
PUBLIC COMMENTS RECEIVED FOR ADJACENCY REVIEW PROCESS

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

Adjacency Review Comments, Group #3: *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 that were submitted leading up to, during, and following, the public hearing on June 20, 2018.

Comments submitted between: June 16, 2018 – June 21, 2018

Public Comment Deadline: September 24, 2018

Godsoe, Benjamin

From: Steve Heinz <heinz@maine.rr.com>
Sent: Saturday, June 16, 2018 8:09 AM
To: Godsoe, Benjamin
Subject: Adjacency principle one-mile rule

Dear Mr. Godsoe,

Please do not change the one-mile rule that has protected so much of Maine's lands from development for so long.

Maine's wilderness areas are a unique resource that should remain undeveloped, or only developed slowly and carefully - a mile at a time. The traditional use of the lands is as working woodlands, and that use, properly managed, should continue.

'Jumping off' locations for access exist: towns such as Rangeley, Jackman, Greenville, Millinocket, Ashland and Portage and protected areas including Baxter State Park and Katahdin Woods National Monument. Maine North Woods, Inc. does an excellent job of overseeing much of that access, so much better than the time when each landowner had his/her own gate.

The development plan that your agency approved for Plum Creek in the Greenville area has not been executed. Let's see what happens there before changing the rules to permit further development of so much of Maine's wilderness lands.

Sincerely,

Stephen G. Heinz
3 Spruce Lane
Cumberland Foreside ME 04110
781-4762



**NEW ENGLAND
FORESTRY
FOUNDATION**

June 19, 2018

Members of the Maine Land Use Planning Commission

Thank you for your work on behalf of the citizens of Maine and the opportunity to comment on the proposed changes to Land Use Planning Commission's Chapter 10, Land Use Subdistricts and Standards.

The success of land use planning for the Unorganized Territories, which cover fully one quarter of New England, is among the most noteworthy land use planning accomplishments in the entire nation. Thanks to you, your predecessors and forest landowners, Maine has a track record of conserving the exceptional ecological and recreational values of the region, maintaining its economic importance, and providing local wood products for the State of Maine and all of New England.

New England Forestry Foundation (NEFF) has an interest in both what occurs in Maine and the rest of New England. NEFF has a 75-year history of work in New England's forests to conserve forestland and promote sustainable forestry. We have a long history of work in Maine and in the unorganized territories in particular, having conserved more than 1 million acres as working forest lands in the unorganized territories via easement. We also work extensively in the other New England states, and our comments are shaped by our understanding of that context.

Maine's forests remain a stronghold for the forest products industry in part because of the limited development and the fact that by northeastern US standards land ownerships in the region comprise unusually large, coherent parcels. In the rest of New England, the forest industry is in trouble, in large part due to increasing fragmentation of ownership resulting in decreased efficiency in forest management. In some areas, new residents brought to rural regions by sprawl and second home developments have opposed forest industry operations due to truck traffic, noise, safety concerns, and general misunderstanding of forestry operations and practices.

Decline of the forest products sector reduces options available to landowners; their ability to derive income from their land is increasingly limited to selling that land for residential or commercial development, creating a spiral of declining forest cover. Indeed, a study published by Harvard Forest, Highstead Foundation and New England Forestry Foundation in 2017 found that 24,000 acres per year of forest are now lost to residential development in New England, with Maine experiencing the second fastest rate of loss among the six New England states. Most of this development currently happens in southern Maine, but the proposed rules could allow this destructive pattern to spread to the unorganized territories.

In part due to the limited development in the unorganized territories, the forest products industry remains an important contributor to Maine economy with an economic contribution of \$8.5 billion and 33,500 jobs according to the most recent analysis. NEFF remains actively involved in efforts to promote the New England region's forest products industry. Most recently we commissioned a study by the

internationally recognized consulting firm Pöyry on the feasibility of producing Cross-Laminated Timbers (CLT) from New England wood. Such timbers are enabling a revolution in the construction sector as wood replaces steel and concrete in mid-rise and even some high-rise construction, offering new markets for Maine wood. The study found that manufacturing plants in New England would indeed be feasible, and now two are under development in Maine.

We are hopeful that because of our work and the work of many others promoting new uses of Maine wood (including new composite materials, nano-cellulose, and biochemicals) that Maine's forest products economy will become an even more important contributor to rural economies.

As witnessed by studies regarding bird habitat by the National Audubon Society, climate resilience by The Nature Conservancy, and overall ecological value by the Maine Mountain Collaborative, the wildlands of Maine also have extraordinary ecological significance. These comments do not dwell on these studies as we are sure they will be discussed by others more expert on those matters, but again these values—like the economic value of the forest-- rest on the limited and clustered development that has occurred in the unorganized territories. But ecological risks to wildlife populations and biodiversity are increasing due to fragmentation of coherent habitats. Again, strengthening protections against scattered development is needed.

In addition, private forest ownership in the unorganized territories has provided huge recreational benefits to residents of the state and visitors alike. For many the North Woods are, along with the coast and our productive agricultural lands, what define Maine as special and give it a "brand" recognized around the world. These values are why many people chose to live in and around these lands. The value of the wildlands for traditional remote experiences is being diminished with scattered development over time.

In our view it is critical to the future of Maine's economy, nationally significant forest ecological values, recreational opportunity, and the livelihoods of residents in and near the unorganized territories that revisions to LUPC rules help maintain forest cover, reduce fragmentation, and support continued forest sector jobs. We support your efforts to improve the regulatory framework by better defining the areas most appropriate for additional development and believe that through "community led planning" and developing "concept plans" with landowners you already have tools to address many of the issues facing the wildlands in a thoughtful and considered way. However we see problems with the proposed rules. These include:

- An inadequate analysis of the distribution of development and fragmentation impacts of proposed changes vs current rules
- Creation of incentives for strip style development outside of rural hubs (e.g. Millinocket) that will undermine local efforts to strengthen their communities, increase congestion and reduce efficiency for forest products sector
- Recreational developments likely to produce opposition to local forest management, over time producing growing dead zones for forest management with increasing pressure to develop.

NEFF views the rules as virtually certain to adversely affect the forest products sector and the prospects for progressive forest management in the unorganized territories. These effects will be felt most strongly not tomorrow, or even in the next few years, but over the next 20 to 40 years. In our view this is not public policy that will benefit Maine's citizens or those of New England.

June 20, 2018

Re: LUFC

My name is Melanie Zador and I have been a full-time resident of Surry for 23 years. Growing up in NJ, I witnessed the results of unregulated sprawl and the degradation of the natural environment. No more "Garden State."

Like my fellow senior citizens & former active tree huggers, I've only recently learned of the LUFC's new plans for the Unorganized Territories. What is available for discussion is very complex, a significant departure from the previous one, and incomplete, at that.

My primary concern is the protection of Maine's rivers, lakes and ponds. What happens in the UTs will impact all of Maine. Water is the essential and ^{most} coveted commodity.

We can adapt to scarce oil. Not water!

If there is compelling merit in the new plan, full disclosure and additional time for citizen review will benefit us all.

I urge LUFC to exercise restraint, adhere to the 40-yr. old plan, and conduct future public hearings.

Thank you for your consideration.

Melanie Zador

August 29, 2017

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

Re: Adjacency Review
Comments of: Christopher Short

I first came to live and work in Maine in 1974 where I resided seasonally on Mt. Desert Island as an independent contractor. In the Spring and Summer of 1977 I thru-hiked the entire Appalachian trail from Georgia to Maine. I returned to Maine several times to live and work seasonally, until 1985, when I purchased property in Lexington Twp.. I built my home that year and settled down to work here and raise a family. I like many others, chose to live in the UT's for the independent spirit that they inspired and the remote simplicity they offered.

Having hiked across 245 miles of the state's rugged and diverse topography and resided at different times from the mid-coast to the western mountains, my perspective may be somewhat different than others. Traveling from Kittery to Fort Kent over the years, I can unequivocally say while parts of southern and coastal Maine have prospered and grown, much of the rest of the state has not. Ironically, besides being a tourist destination the "Vacationland" state's progressive shortcomings are a result of its geographic location. Like the North Dakota Badlands it is an interesting place to visit but few tourists would choose it as their place of permanent residence.

