for the rezoning process, including the public review that it affords.

Conclusion

We cannot under emphasize the importance of affording this process adequate time and attention. It bears continued repetition that a lot is at stake and that any changes could be legally and politically irreversible. We strongly urge the Commission to (1) take ample time to consult and gather feedback from all stakeholders, including nearby municipalities; (2) invest in resources to help the Commission and the public understand the impacts of any proposed changes, such as a land use inventory and build-out scenarios; and (3) significantly reduce the scale and scope of the current proposal to minimize impacts to the forest products and agricultural industries, nationally and internationally significant aquatic and terrestrial wildlife and habitat, and varied recreational opportunities. The Comprehensive Land Use Plan (CLUP) calls on the Commission to “substantially strengthen” adjacency. See CLUP pg. 128. Maine Audubon believes this proposal does not yet meet that goal and that much more work needs to be done.

Thank you for the opportunity to provide comments on the proposed rules. We look forward to a continued dialogue with the Commission on this topic and are committed to sharing our expertise on wildlife and habitat issues to achieve the best result.

Respectfully submitted,

A handwritten signature in black ink that reads "Eliza Donoghue". The signature is written in a cursive, flowing style.

Eliza Donoghue, Esq.
Senior Policy & Advocacy Specialist

6/18/18

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JUN 22 2018

Mr. Gadsde:

LUPC - AUGUSTA
The communities surrounding
the proposed development sites
in the Unorganized Territories
are stretched thin trying to
provide services to the residents
of these "hub" sites.

Develop southern Maine
and leave our only bar-
gaining chip (i.e. natural
resources, abundant woods +
wildlife + clean water)
alone.

Thank you -

Lisa Sherman
Meriden ME
01732

We have a public lot of camp
in Oxford on the street of
Paver - worked darn hard

to get it, follow all applicable zoning laws. WE DON'T NEED wealthy, lazy neighbors building \$250,000 second homes here.



Natural Resources Council of Maine
3 Wade Street • Augusta, Maine • 04330 • www.nrcm.org

Adjacency Rule Public Hearing
Testimony of Catherine B. Johnson
June 20, 2018

My name is Cathy Johnson and I am the Forests and Wildlife Director for the Natural Resources Council of Maine (NRCM). NRCM has over 20,000 members and supporters including people who reside in each of Maine's sixteen counties.

NRCM has major concerns about both the substance of the proposed rule changing the adjacency principle and about the process for making changes. Some of the concerns with the substance of this proposal include:

- The primary development areas would allow strip development in ten mile by two mile corridors along currently forested undeveloped roads.
- The primary development areas would green light the entire shoreline of all Class 3 lakes not already permanently protected for unlimited development. Class 3 lakes were designated as "potentially suitable for development" but should be considered on a case-by-case basis to determine if they are actually suitable for development.
- The primary and secondary development areas not already permanently protected through conservation measures constitute at least 1.7 million acres. Adding the unknown amount of development which would be allowed outside the primary and secondary development areas on Class 7 lakes and near permanent trails, this proposal would likely open up around two million acres of the jurisdiction to development.
- This rule would allow, once again, large-lot/low-density residential subdivisions that were abolished by the Legislature in 2001 because they eat up large parcels of productive forest land, limiting or eliminating their use for forest products, dispersed recreation (like hunting), and wildlife habitat.
- The rule would attract commercial and residential development to high value recreation areas including permanent trails, such as the Appalachian Trail, Tumbledown, Mt. Abram, Big Spencer, and the Allagash Wilderness Waterway, degrading the most important resources on which the tourism- based economy relies.
- The rule would allow development on an unknown number of the 1145 Class 7 lakes but there is no information available to tell us which lakes would be vulnerable to

development. Many of the Class 7 lakes have outstanding or significant natural resources.