Except for immediate southern coastal areas, Maine's long winters and often dangerous travel conditions will not entice the uninitiated to want to travel great distances for employment.

These days rural areas tend to attract those of retirement age rather than the youthful ambitious as is witnessed in Maine's growing geriatric population.

Maine's manufacturing concerns except for the paper and wood industries are mostly smaller businesses trying to eke out an existence in towns and small cities near Maine's poor network of transportation routes. They do not offer large employment opportunities or competitive wages.

The number of dying small towns, abandoned railroads, vacant mills and chicken barns scattered across Maine are a testament to Maine's bygone days not Maine's future. The echoing sounds of hundreds of chain saws now replaced with more efficient and less expensive automation are only signs of things to come in industries where hands-on employment once presented long term opportunity. Maine through natural transition has become a service oriented workforce that caters to mostly affluent outsiders who can afford to lodge and dine where many locals can not. Raising wages and improving quality of life before investing in the temporary and limited benefits of any unnecessary and destructive development would be a step in the right direction. If already established urban areas are currently unable to offer what is needed for new development, what chance will creating sprawl into outlying adjacent areas have at succeeding?

Census' taken over the years show that for most of the 20th century Maine's population growth has lagged far behind the rest of the country. Despite gains in 1970 and 1980 Maine's permanent citizenry leveled off in 1990 and has remained all but stagnant. Projections for Maine's future resident population show no new growth trends.

To think that the adage ,“ If we build it they will come”, may be the impetus to grossly overhaul current adjacency principles, unless it's to make laws even more stringent when it comes to over zealous and haphazard development, is worse than pie in the sky rationalizing. Development for development's sake is a dangerous precedent that the adjacency principles originally sought to challenge for the higher good of resource preservation.

Which finally brings us to what may be Maine's true asset, and that is the advantage of the vast undeveloped areas that we already have. We can chose to be responsible and smart enough to protect and preserve what has fast been disappearing across our small planet and except for what development is critical to universal longevity, continue to maintain Maine's natural appeal and “they will come” to experience our uniqueness.

Christopher Short
Lexington Twp., ME
zacariss@tdstelme.net

ADJACENCY PROPOSAL:

Land Use Planning Commission Hearing: June 20, 2018

1. Anticipating, planning and managing for economic activity, and mapping locations for desirable possibilities, as well as assessing the physical-social infrastructure needed to support rural community development; at first glance seems a positive, concept for managing where development will or will not occur in Maine's unorganized territories (UOT)... We all have a list of towns without a plan that grew willy-nilly, sprawling outwards - spaghetti like - eventually at some cost to the value of community character, rural heritage and sense of place.
2. I've been learning that the Adjacency Proposal seeks to locate and direct where small business, industrial development and housing subdivision will/will not occur in Maine's UOT's. This concept is to be applauded... However, when I look at the LUPC map of primary and secondary zones, and read related materials, a very different picture of significant change in the UOT's becomes apparent to me:
 - The LUPC statewide map appears to mirror the old, spaghetti strip development model, mile-after-mile, at a scale-footprint some 2 to 5 times larger than the current "one mile rule-footprint" governing development. In effect this appears to sequester millions of acres of UOT land for new development. To me this is a huge footprint.
 - The bulk of the orange zones appear to be at considerable distance from "rural retail hubs." Small towns need appropriately located development spaces, close and adjacent to the rural hub for small business, subdivision and local commerce activity. Is this not the essence of "community centered- economic adjacency"?
 - Many orange strips both skirt and enclose pristine lakes, some overlay scenic highways that provide access to significant view-sheds. The orange-zone-plan appears to facilitate the expansion of high-end recreation sub-divisions

in these remote, high-value locations. Tourism is a significant small business driver in rural hubs and regions. Folks visiting the Maine's UOT's; are they coming to look at wind farmed mountaintops, wide swathed power-lines, sprawling recreation home subdivisions?

- Having worked 32 years with UMaine Extension in forest resources, tourism and rural development, and as one who now creates photographic images for tourism promotion, I'm surprised LUPC is not taking a more active role in assessing tourism assets within the UOT's, evaluating their worth and value to visitors, as well as their vulnerability to degradation due to "adjacent over-development."
- Lakes, rivers, mountains, scenic vistas and adjacent small towns are what bring people to rural Maine to visit, maybe to live. These natural assets are our value-producing golden eggs, many dispersed across the UOT's. I feel that the LUPC AP paves the way towards a much larger footprint of remote subdivision development, than is the case with the current model. In effect, the AP facilitates giving away our valuable natural golden eggs, to simply the highest bidder. I say, let the current one-mile rule be the rule going forward.

Roger Merchant, Glenburn, Maine.

Photographer, Forester

UMaine Extension Emertius

rogmerch@gmail.com

www.rogermerchant.com

LUPC proposed change in adjacency rule

It is my understanding that LUPC is an entity charged with PROTECTING the quality & character of our rural & forested lands.

Guided by this understanding I am absolutely unable to comprehend why this organization would want to reduce the effectiveness of one of its TIME TESTED tools which has PROVEN its value for over 40 years. These are NOT the actions which would serve to better the cause of this organizations declared purpose, unless I am grossly mistaken about the direction & desires of this organization.

I moved to Argyle Township 13 years ago specifically to live in such a place teaming with a healthy environment. I have seen numerous attempts, in the last few years, to destroy this healthy world & cut it up into little pieces in order to pander to the whims & desires of corporate interests.

Our beautiful State is teaming with resources finding interest from many different factions of industry. Every single resource immediately starts to decline in value at the very moment it is allowed to be harvested except for one single use. Rural MAINE has one resource whose value grows the more it is harvested, hard to believe? BUT TRUE RURAL RECREATION, canoes, kayaks, hiking, mountain climbing, camping, fishing, hunting, photography & many , many other non-destructive uses of our healthy natural environment bring dollars into our state & provide good healthy jobs for our residents. Jobs that provide exercise in a healthy environment with NO exposure to dangerous chemicals, life threatening industrial pollutants, or the din of ear crushingly loud machinery. This recreational development not only leaves the environment much the same way it was, but every person who experiences our beautiful natural world goes back to their home with stories of rustic beauty, enhancing the desires of every person who hears of their experiences to also visit MAINE. Every single person who is able to share this experience then becomes another advocate for our beautiful world drawing in even more who wish to experience what rural MAINE Has to offer.

When dealing with industrial development, the act of harvesting what Maine has to offer begins the rapid decline of what MAINE has to offer. Timber is a renewable resource & is the one exception to this rule, although, even when harvesting a renewable resource such as timber & wood products our environment still suffers degradation, due to the "nothing matters but money" mind set of industry who would gladly destroy mountains sides, creeks, & meadows by improper road building & inadequate culvert installation in order to "SAVE A BUCK".

I believe the most important stance our people & our government can take is to be ardent supporters of water quality, especially now when our natural world is threatened on so many levels.

I have come here today to speak my mind regarding this idea of lessening the requirements of control. I should be working & making money today, instead, I have chosen to spend my time not making money but voicing my opinion on a topic that I do not believe should have progressed as far as it has.

Thank You for the time & opportunity to speak today.