- The rule would cut protection for remote ponds in half by allowing commercial development within ¼ mile of Class 6 remote ponds. Currently development is not allowed within ½ mile of remote ponds.
- Subdivisions of up to 14 lots and 30 acres would be allowed without rezoning in all primary locations (over 1.2 million acres). Currently these subdivisions are only allowed in a small portion of specifically identified townships.

In addition, we have many concerns about how this proposal would impact residents of “rural hubs” based on conversations we have had with residents in towns adjoining the jurisdiction. We have heard concerns that:

- Primary development areas stretching ten miles along the roads leading out of “rural hubs” would attract development out of the rural hubs, depriving the towns of tax revenue and local businesses of customers.
- Mill rates in the UT vary by county but are generally in the range of 6 – 8 mills. Every organized town has a different mill rate. Generally towns neighboring the UT are in the 15 – 25 mill range, with Millinocket and East Millinocket among the highest in the state at 33 – 34 mills. The variation from town to town and county to county aside, it is clear that tax rates in organized towns are 2 – 6 times what they are in the UT – a clear incentive to develop in the UT.
- Primary development areas are proposed for five State Scenic Byways and one National Scenic Byway. This would harm both the scenic character of the Byway and local tourism dependent businesses.
- These ten mile by two mile primary development areas would strain local fire, police, and emergency services which could be located much further than ten miles by road from the development. Fire and emergency service providers dependent on volunteers are particularly concerned.

This is a very complex rule with many sections that interrelate with the currently unwritten revised subdivision rule. This adjacency proposal also includes sections which are incomplete and, therefore, impossible to fully evaluate. In addition to our concerns about the impact of the parts of the rule that do seem clear on the jurisdiction, there are a number of issues I would characterize as drafting or legal issues with the rules. As I have said in other contexts, words matter, and, in particular, verbs matter. A few examples:

- The rule says that recreation-based residential subdivisions “may” be located within ½ mile of various lakes and trails, but there does not appear to be any provision that would limit them from locating anywhere in the jurisdiction.
- The rule would permit large-lot/low-density residential subdivisions to be located anywhere in the jurisdiction.
- Provisions in this rule are dependent on provisions in the revised subdivision rule which has not yet been drafted, so are impossible to fully evaluate.
- Terms like “near” and “close connection” are used to describe where certain activities could be located but there is no definition of these words.
- The standards for natural resource processing development and recreation supply facilities in the proposed new “Resource-Dependent Development Subdistrict” (D-RD) have not been provided. It is impossible to fully evaluate this proposed new development sub-district without knowing what standards would apply.

This is the biggest proposed policy change in the Commission’s history. Most people in Maine don’t even know about it. Most of those who do know about it do not fully understand it. Given the many issues it raises, both substantive and legal drafting, we strongly recommend:

- Release of all of the proposed rules that are interrelated with this rule, including the subdivision rule and the resource-based commercial development standards, prior to further action on this rule;
- The complete draft rules be sent to the same people, all taxpayers in the UT, who received the survey when this process began and to municipal officials (including town councilors, selectmen, planning board members, and fire, police and emergency service providers) in all organized towns that border the UT;
- Significant and specific outreach to municipal officials in each of the proposed rural hubs to ensure that they understand the impacts of the proposal and have the time and understanding to respond to the proposal;
- Public information sessions in each of the counties with land in the UT after the complete draft rule is available to explain the proposed changes to the public ;
- Provide a list of the Class 7 lakes that would be affected by this proposal;
- Provide a map showing the Class 3 lakes (that are not under permanent protection) that would become primary development locations;
- One or more additional public hearings once all of the pieces of this policy proposal are available for review and evaluation, after municipal official and public information sessions, and after members of the public and municipal officials have had time to fully digest and respond to these proposals.

There surely are ways to improve the adjacency “one-mile-by-road” rule in LUPC jurisdiction, but this proposal is a “one size fits all” proposal that doesn’t take into account the differences in the landscape, local economies, and the individual character of the different regions across the 10.4 million acre jurisdiction. The proposal jeopardizes the very characteristics that make the jurisdiction unique. It threatens both the natural resources and the tourism and other forest-based economies of neighboring towns.

We would be happy to work with LUPC staff to improve the current one-mile-by-road rule, but this proposal throws the baby out with the bathwater.

Until there is a complete rule with all the inter-related provisions available for evaluation, information about which Class 3 and 7 lakes would be affected by the proposed changes, broader understanding by the public and municipal officials of the proposed changes, and additional public hearing opportunities for the public to share their reactions to the complete proposed rule, we urge the Commission to maintain the existing one-mile-by-road adjacency rule.

Thank you for your consideration of these comments.

Godsoe, Benjamin

From: joe hardy <joealiceboth@yahoo.com>
Sent: Saturday, June 23, 2018 2:30 PM
To: Godsoe, Benjamin
Subject: proposal to alter rules re maine woodlands

Dear Sirs:

No, no , no to the idea of increasing the distance for new development from existing developments in the North Woods. I come north annually from Wells for a family outing--sometimes hiking, sometimes canoeing and camping--- and abhor the idea of the landscape being overtaken by a helter skelter array of homes and businesses. The value of Northern Maine lies in its open spaces and opportunities for recreation and wildlife. Don't spoil it.

Respectfully,
Joe Hardy, Wells

**Comments to
LUPC Staff Proposal re: Application of the Adjacency Principle
June 20, 2018, revised and submitted June 24, 2018**

My name is Christopher Packard and I am a resident of Hampden, Maine and my family has long roots in Willimantic, Maine and I am a Property owner in Bowerbank, Maine both near the orange zones in the UT. I spoke at the public hearing on June 20th but due to my time being at the very end of a long time I did not read my statement which largely echos the vast majority of comments you heard. I submit them now for your consideration and for the record.

First of all, thank you to the members of the LUPC for allowing me to share my comments and for your important work in managing and planning development for the State of Maine's unorganized territories. This is an important task.

I first learned of the proposed changes to the "adjacency principle" from a Bangor Daily News guest column on June 11th, I follow state news closely. I find it concerning that only then did I hear about this change and this public meeting and that literally no one I know is aware of the proposed land use change or this public hearing. I urge the LUPC to do more to make the public aware of this important and potentially very significant alteration of existing development rules so that citizens have a chance to comment and participate in the process. I also wonder why the only public hearing is located in Brewer, far from most of the land and communities which will be affected by this rule change. I urge you to have well publicized public hearings near each of the so called retail hubs which may be affected most by these changes.

Since hearing about this potential change I have learned about the three Comprehensive Land Use Plan (CLUP) objectives. A plan which should guide the development of the Unorganized Townships. As you likely know this Plan, last updated in 2010, was a 5 year process that deeply involved the public which was developed by the LUPC's predecessor.

I feel each of these CLUP objectives may be negatively impacted by the proposed rule changes.

1. Protecting natural resources: It is well know to biologists and land use planners that sprawling development has negative impacts on water quality and wildlife through habitat destruction, fragmentation, and surface water contamination. Since this rule seems to immediately open approximately 1.85 million acres to business development and residential subdivision it will undoubtedly, at some point, have direct effects on wildlife habitat and the increased access will lead to water quality issues. Additionally, large lot subdivisions will negatively impact the public's ability to access open lands for traditional use such as hunting, fishing, and other access-based recreation such as snowmobiling and ATV. Aside from these uses, arguably what draws people most to Maine's undeveloped areas is their beauty and openness. This will be lost forever if sprawling, haphazard development occurs.