WATER IS LIFE

Peter Crockett

06 / 18 / 18

Schedule of Work Completed

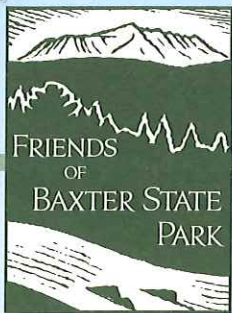
ALRIG Bangor Maine

570 Stillwater Avenue
Bangor ME 04401

PROGRESS BILLING

Application 6
Page 2 of 2
J-4493

Description of Work	Scheduled /Changes	Previous	Current Comp.	Previous Stored	Current Stored	Total Comp. & Stored	%	Balance	Retained
1079,000 Misc Travel	30,000.00	20,811.00	9,189.00			30,000.00	100.00		
1210,000 Testing Costs	10,000.00	5,408.00	4,592.00			10,000.00	100.00		
1300,000 Project Management	111,823.00	79,411.00	32,412.00			111,823.00	100.00		
1720,000 Stakeout, Layout	4,000.00	617.50				617.50	15.44	3,382.50	
2000,000 Site Construction	836,681.14	681,455.65	155,225.49			836,681.14	100.00		
2300,000 Earthwork									
2770,000 Site Signage									
2810,000 Irrigation System	11,600.00	5,400.00	6,200.00			11,600.00	100.00		
2820,000 Fences & Gates	10,429.00	3,928.50	666.56			4,595.06	44.06	5,833.94	
2900,000 Landscaping	25,645.00							25,645.00	
3000,000 Concrete	103,700.00	47,700.00	56,000.00			103,700.00	100.00		
4000,000 Masonry	131,000.00	110,106.53	19,543.47			129,650.00	98.97	1,350.00	
5000,000 Structural Steel	148,544.96	148,544.96				148,544.96	100.00		
5420,000 Light Gauge Metals	116,900.00	116,900.00				116,900.00	100.00		
7240,000 E.I.F.S.	32,353.76		32,353.76			32,353.76	100.00		
7400,000 Roofing	91,450.00	76,805.00	14,645.00			91,450.00	100.00		
7900,000 Joint Sealers	4,500.00		4,500.00			4,500.00	100.00		
8100,000 Door, Frames, H/ware	8,315.83	5,138.19	3,177.64			8,315.83	100.00		
8800,000 Glass & Glazing	59,244.90	50,303.90	8,941.00			59,244.90	100.00		
9200,000 MS/D/Ywall	79,100.00		79,100.00			79,100.00	100.00		
10400,000 Signage	16,030.00	16,030.00				16,030.00	100.00		
10536,000 Avnings	10,690.00		10,690.00			10,690.00	100.00		
10800,000 Toilet Room Access.	2,717.00		2,717.00			2,717.00	100.00		
15000,000 Mechanical	67,090.00		67,090.00			67,090.00	100.00		
15700,000 HVAC	12,274.76							12,274.76	
16000,000 Electrical	139,052.00	81,356.00	40,000.00			121,356.00	87.27	17,696.00	
20000,000 Contractor Fee	103,658.44	59,623.00	40,705.00			100,328.00	96.79	3,330.44	
Totals:	2,166,799.79	1,509,539.23	587,747.92			2,097,287.15	96.79	69,512.64	



PO Box 322 Belfast, ME 04915 (207) 975-3787 www.friendsofbaxter.org

Comments on Proposed Adjacency Rule Changes June 20, 2018

Members of the Land Use Planning Commission:

On behalf of the Board of Directors and 1,100 members of Friends of Baxter State Park, thank you for your service as stewards of the Unorganized Territories that make up the majority of Maine's great North Woods. We understand that each of you on the Commission and the LUPC staff cares deeply about our state, our communities, and our world-class natural resources. Thank you for your service to the State of Maine.

The LUPC is charged with stewardship of the public interest in a region of local, state, and global significance. Toward that end, we appreciate your efforts to refine the "adjacency principle." As you know, a rigorous approach to adjacency has been one of the bedrock principles guiding development in the Commission jurisdiction for almost 50 years. Evidence suggests that this approach has largely fulfilled the goals of the statute, which calls for "orderly development" rather than sprawl. Furthermore, we believe that the 'one-mile rule' for rezoning has been effective in allowing growth that is compatible with the world-class ecological, forestry, and recreation values of the Unorganized Territories. We are not opposed to some revisions to improve on that record and accommodate issues that have emerged in recent years. We are extremely concerned, however, about the magnitude of the proposed changes, the lack of specific information and analysis on the impacts of the proposed rule change, and the negative consequences these changes could bring to Baxter State Park as well as surrounding communities and ecosystems.

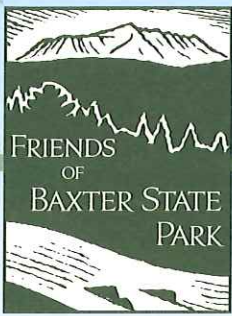
After considering the issues involved in some depth, the essence of our recommendation is that you put the proposed rules on hold, because despite your best intentions, we believe the proposed rules would have negative and irreversible impacts on Baxter State Park and the surrounding communities and ecosystems.

Significance of the Maine Woods

It's difficult to overstate the ecological, cultural, and recreational value of the Maine Woods. The Maine Woods are the heart of the largest globally important bird area in the continental United States, and the last stronghold for native brook trout in the eastern United States. Viewed at night from space, the Maine Woods are a unique region surrounded by a glowing web of development that sprawls along the entire U.S. East Coast, from Florida to Maine, and into Canada. On so many measures of ecological value – including connectivity and resilience to climate change – the Maine Woods are nationally and globally significant. They are at the heart of our recreation economy, our forest products economy, and our most treasured outdoor traditions.

The park is to be preserved in its wild state as unspoiled wilderness.

- Governor Percival Baxter



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Impacts on Baxter State Park

Baxter State Park is not an island of conservation land, but rather an integral part of Maine's North Woods. It is ecologically, culturally, and economically connected to surrounding communities and landscapes. There are two road entrances to Baxter State Park: the Matagamom Gate, which is accessed via Route 159 and the Grand Lake Road from Patten, and the Togue Pond Gate, which is accessed via the Lake Road and Baxter State Park Road from Millinocket. The proposed rules would make both of these road corridors "Primary Areas" for development to within a few miles of the Baxter State Park boundary. We believe that this would encourage strip development, creating negative visual impacts for Park visitors and degrading the remote experience. The approach roads to Baxter State Park are also part of the Katahdin Woods and Waters Scenic Byway. The strip development encouraged by the proposed rules would severely degrade or eliminate the scenic value of the Byway. We appreciate the removal of T2R9 WELS from the proposed Primary Area, but this does not fully address our concerns.

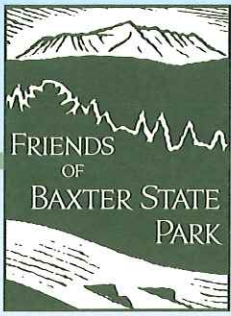
This rule change would affect scenic values inside Baxter State Park as well. The road corridors mentioned above are prominently visible from Katahdin, Traveler, and many other mountains in Baxter State Park. Several of the lakes included in the Primary and Secondary areas near Millinocket – including Ambajejus and Millinocket Lakes – are prominently visible from Katahdin and other mountains. Intensive development in these areas could have significant negative impacts on scenic views from Katahdin and other mountains in Baxter State Park. There is precedent in your past agency decisions to not allow developments that would have a tangible adverse impact on important scenic views from public lands and waters. Inviting development in these areas now would send the wrong message and be counter to your statutory mission and Comprehensive Land Use Plan.

Impacts on Katahdin-Region Communities

We anticipate that the proposed rules would also have profound impacts on the economic vitality of those communities that were identified as Rural Hubs in the rules. Many of the towns identified as Rural Hubs – including Millinocket and Patten – are struggling with severe economic challenges, including mill closures, high unemployment, and vacant storefronts downtown. Mill rates are soaring as these towns attempt to survive, and many communities are struggling to provide basic services for residents. We suggest that the proposed rule changes be considered in this broader context.

The areas identified as Primary and Secondary areas cover an estimated 24% of the LUPC jurisdiction. The proposed changes are too drastic, over too large an area, to be made all at once. Furthermore, because of the way Primary and Secondary locations are defined in the rules, these changes will be just outside some of Maine's rural towns most at risk. The idea that it would be economically and environmentally beneficial to encourage development near but outside the

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boundaries of the struggling communities of rural Maine is a concept that has not yet been proven, and is likely to have unexpected – and devastating – economic consequences.

Strip development and sprawl on roads outside the towns is very likely to harm Rural Hub communities. This type of development typically places a strain on municipal services while not adding property tax revenue. In many cases, there are already strong economic incentives in place to locate outside of town. The mill rates in the Unorganized Territory in the Katahdin Region are between \$6 and \$8. The mill rates in Millinocket and East Millinocket are well over \$30. This creates a powerful economic incentive to abandon the towns and develop in the UT. Meanwhile, the proposed rule changes would vastly expand the opportunity to capitalize on that incentive, making the problem worse.

Some Rural Hub communities are already in the midst of efforts that would be severely undermined by these rule changes. For example, Millinocket is working very hard, through an innovative public-private partnership, to attract manufacturing and light industrial tenants to the former Great Northern mill site, and to revitalize its downtown. The broader Katahdin Region is currently engaged in a major community visioning process (*The Katahdin Gazetteer*) about the future of the region with the assistance of an international team of consultants. The proposed rule changes offer a ‘one-size-fits all’ approach to Maine’s Rural Hub communities that is unlikely to be appropriate for their specific circumstances. We believe that, despite your good intentions, the proposed rules could be the nail in the coffin for Millinocket, Patten, and other communities that are struggling to revive their downtowns and attract businesses to their industrial sites. We strongly encourage LUPC to engage in a Community Guided Planning and Zoning process before making any changes to the existing regulations surrounding Baxter State Park and the Katahdin Region.

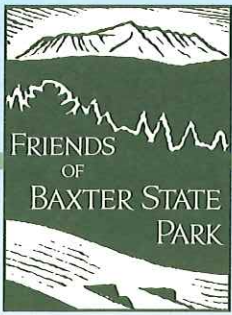
Baxter State Park depends on surrounding communities, including Millinocket and Patten, for a wide range of goods and services, as well as housing and livable communities for its staff. With an annual payroll of about \$2.5 million, the Park is one of the larger employers in the Katahdin region. When Millinocket and Patten are struggling, Baxter State Park often struggles to attract and retain qualified staff. This is a significant, long-term concern for the Park, and we believe that the proposed rules would exacerbate this challenge.

Recreation-based Subdivisions & Large-lot Subdivisions

We believe that the concept of recreation-based subdivisions – as well as commercial development near recreational features – is generally incompatible with the values that bring people to recreational features in the first place. There may be limited circumstances where this type of subdivision makes sense (such as near a ski resort) but the proposed rules, as written, open the door to sprawl on a level that could completely change the character of the Maine Woods. Building houses or camps near permanent trails may benefit those homeowners, and create a

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- Governor Percival Baxter



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short-term economic benefit to the landowner who sold the lots, but it would permanently degrade the experience for everyone else, and negate the values that drew people to the trail in the first place. There are already mechanisms (e.g. waivers and variances) and alternatives (e.g. community guided plans) in the LUPC rules to allow recreation-based development in remote areas if a justifiable case can be made by a developer. We believe that writing recreation-based subdivisions into the rules will encourage a pattern of sprawl that will irreversibly alter the character of our most precious areas. We also oppose the inclusion of low-density or “large-lot” subdivisions in the proposed rules. The Maine Legislature removed the exemption for large-lot residential subdivisions in the LUPC jurisdiction in 2001, recognizing that they cause habitat fragmentation and can cause severe and often irreparable damage to Maine’s natural resources.

Development on Lakes

Lakes are critical to the remote character, biodiversity, and recreation economy of the Maine Woods. The proposed rules for recreation-based residential activity would affect an unknown number of Management Class 4, 5, and 7 lakes throughout the LUPC jurisdiction. Our understanding is that there are more than 1,000 lakes in Management Class 7 alone, and that LUPC is unclear on exactly which lakes would be affected by this rule because of a lack of data on existing structures. This uncertainty and the lack of available analysis makes it impossible to evaluate the impacts of this proposal – which makes it impossible to know whether it meets LUPC’s legislative mandate or protects the broader public interest.

Cumulative Impacts

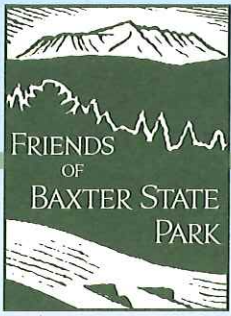
We urge the Commission to recognize the importance of cumulative impacts, which are already eroding the many values of the area. The Unorganized Territories have exceptional value precisely because they have been unfragmented by the sprawl that these proposed rule changes would facilitate. We believe that the cumulative impacts of this proposal would result in the ‘death by a thousand cuts’ phenomenon for the ecological, cultural, and economic values of the Maine Woods.

Summary

- The Maine Woods have ecological value of national and global significance. They are at the heart of our recreation economy and a number of our most treasured outdoor traditions.
- We believe that, despite your good intentions, the proposed rules could have negative and irreversible impacts on Baxter State Park and the surrounding communities and ecosystems.
- Development under the proposed rules could negatively impact scenic values from Katahdin and other summits in Baxter State Park, as well as the two entrance routes to Baxter State Park, running counter to agency precedent.

The park is to be preserved in its wild state as unspoiled wilderness.

- Governor Percival Baxter

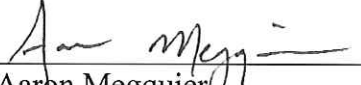


PO Box 322 Belfast, ME 04915 (207) 975-3787 www.friendsofbaxter.org

- The proposed rules could harm Rural Hubs, including Millinocket and Patten, by encouraging development outside rather than within the Rural Hub communities, and undermine community-led initiatives to revitalize the economy of the Katahdin Region.
- Recreation-based subdivisions and low-density subdivisions will encourage sprawl, create habitat fragmentation, and could permanently alter the character of important natural areas and recreational resources.
- There are already escape valves and alternatives in the LUPC rules to allow recreation-based development in remote areas if justifiable.
- The cumulative impacts of this proposal could result in 'death by a thousand cuts' for the ecological, cultural, and economic values of the Maine Woods.

In conclusion, we urge the Commission to put the proposed rule changes on hold due to scenic and viewshed impacts on Baxter State Park, potentially devastating economic impacts to rural service centers, and the near-certainty of sprawl near our most precious trails, lakes, and natural areas. We urge the Commission to seek a third-party analysis of whether development that has been approved under current rules is meeting the intent and purpose of the statute; and to perform a detailed spatial analysis of the proposed changes for public review. The Maine Woods are far too important to make changes of this magnitude without a full understanding of the potential impacts – which, in our view, could be negative, profound, and irreversible.