2. Ensuring orderly growth and pace of development: While I find it unlikely that a rule change will cause a massive or immediate run on development and subdivision in these areas, it will certainly result in haphazard and in some less than ideally located developments. Because of their placement outside of town boundaries, these developments might in fact detract from or harm the very retail hubs that this rules seems to aim at helping. Developments outside of retail

hubs will draw tax dollars and public services out of these struggling rural towns rather than adding to them. All of the retail hubs (and surrounding non-designated towns such as Willimantic and Bowerbank) have large areas of undeveloped land, often most of the area within the town's boards. With this in mind it seems unreasonable to measure a development distance from the edge of the town rather than the actual "downtown" retail hub. This should be changed. Also to decrease impact on human and natural resources I urge you to measure distance as the driving distance rather than as the "crow flies" since that is how people actually travel. If the goal is to benefit the people in these areas they will be best served by an increased clustering of development not a sprawling one.

3. Allowing for the assessment of incremental impacts before adding new development: I can't help but wonder if there truly has been a demonstrated need of revision of the existing adjacency and development rules. Perhaps the current one mile adjacency rule is adequate. To test how a tenfold increase in development area will perhaps trialing the change in an area around one retail hub would be a better way to assess impacts in an incremental way rather than a statewide change. It also seems hard to believe that all the areas affected by these changes would have the same needs and challenges which could be met by a single "one-size fits all" regulation change. For instance Downeast Maine is very different than the interior central region near Willimantic, and both are quite different than Northeastern Maine near Caribou and Fort Kent.

In conclusion I urge the LUPC to proceed more slowly and incrementally with the proposed drastic and sweeping change to a long standing development principle. A change from a one mile development rule to a ten fold increase is a sweeping change that may have unknown long term effects. I also urge time for more public comment and involvement so that any changes benefit Maine the citizens of Maine as greatly as possible for as long as possible. Once sprawl occurs it's here to stay and the harm may be equal to or greater than any benefit derived from it.

Respectfully submitted by:

Chris Packard
1014 Western Ave
Hampden, ME 04444

RECEIVED
JUN 22 2018
LUPC - AUGUSTA

Maine Land Use Planning Commission
Board of Commissioners
Everett Worcester, Chair

I am aware that the Maine Land Use Planning Commission is considering revisions to the adjacency principle. As a resident and/or property owner of Lexington Township, it is important to me that my voice is included in this planning decision for my community.

I am requesting that Lexington Twp. be changed to a Resource-dependent Location designation for the following reasons:

1. The townships and plantation along Long Falls Dam Road form a region of shared rural qualities, character and natural resources. Targeting Lexington Twp. for types and densities of development that are different from these other places fractures this regional continuity. The other townships in this region have been designated as Resource-dependent Locations, and Lexington Twp. should be, as well.
2. The Resource-dependent Location designation is more consistent with the findings and ideas expressed in the 2015 regional community guided planning and zoning effort, which included participation by residents of Lexington Twp. The group reported, "The Region includes large tracts of industrial forest lands, mountains, rivers, lakes, and streams that all contribute significantly to an economy driven by a mix of natural resources, outdoor recreation, and tourism," and cited shared resources - Bigelow Mountain Range, Upper Kennebec River watershed, Appalachian Trail, Interconnected Trail System, Maine Huts and Trails, and the Northern Forest Canoe Trail - all of which are accessible through Lexington Twp. via Long Falls Dam Road.
3. Existing infrastructure and services in regional hubs, and rural hubs along Route 16, make those towns more suitable than Lexington Twp. for the types of development allowed in Primary Locations. Many of them are actively exploring and promoting new commercial development in their own towns. In 2006, the Brookings's Institution reported, "Maine's regional hubs are far from built-out," and "could absorb all or most of their region's future residential, commercial, and industrial growth".
4. Designating Primary Locations by using a 10-mile straight-line distance as a measure of a township's accessibility to critical services didn't work in some places - the LUPC has already amended its map to account for some of these cases. It also does not work for Lexington Twp. For example, while it shares a border with a rural hub, the reality is that natural barriers such as roadless open spaces, mountains and ponds mean people in Lexington Twp. are over 20 miles away from ambulance service.

Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed

Rose M. Staton

Date

6-19-18

Printed Name

Rose M. Staton

Address

22 Sandy Stream Rd. ME04961

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JUN 22 2018

LUPC - AUGUSTA

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Board of Commissioners
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Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed Wendy Northrup Date 6-6-18

Printed Name WENDY NORTHRUP

Address 90 Lin'scott Rd, Jefferson ME 04348

(376 Back Rd, Lexington, ME)

RECEIVED
JUN 22 2018
LUPC - AUGUSTA

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Board of Commissioners
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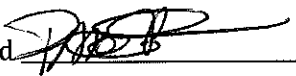
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Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed  Date June 19 2018

Printed Name _____

Address New Portland, Maine

RECEIVED

JUN 25 2018

LUPC - AUGUSTA

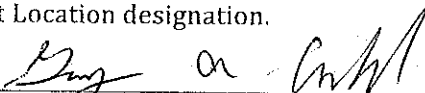
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Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed  Date 6/19/18

Printed Name Gary A. Cobb

Address ~~XXXX~~ Cobb's Pierce Pond Camps

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JUN 25 2018

LUPC - AUGUSTA

Maine Land Use Planning Commission
Board of Commissioners
Everett Worcester, Chair

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Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed Paul J Ryan Date 4 June 2018

Printed Name PAUL J RYAN

Address 47 BIRCH RD, LEXINGTON ME 04961-5300

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JUN 25 2018

LUPC - AUGUSTA

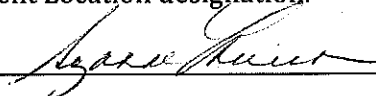
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Board of Commissioners
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Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed  Date 6.18.18

Printed Name Suzanne Morrison

Address 1331 Long Falls Dam Rd, Lexington Twp

RECEIVED

JUN 28 2018

LUPC - AUGUSTA

Maine Land Use Planning Commission
Board of Commissioners
Everett Worcester, Chair

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Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed Leo Beane Date 6-24-18

Printed Name Leo Beane

Address P.O. Box 217 North Anson, Me. 04958

Godsoe, Benjamin

From: Malcolm Hunter Jr <mhunter@maine.edu>
Sent: Friday, June 22, 2018 7:26 PM
To: Godsoe, Benjamin
Subject: New proposal re adjacency principal

As someone who has lived for 40 years in towns (Amherst and Milford) that abut the unorganized territories I have spent much of my recreational and work time in the lands overseen by LURC, now LUPC. I have generally been content by what I have seen but I am now concerned with the proposal to substantially change the adjacency principal, especially with only limited time and opportunity for discussion with the public. I respectfully ask the LUPC to reconsider this idea..... malcolm hunter Amherst Maine

Godsoe, Benjamin

From: Nancy Hathaway <hathaway.n@gmail.com>
Sent: Friday, June 22, 2018 12:12 PM
To: Godsoe, Benjamin
Subject: LUPC proposal. - I am strongly opposed

Please note that I am in strong opposition for the recent proposal by LUPC that could forever change the character of the North Woods.

I am dramatically trying to save the night sky from light pollution. We need the woods for various reasons not for a lot of mining and big houses.

Thank you
Nancy Hathaway
541 Morgan Bay Road
Surry, Maine.

Godsoe, Benjamin

From: Gary Burke <gbur112@gmail.com>
Sent: Sunday, June 24, 2018 7:36 AM
To: Godsoe, Benjamin
Subject: changes to LUPC

I want to voice my opposition and be on the record to the proposed zoning update that would change where new zones for subdivisions and businesses could locate.

Thank you
Gary Burke
East Wilton, ME

Godsoe, Benjamin

From: Roadrunner <paula327@roadrunner.com>
Sent: Monday, June 25, 2018 8:59 AM
To: Godsoe, Benjamin
Subject: Comment—Proposed rule change in Maine UT

Thank you for this opportunity to comment on the proposed change in land use rules to allow commercial development up to 10 miles from a retail hub. I am opposed to this change and echo the comments of speakers at the hearing in Brewer on June 20.