Sincerely,

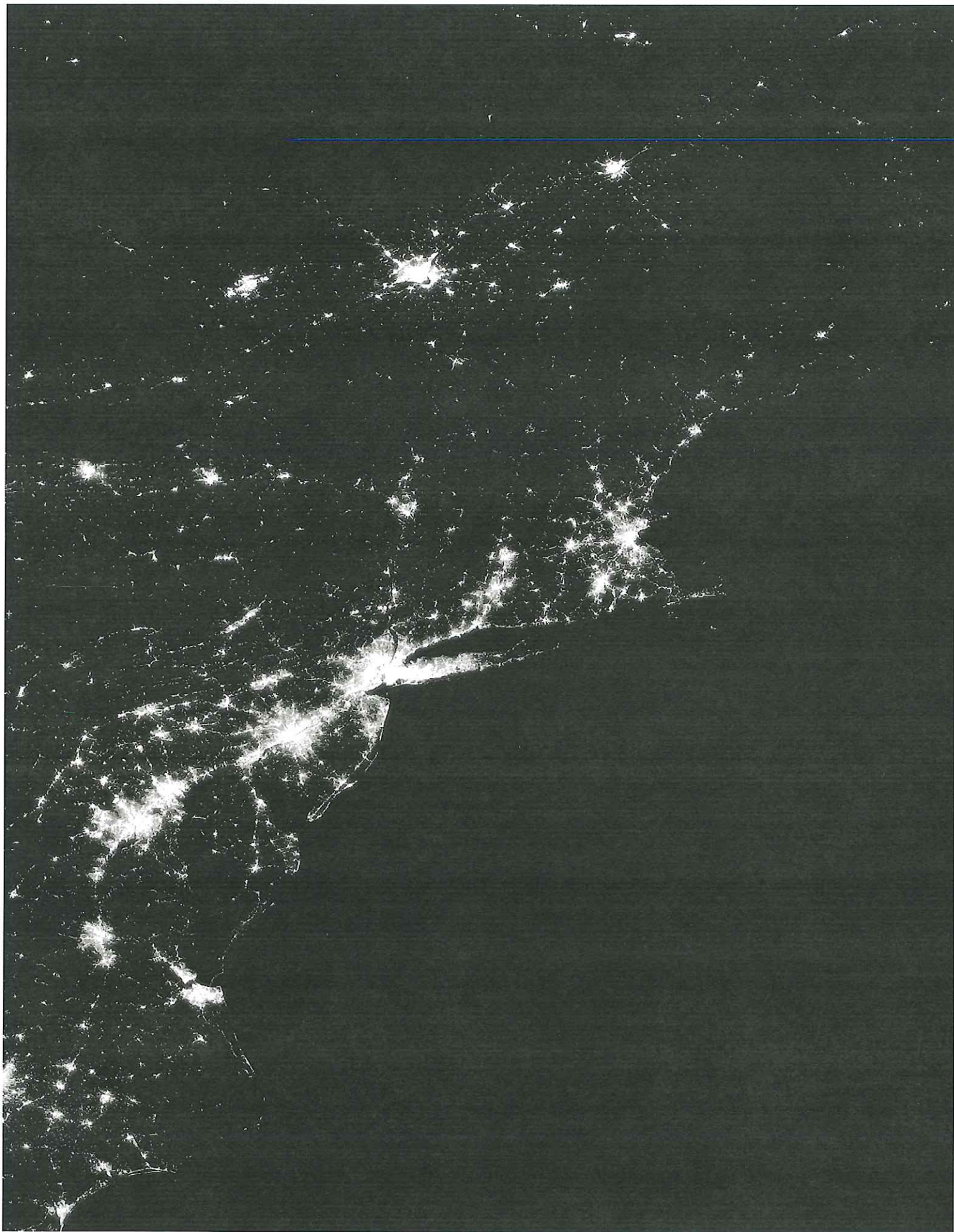

Aaron Megquier
Executive Director


Richard Klain
President

Attachments:

1. Earth at Night Map – East Coast of US and Canada (NASA)
2. Cover page of *Diversity, Continuity, and Resilience – the Ecological Values of the Western Maine Mountains* (Janet McMahon / Maine Mountain Collaborative)
3. Temperate Deciduous / Mixed Forests Then and Now (The Nature Conservancy)
4. U.S. Important Bird Areas Map (National Audubon Society)

The park is to be preserved in its wild state as unspoiled wilderness.
- Governor Percival Baxter



DIVERSITY, CONTINUITY AND RESILIENCE –
THE ECOLOGICAL VALUES OF THE
WESTERN MAINE MOUNTAINS



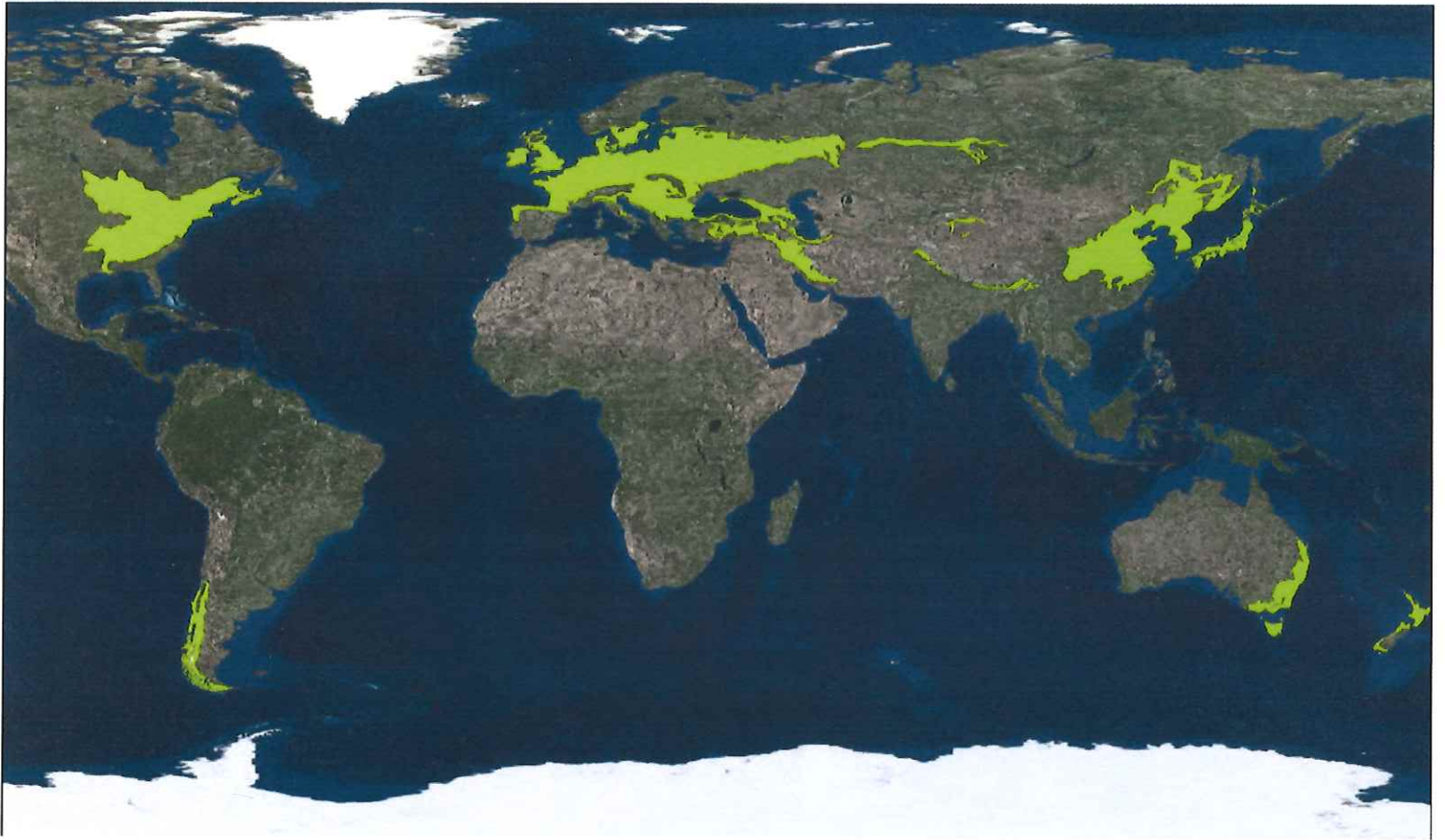
Dawn over Crocker and Redington Mountains