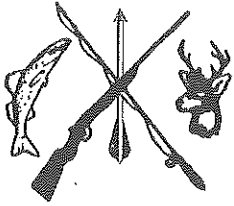
I specifically echo the comments of Aaron Megquier, Jeff Pilot, and Alec Griffin.

In addition, Peter Crockett and Roger Merchant spoke of rural recreation and tourism, now Maine's greatest resources. Maine's unorganized territories are woods and waters gems in a commercialized and technological world. I don't think visitors are coming to Maine to see tarred roads, giant wind towers, or a Disneyland version of wilderness. If you don't protect the UT's wilderness-like landscape, you will be "killing the goose that lays the golden egg." All you need to do is look at Maine's coastal communities to see how commercial development has suburbanized the coast, changing culture and landscape.

The question is: whose Maine is this—commercial developers? tourists? or local Mainers? LUPC is charged with protecting the balance of land use so everyone gets a fair share. And, once the character and landscape of Maine's UT is changed, it is changed forever. Let's try to get this right, so we do not sacrifice our gems for the sake of short term commercialization.

Paula F. Moore
Orono and Pukakon TRP

Sent from my iPad



**RANGELEY REGION GUIDES' &
SPORTSMEN'S ASSOCIATION**

P.O. Box 244 • Rangeley, Maine 04970

OUR MISSION IS THE CONSERVATION,
PROTECTION AND RESTORATION OF
WILDLIFE FOR SPORTSMEN, SPORTSWOMEN,
AND FUTURE GENERATIONS.

RECEIVED

JUN 25 2018

IPC - AUGUSTA

June 21, 2018

Ben Godsoe
22 State House Station
18 Elkins Lane, Harlow Building
Augusta, Maine 04333-0022

Dear Mr. Godsoe:

On behalf of the Rangeley Region Guides' & Sportsmen's Association, please accept the following as public comment regarding the LUPC Proposed Adjacency Rules.

RRG&SA is a 1,013 member non-profit organization whose mission is to protect and preserve our outdoor sporting heritage. We accomplish this through educational programs, habitat restoration projects, and collaboration with DIFW and other sportsmen's organizations on conservation issues. Because the State of Maine is home to 95% of the existing wild Eastern Brook Trout population in the entire country, we have supported the legislative actions to identify and protect State Heritage Fish Waters. We also support current legislative and DIFW plans to protect the tributaries of these waters.

The current LUPC Proposed Adjacency Rules fail to exclude State Heritage Fish Waters and their tributaries from the new development rules. Such failure could cause damage to wild brook trout spawning areas from road development and significant increase in fishing pressure from recreational development near remote ponds designated as State Heritage Fish Waters.

Unless the current LUPC Proposed Adjacency Rules are amended to exclude State Heritage Fish Waters and their tributaries from the proposed changes, RRG&SA is opposed to the Adjacency Rules as presented.

Respectfully submitted,

Sheridan Oldham
President, RRG&SA

Godsoe, Benjamin

From: Beyer, Stacie R
Sent: Monday, June 25, 2018 8:34 AM
To: Godsoe, Benjamin
Subject: FW: Subdivisions

From: Robert F. Tomlins [mailto:iceman44robert@RIVAH.NET]
Sent: Saturday, June 23, 2018 7:10 PM
To: Beyer, Stacie R <Stacie.R.Beyer@maine.gov>
Subject: Subdivisions

Hello Stacie,

I am writing to give my opinion on the subdivision changes that might be made and I do NOT feel that we need to make more room for more subdivisions in the State Of Maine because we do not have the people to continually open up new land for housing and secondly, when you take wilderness areas and change them, you effect every single wildlife in that area and they don't know why their habitat is changing, so when new housing areas go up in their areas, you are going to have problems between humans and wildlife mingling in an area that was their environment and now is not and wildlife always loses! I do not understand why we need more subdivisions, we need to keep as much of Maine land as is possible, pristine and wild so that all species in our State have and keep their own environment without humans taking it away from them! Thank you for your time,

Robert F. Tomlins

191 Great Pond Road

Aurora, Maine 04408

Godsoe, Benjamin

From: Tori E. <errington.tori@gmail.com>
Sent: Tuesday, June 26, 2018 9:44 PM
To: Godsoe, Benjamin
Subject: one mile rule

Hello,

I'd like to share my opinion on the proposal to alter the 'one mile rule' as discussed in brewer last Wednesday. Changing this rule is unnecessary! Making development more sprawling will only harm our wildlife and natural resources and put strain on our rural roads, leading to more development and on and on.

If we continue to develop, we will draw beauty away from the very reason Maine is unique. As a 25 year old lifelong resident of Maine, I urge you to consider maintaining the current policy as is.

We must protect our natural resources anyway we can!

Thank you for your consideration.

-Victoria Errington
Mexico, Maine

Godsoe, Benjamin

From: semena curlik <scurlik@gmail.com>
Sent: Thursday, June 28, 2018 4:32 PM
To: Godsoe, Benjamin
Cc: scurlik@gmail.com; nrcm@nrcm.org
Subject: Adjacency

PLEASE. PLEASE. PLEASE. !!!!

Leave the undeveloped lands. UNDEVELOPED !!!!!

Enough with sprawling subdivisions and random development!

WILDERNESS is a REFUGE for : visiting humans to connect with their primal essence

creatures to enjoy their universal rights

genetic pool for plants and creatures and soil microbes and fungi

water filtering and source replenishment

capturing of carbon gas

oxygen replenishment through photosynthesis

and more..... more than the best of current science understands

Semena Curlik
Blue Hill, Maine

Godsoe, Benjamin

From: william closs <clossw@aol.com>
Sent: Thursday, June 28, 2018 6:40 AM
To: Godsoe, Benjamin
Cc: Livesay, Nicholas
Subject: Proposed LUPC rule changes

Mr. Benjamin Godsoe
Senior Planner
Dept of Agriculture, Conservation, and Forestry
Augusta, ME

CC: Nicholas Livesay
Executive Director

Ref: Proposed LUPC rule changes

Dear Mr. Godsoe, I am writing as a member of the Rangeley Region Guides and Sportsmen's Association to add my comments to those of our President Sheridan Oldham concerning protection of Maine State Heritage Fish Waters that is not addressed in the current proposed LUPC rule changes.

As a lifelong outdoorsmen, and fly fisherman for the past 60 years, I am personally very familiar with the unique population of native Brook Trout in the State of Maine. Unfortunately native Brook Trout are very easily damaged by environmental changes and not nearly as resilient as other species of trout. Therefore I am against the current LUPC rule changes until they include protection for Maine State Heritage Fish Waters.

Sincerely,

William Closs
28 McCard Rd.
Rangeley, ME 04970
860-604-1787 (cell)

Godsoe, Benjamin

From: Ben Bowditch <benbie1840@gmail.com>
Sent: Thursday, June 28, 2018 8:56 AM
To: Godsoe, Benjamin
Subject: Adjacency

Mr. Godsoe,

I am opposed to the proposed new adjacency rules unless they are amended to take into consideration the State Heritage Fish Waters and their tributaries.

E F Bowditch, Jr
P O Box 855
Rangeley, ME 04970
207-864-5823

RECEIVED
JUL 02 2018
LUPC - AUGUSTA

Maine Land Use Planning Commission
Board of Commissioners
Everett Worcester, Chair

I am aware that the Maine Land Use Planning Commission is considering revisions to the adjacency principle. As a resident and/or property owner of Lexington Township, it is important to me to that my voice is included in this planning decision for my community.