Photo courtesy of The Trust for Public Land, Jerry Monkman, EcoPhotography.com

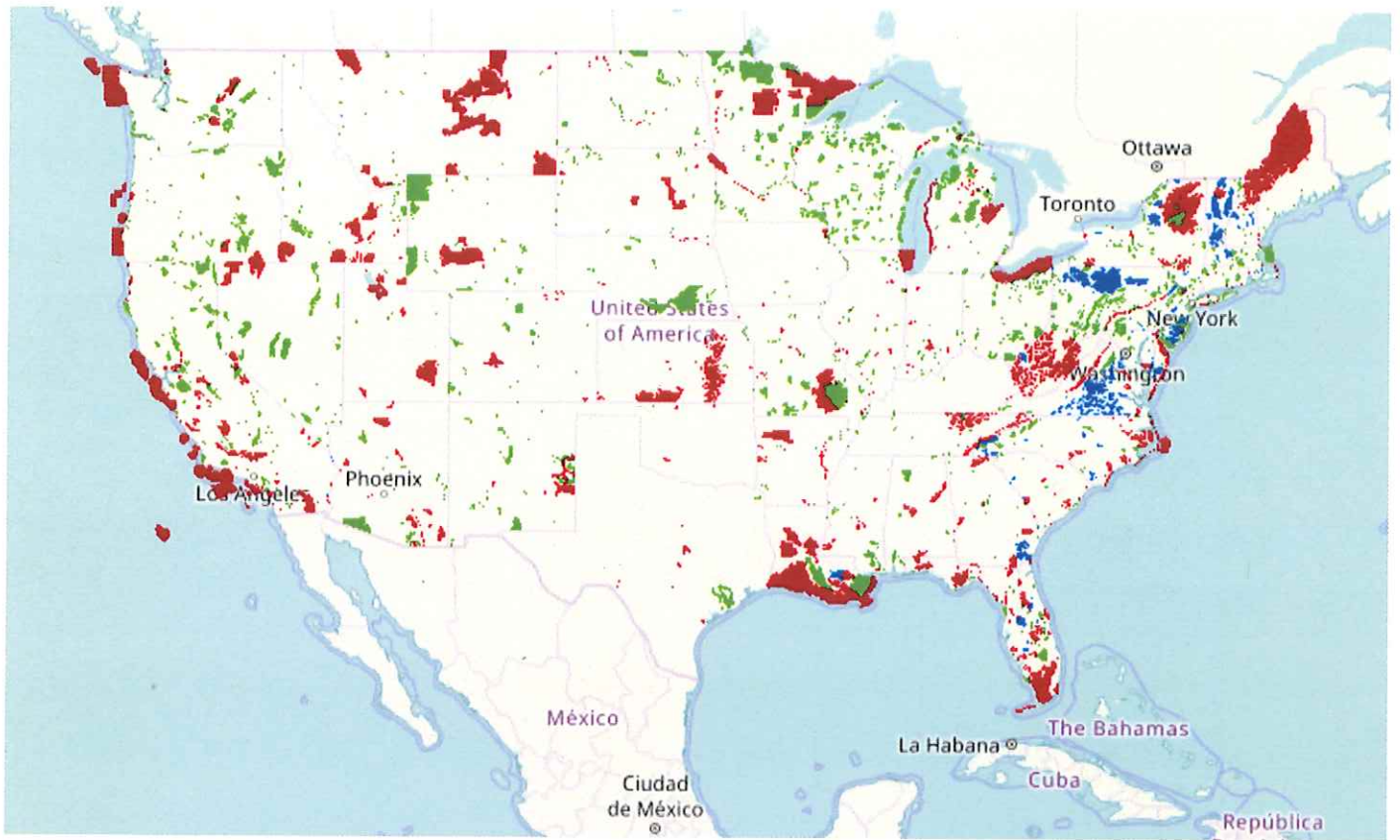
Abstract

The five million acre Western Maine Mountains region is a landscape of superlatives. It includes all of Maine's high peaks and contains a rich diversity of ecosystems, from alpine tundra and boreal forests to ribbed fens and floodplain hardwood forests. It is home to more than 139 rare plants and animals, including 21 globally rare species and many others that are found only in the northern Appalachians. It includes more than half of the United States' largest globally important bird area, which provides crucial habitat for 34 northern woodland songbird species. It provides core habitat for marten, lynx, loon, moose and a host of other iconic Maine animals. Its cold headwater streams and lakes comprise the last stronghold for wild brook trout in the eastern United States. Its unfragmented forests and complex topography make it a highly resilient landscape in the face of climate change. It lies at the heart of the Northern Appalachian/Acadian Forest, which is the largest and most intact area of temperate forest in North America, and perhaps the world. Most importantly, the Western Maine Mountains region is the critical ecological link between the forests of the Adirondacks, Vermont and New Hampshire and northern Maine, New Brunswick and the Gaspé.

Attachment #3: Temperate Deciduous /Mixed Forests Then and Now (The Nature Conservancy)



Attachment #4: Map of U.S. Important Bird Areas (National Audubon Society).
Areas important at Global level in red, Continental level in blue, and State level in green.





June 20th, 2018

BOARD OF DIRECTORS

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Jeremy Sheaffer

Howard R. Whitcomb

Good afternoon, Land Use Planning Commission,

My name is Jeremy Sheaffer and I am a board member of the Friends of Katahdin Woods and Waters.

The Friends of Katahdin Woods and Waters is a member supported organization whose mission is “to preserve and protect the outstanding natural beauty, ecological vitality and distinctive cultural resources of Katahdin Woods and Waters National Monument and surrounding communities for the inspiration and enjoyment of all generations.”

Consistent with our mission, we are supportive of new development that will enhance the economic well-being and vibrancy of the communities surrounding the National Monument. Accordingly, from our beginnings, we have helped support the National Park Service’s Visitor Contact stations at the Patten Lumbermen’s Museum and on Penobscot Street in the heart of downtown Millinocket to encourage visitors to the National Monument to visit the communities and patronize local businesses. We would like to help the organized towns around Katahdin Woods and Waters National Monument grow and prosper as the gateways to the new National Monument.

We have only recently become aware of the LUPC’s proposal to change the adjacency rule and are still in the process of trying to understand the implications of the proposed changes and how they would affect both the National Monument and the surrounding communities.

EXECUTIVE DIRECTOR

Andrew Bossie

Our initial review raises questions about the implications of the proposed “primary” and “secondary development areas” in the Katahdin region that should be addressed before adopting such a major change. For example, the Katahdin Woods and Waters Scenic Byway winds its way through both organized towns and unorganized townships from the south gate of Baxter State Park, up route 11, and in to the north gate of Baxter State Park, encircling the Katahdin Woods and Waters National Monument. All of the unorganized townships, except two, along this route are designated as primary development zones. What will be the economic and environmental consequences of this designation on all these places—the towns, the unorganized townships, the scenic byway that citizens worked long and hard to get designated, the national and state parks served by the Byway?

OPERATIONS AND SPECIAL PROJECTS COORDINATOR

Sam Deeran

CONTACT

Friends of Katahdin

Woods & Waters

POB 18177

Portland ME 04112

207-808-0020

www.friendsofkww.org

info@friendsofkww.org

We believe that the proposed change in the adjacency rule could have major negative long-lasting impacts on the Katahdin region. We understand that some change in the rule might be needed, but we would recommend that the LUPC and the affected communities and interested public take the necessary time and care to determine what that change should be. In the Katahdin region, planning and zoning should include representatives of both towns and unorganized townships. Our interest in the region has made us familiar with several groups that have begun exploring regional planning. We strongly recommend that you remove the Katahdin region from the present proposal and either engage with the ongoing efforts to create a vision and associated planning for the region, or use your community guided planning and zoning services in conjunction with the organized towns in the region for this purpose.

Thank you for your attention.

Jeremy Sheaffer

On behalf of Friends of Katahdin Woods and Waters

501(c)3 nonprofit
organization

June 20, 2018

Land Use Planning Commission
18 Elkins St., 22 State House Station
Augusta, ME 04333

Ref: 6/20/18 LUPC Public Hearing concerning the proposed changes to the Adjacency Principle and development zoning system for the Unorganized Territories

Commissioners,

I am a landowner and resident in Orland, and I recreate on the land and lakes and rivers not only in Hancock County, but a few of the Counties north and east of where I live. These lands and waters are connected, not separated by County boundaries, so that what happens or is developed in one County's Unorganized Territories or within its own border, can easily affect (or should I say, "flow down hill") and have adverse impacts on another's.

Orland is situated in between 2 SuperFund clean-up sites. The former, commercially developed Holtra-Chem site in Orrington dumped tons of mercury into the river in the late 1960s and is located close to 10 miles up river from Orland. Enough of that mercury sits at the base of the Orland Dam for it to be designated a "hotspot" in a scientific study, and that is located about 2 miles from my home. The "clean-up" of that site and it's associated millions of dollars of costs are on-going, and Mallinckrodt who owns the site still applies on a regular basis to the DEP for the discharge of 100,000 GPD of remediation water into the Penobscot River because it's too expensive to truck it elsewhere as they do the solid remediation waste. Just a little over 10 miles the other way from my home lays the waste of the Callahan Mine in Brooksville where open pit mining was allowed beside a tidal estuary; it created 75 acres of dead zone leaving heavy metals to contaminate the soils and leach into the groundwater and the community's wells.

You may say that was in 1960s and 70s and can't happen today...I'm not so sure. As we speak, our environmental laws (the ones you and all of us are currently relying on in your proposal and plans) are being dismantled at the federal and state level in favor of a few industries and large landowners who stand to gain much, promise low to mid-wage jobs, and pay inconsequential fees and fines for the consequences of their development and what they leave behind.

I am deeply concerned that the LUPC's proposal to change the use of the 1 mile Adjacency Principle to a 2 mile from public roads/10 miles from a rural hub's boundary is far too broad to be applied to all the various regions, communities, and sub-districts' uses listed within the proposal. The changes in rules are numerous and still not completely written, and therefore cannot be fully evaluated by communities, Counties, planners, or Commissioners within a few months time, especially for the multitude of impacts they can have over the next 20 to 30 years and more.

By increasing the mileage in the Adjacency Principle and applying it State-wide, this very well could encourage inappropriate uses by allowing development near communities such as unwanted industrial wind farms; extraction that irreparably degrades our environment (even with existing environmental rules and statutes); depletion of resources or discharging and leaching into waterways that inevitably includes toxins and pollutants for

communities and Counties that have to deal with their effects and costs on health and budgets far into the future.