I am requesting that Lexington Twp. be changed to a Resource-dependent Location designation for the following reasons:

1. The townships and plantation along Long Falls Dam Road form a region of shared rural qualities, character and natural resources. Targeting Lexington Twp. for types and densities of development that are different from these other places fractures this regional continuity. The other townships in this region have been designated as Resource-dependent Locations, and Lexington Twp. should be, as well.
2. The Resource-dependent Location designation is more consistent with the findings and ideas expressed in the 2015 regional community guided planning and zoning effort, which included participation by residents of Lexington Twp. The group reported, "The Region includes large tracts of industrial forest lands, mountains, rivers, lakes, and streams that all contribute significantly to an economy driven by a mix of natural resources, outdoor recreation, and tourism," and cited shared resources - Bigelow Mountain Range, Upper Kennebec River watershed, Appalachian Trail, Interconnected Trail System, Maine Huts and Trails, and the Northern Forest Canoe Trail - all of which are accessible through Lexington Twp. via Long Falls Dam Road.
3. Existing infrastructure and services in regional hubs, and rural hubs along Route 16, make those towns more suitable than Lexington Twp. for the types of development allowed in Primary Locations. Many of them are actively exploring and promoting new commercial development in their own towns. In 2006, the Brookings's Institution reported, "Maine's regional hubs are far from built-out," and "could absorb all or most of their region's future residential, commercial, and industrial growth".
4. Designating Primary Locations by using a 10-mile straight-line distance as a measure of a township's accessibility to critical services didn't work in some places - the LUPC has already amended its map to account for some of these cases. It also does not work for Lexington Twp. For example, while it shares a border with a rural hub, the reality is that natural barriers such as roadless open spaces, mountains and ponds mean people in Lexington Twp. are over 20 miles away from ambulance service.

Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed F. Eldred Date 6/29/2018

Printed Name F. ELDRED

Address 63 BAKERS WAY, LEXINGTON, ME

SEND MAIL TO:



Ms. Fay Eldred
41 Chamberlain Avenue
Brunswick, ME 04011

RECEIVED

JUL 02 2018

LUPC - AUGUSTA

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Board of Commissioners
Everett Worcester, Chair

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Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed Christopher J Ripa Date June 22, 2018

Printed Name Christopher J Ripa

Address PO Box 67 East-Norwich, MA-02648

RECEIVED

JUL 02 2018

LUPC - AUGUSTA

June 29, 2018

Ben Godsoe
22 State House Station
18 Elkins Lane, Harlow Building
Augusta, Maine 04333-0022

Dear Mr. Godsoe,

Recently saw a map of the proposed changes to development rules and acreage and realized that these changes would diminish significantly the fishing areas that Maine is praised for. I am against these changes because "no one is making land and fishing like this again." Once it is changed, it is gone forever. Think about that!

When I read about anything that uses the word "development," I pay attention because it sounds like someone is coming in and building structures and then leaves with a lot of money. That "isn't" how life in Maine should be especially in Maine.

Sincerely,



Ervil Kennett
18 Jewell Street
Brunswick, Maine 04011

WATERVILLE, ME.

September 28, 2018

Ben Godsoe
22 Station House Station
18 Elkins Lane, Horley Building
Augusta, Maine 04333-0022

Dear Mr. Godsoe:

I am writing to stop ~~to~~
object to any LUPC rule
changes which threaten State
Heritage fish waters and
their tributaries.

Yours truly,
John Margolis

RECEIVED

JUL 02 2018

LUPC - AUGUSTA

RECEIVED

JUL 05 2018

LUPC - AUGUSTA

Maine Land Use Planning Commission
Board of Commissioners
Everett Worcester, Chair

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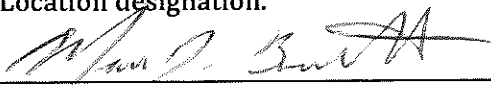
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Thank you for your considering my request to change Lexington Township to a Resource-dependent Location designation.

Signed  Date 6-26-18

Printed Name MARC D. BRACKETT

Address 44 Birch Rd Lexington, ME