I have heard it said and I have seen on the LUPC website that the 1 mile rule is a blunt tool; the logic would then follow that the 2 mile/10 mile rule applied in a similar way is a bludgeon.

We the public, those in the rural hubs and Counties, and those in the communities of the UTs need more than the few months given to evaluate the impacts of a dense and extensive proposal applied in such a broad manner. At a bare minimum, it is prudent and just to at least:

- Give written notice of this proposal and its changes by mail to those directly affected (all those members of the UTs and all the residents of the rural and retail hubs), and
- A 2nd Public Hearing should be scheduled *after* drafts and changes have been completed

Please retain the 1 mile Adjacency Principle used in the development zoning system until the communities and yourselves can assess and understand the impacts these current changes have. The 1 mile Adjacency Principle has been of value to help protect and support Maine's communities, water quality, and wildlife for the past few decades.

Thank you for your consideration,



Karen Cote
Orland



COUNTY OF HANCOCK

Commissioners' Office
50 State Street, Suite 7
Ellsworth, Maine 04605

Learn more about *HANCOCK COUNTY* by visiting
www.co.hancock.me.us

Commissioners:

William F. Clark, District I
Percy L. Brown Jr., District II
Antonio Blasi, District III

Scott A. Adkins
County Administrator

June 19, 2018

Nicholas Livesay, Executive Director
Land Use Planning Commission

Subject: LUPC One Mile Adjacency Principle proposed rule revisions

Dear Mr. Livesay,

The commissioners of Hancock County are concerned about protecting water quality, wildlife habitat, and forests from development, which would also impact county residents' outdoor recreation opportunities and the state's tourism industry. We are concerned about natural resources and placing additional burdens on Unorganized Territories. Water quality protection must become a top priority of all land use planning, and further analysis regarding potential impact should be done.

Thank you for your consideration of our concerns in this matter.

Respectfully,

Hancock County Commissioners

Antonio Blasi, Chair

Rec'd 4/17/2018 via USPS (sae)

Petition to the Hancock County Commissioners to resolve to the Land Use Planning Commission (LUPC) to retain the current one mile Adjacency Principle under the UPC's statute 12 M.R.S. §681 and consistent with the Comprehensive Land Use Plan.

We, the undersigned residents of Hancock County, are concerned about protecting water quality, wildlife habitat, and forests from expanded commercial, industrial, retail, and residential development, which would also impact county residents' outdoor recreation opportunities and the state's tourism industry. Resulting sprawl would damage natural resources and place additional burdens on county taxpayers. Water quality must become a top priority of all land use planning, and the one mile Adjacency Principle that has been in place should be retained to achieve that objective. We request that this petition be placed on the Agenda of the next scheduled meeting of the Hancock County Commissioners to be approved as an action to be taken before the Land Use Planning Commission before their scheduled June 20, 2018 Public Hearing.

Printed Name	Signature	Physical Address
JOHN GREENMAN	<i>John Greenman</i>	65 MEADOW BROOK LN. ORLAND
Carlene Chesse	<i>Carlene Chesse</i>	699 Silver Lake Rd, Bucksport
David Costigan	<i>David Costigan</i>	25 Upper Falls Rd, Orland
Flora Costigan	<i>Flora Costigan</i>	25 Upper Falls Rd, Orland
Maurven Fox	<i>Maurven Fox</i>	33 Sunset Dr. Penobscot
Fred Blodgett	<i>Fred Blodgett</i>	68 Charlie Star Lane Orland
Cliff Guthrie	<i>Cliff Guthrie</i>	46 Charlie Star Lane Orland
David A. Weeda	<i>David A. Weeda</i>	327 Williamspond Road Bucksport
Katherine Greenman	<i>Katherine Greenman</i>	65 Meadow Brook Lane Orland

Circulator *Katherine Greenman* Date *4.12.18*
Katherine Greenman

Rec'd 4/17/2018 via USPS 800

Petition to the Hancock County Commissioners to resolve to the Land Use Planning Commission (LUPC) to retain the current one mile Adjacency Principle under the LUPC's statute 12 M.R.S. §681 and consistent with the Comprehensive Land Use Plan.

We, the undersigned residents of Hancock County, are concerned about protecting water quality, wildlife habitat, and forests from expanded commercial, industrial, retail, and residential development, which would also impact county residents' outdoor recreation opportunities and the state's tourism industry. Resulting sprawl would damage natural resources and place additional burdens on county taxpayers. Water quality must become a top priority of all land use planning, and the one mile Adjacency Principle that has been in place should be retained to achieve that objective. We request that this petition be placed on the Agenda of the next scheduled meeting of the Hancock County Commissioners to be approved as an action to be taken before the Land Use Planning Commission before their scheduled June 20, 2018 Public Hearing.

Printed Name	Signature	Physical Address
Jennifer Rietler	<i>J Rietler</i>	38 Verona Pk Rd Verona Island 04916 469-2045
Cheryl Domina	<i>Cheryl Domina</i>	290 Hatcher Rd E. Island
PATRICK RBTID	<i>P. RBTID</i>	35 Verona Park Verona Isle 04916 04431
Julianne Taylor	<i>Julianne Taylor</i>	1127 Main St. Mountbena, ME 04660
Hans Krichels	<i>Hans Krichels</i>	84 Elm St. Bowdoin ME 04416
Shawn Mercer	<i>Shawn Mercer</i>	50 Nancy Field Rd O. Id. ME 04472

6

Circulator *J R RPL* Jennifer Rietler Date 4/13/18

Rec'd 4/17/2018 @ 10:45 am in pers. ^{Sec}

Petition to the Hancock County Commissioners to resolve to the Land Use Planning Commission (LUPC) to retain the current one mile Adjacency Principle under the LUPC's statute 12 M.R.S. §681 and consistent with the Comprehensive Land Use Plan.

We, the undersigned residents of Hancock County, are concerned about protecting water quality, wildlife habitat, and forests from expanded commercial, industrial, retail, and residential development, which would also impact county residents' outdoor recreation opportunities and the state's tourism industry. Resulting sprawl would damage natural resources and place additional burdens on county taxpayers. Water quality must become a top priority of all land use planning, and the one mile Adjacency Principle that has been in place should be retained to achieve that objective. We request that this petition be placed on the Agenda of the next scheduled meeting of the Hancock County Commissioners to be approved as an action to be taken before the Land Use Planning Commission before their scheduled June 20, 2018 Public Hearing.

Printed Name	Signature	Physical Address
Melanie Zador	<i>Melanie Zador</i>	338 Toddy Pond Rd, Surry
Liz Palmer	<i>Liz Palmer</i>	1067 Bayside Rd, Winton
Judith Povich	<i>Judith Povich</i>	301 Surry Rd, Ellsworth
Carol Trimble	<i>Carol Trimble</i>	448 Lamorne Beach Rd, Lamorne

4

Circulator *Patsy Shankle* Date 4-13-18

Rec'd 4/17/2018 @ 10:00 AM in pers
(506)

Petition to the Hancock County Commissioners to resolve to the Land Use Planning Commission (LUPC) to retain the current one mile Adjacency Principle under the LUPC's statute 12 M.R.S. §681 and consistent with the Comprehensive Land Use Plan.

We, the undersigned residents of Hancock County, are concerned about protecting water quality, wildlife habitat, and forests from expanded commercial, industrial, retail, and residential development, which would also impact county residents' outdoor recreation opportunities and the state's tourism industry. Resulting sprawl would damage natural resources and place additional burdens on county taxpayers. Water quality must become a top priority of all land use planning, and the one mile Adjacency Principle that has been in place should be retained to achieve that objective. We request that this petition be placed on the Agenda of the next scheduled meeting of the Hancock County Commissioners to be approved as an action to be taken before the Land Use Planning Commission before their scheduled June 20, 2018 Public Hearing.

Printed Name	Signature	Physical Address
CAROL T. KORTY	Carol T. Korty	32 Fox Run, Lamoine, ME 04601
Kathleen Rybarz	Kathleen Rybarz	50 Ice House Ln Lamoine 04605
Bruce P. Gillett	Bruce P. Gillett	50 Ice House Ln, Lamoine, ME 04605
KATHRYN P. GARDNGUEST	Kathryn P. Gardnguest	128 GREAT LEAGUE RD, LAMOINE, ME 04605
Catherine deTuede	Catherine deTuede	45 Meadow Pond Rd, Lamoine 04605
Kathy McGlinchey	Kathy McGlinchey	439 Lamoine Beach Rd Lamoine
Wynne J. Guglielmo	Wynne J. Guglielmo	657 Lamoine Beach Rd Lamoine 0460
Carol Madon	Carol Madon	131 MAKL BORO BEACH RD 0460
Svetlana Malinina	Svetlana Malinina	8 Dorothy's Lane, Lamoine ME 046
SHARON ST. CLAIR	Sharon St. Claire	17 Kitts Crossing Lamoine, ME 04605
MERLE BRADON	Merle Bradon	32 Walker Rd, Lamoine, ME 04605
WILLIAM D. SCHECK	William D. Scheck	66 BERTERSWEET LN, LAMOINE 0460
TOM ST. CLAIR	Tom St. Claire	17 Kitts Crossing Lamoine
ANNE EB STOCKING	Anne E. Stocking	30 BERRY COVE RD., LAMOINE 04605
Carol A. Duffy	Carol A. Duffy	1108 Shore Rd, Lamoine, ME 0460.
Dale Macurdy	Dale Macurdy	32 Fox Run, Lamoine 04605

Circulator Carol T. Korty

Date April 15, 2018

16

Circulator Jane Cudsen Washburn

Date 4/13/18

Penobscot

Rec'd 4/17/2018 - USPS (sae)

Petition to the Hancock County Commissioners to resolve to the Land Use Planning Commission (LUPC) to retain the current one mile Adjacency Principle under the LUPC's statute 12 M.R.S. §681 and consistent with the Comprehensive Land Use Plan.

We, the undersigned residents of Hancock County, are concerned about protecting water quality, wildlife habitat, and forests from expanded commercial, industrial, retail, and residential development, which would also impact county residents' outdoor recreation opportunities and the state's tourism industry. Resulting sprawl would damage natural resources and place additional burdens on county taxpayers. Water quality must become a top priority of all land use planning, and the one mile Adjacency Principle that has been in place should be retained to achieve that objective. We request that this petition be placed on the Agenda of the next scheduled meeting of the Hancock County Commissioners to be approved as an action to be taken before the Land Use Planning Commission before their scheduled June 20, 2018 Public Hearing.

Printed Name	Signature	Physical Address
Patsy Shankle	<i>Patsy Shankle</i>	564 North Bend Rd, Surry 04684
Karen Balas-Coté	<i>Karen Balas-Coté</i>	348 Leaches Point Rd, Orland 04472
Mark A. Coté	<i>Mark A. Coté</i>	348 Leaches Point Rd, Orland ME 04472
Nathalie Arruda	<i>Nathalie Arruda</i>	1313 Bald Mountain Rd, Orland, ME 04472
Claus Hamann	<i>Claus Hamann</i>	497 Castre Rd, ORLAND ME 04472
John Wombacher	<i>John Wombacher</i>	16 Mechanic St. Bucksport 04416
Clayton Duplessis	<i>Clayton Duplessis</i>	725 Castine Rd, Orland 04472
John Duplessis	<i>John Duplessis</i>	725 Castine Orland 04472
Courtney Swazey	<i>Courtney Swazey</i>	846 Acadia Hwy, Orland 04472
Leslie Wombacher	<i>Leslie Wombacher</i>	16 Mechanic St. Bucksport 04416
Alecia Smith	<i>Alecia Smith</i>	92 Schoolhouse Rd., Orland ME 04472
Joyce Schelling	<i>Joyce Schelling</i>	443 Leaches Pt., Orland, ME 04472

12

Circulator *Karen Balas-Coté* Date 04/13/2018
Karen Balas-Coté

June 20, 2018

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

Re: Adjacency Review
Comments of Alan Michka

Good afternoon Commissioners,

My name is Alan Michka, I'm a resident of Lexington Twp. I'm also affiliated with Friends of the Highland Mountains, a community-based organization that's been active in local regulatory issues before the Commission, as well as the Legislature, since 2009.

I'm speaking to you today on behalf of the organization's supporters and many Lexington residents and property owners who object to the Commission's designation of Lexington as a primary location under the proposed rule. By now, you've received over 75 or more signatures on letters from these folks asking for this change, and it's likely you're going to be seeing more.

Some of these residents and property owners were able to be here today, and in the interest of efficiency and your time, we're not all going to get up and make three-minute statements saying the same thing. So, if you don't mind, perhaps they could take a few seconds and stand just to let you know they're here and they're watching.

First, I'd like to say that, generally speaking, we're satisfied with the current one-mile standard and would prefer to just leave it in place. My sense is, though, that that's not an option.

I'll just quickly summarize our reasons for requesting this change:

The simple distance-based method for identifying primary and secondary locations in the current proposal, like the current one-mile rule-of-thumb, is also a blunt tool. A precedent has already been set for backtracking on this newer tool in instances where it didn't make sense, and we'd argue that it doesn't make sense in Lexington either. One simple distance-based example is that an ambulance would have to travel over twenty miles to reach people there.

More specifically, a precedent has been set for removing townships for reasons similar to our own. One township in Penobscot County had its primary location designation changed when citizens expressed concerns about the appropriateness of the designation. Like them, we have similar concerns. Like them, we're located near recreational and conservation assets of statewide significance – for example: the Bigelow Preserve, the Appalachian Trail, Maine Huts and Trails, the Northern Forest Canoe Trail, and the ITS trail system, just to name a few. Like them, we want to see new commercial development directed to the many regional towns that desire, and are trying to attract new development – and frankly, are more appropriate for development.

Further, consider that in all of Lexington's 25,000 acres, there are less than 15 acres zoned for non-residential, commercial development – two locations less than a mile apart on the township's only paved road. Under the current one-mile standard, the potential to rezone for this type of development is extremely limited. Under the new guidance, almost ALL of Lexington could be considered for this type of zoning. But, unlike the one-mile standard, the new standard's criteria, don't offer much assurance that inappropriate development, in inappropriate places, can be avoided. That's a big departure from terms most of us had been perfectly happy with for years.

Finally, the Commission's own survey showed that the majority of UT residents and property owners generally don't want more commercial development in their areas. We were part of that survey and there's no reason to our opinions are much different than those of other respondents. We don't believe that the results of the survey were adequately reflected in how this proposal was structured.

For these reasons and others that are in my more detailed written comments below, residents and property owners of Lexington Township urge the Commission to remove Lexington's primary location designation and make it an area outside of primary and secondary locations, as it has done for other townships.

Thank you.

EXPANDED COMMENTS

10.08-A,C,5 Area Outside Primary and Secondary Locations

Lexington Township's location designation under the current proposal should be changed to an "area outside of primary and secondary locations". While a complete list of resident and property owner concerns might be longer, the most significant reasons are listed below.

1. A precedent has already been set for removing townships for reasons similar to our own. One township in Penobscot County had its primary location designation changed when citizens expressed concerns about the appropriateness of the designation. Like them, we have similar concerns. Like them, we want to see new commercial development directed to the many regional towns that desire, and are trying to attract new development – and frankly, are more appropriate for development. Our concerns are no less significant than theirs.

2. According to the Commission's own analysis, its 2016/2017 poll of stakeholders revealed that the majority of respondents did not want to see more commercial development in their area. Seven out of ten survey respondents lived, worked, or owned property in the UT. It's reasonable to assume that Lexington residents and property owners likely share the generally negative sentiment toward more commercial development that the survey exposed.

The terms of the Commission's current proposal don't adequately account for the attitude of most UT residents and property owners toward new commercial development in its method for making an adjacency determination. Some respondents who stated their opposition to more development gave qualifying remarks, but it's not apparent in the new rule how their sometimes-nuanced views could have any place in a rezoning proceeding. Given the options available in the proposal, making Lexington an area outside of primary and secondary locations is the most appropriate fit.

3. 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 Commission has already amended its map to account for some of these cases. It also does not work for Lexington. For example, while it shares a border with a rural hub, the reality is that natural barriers such as roadless open spaces, mountains, and water bodies mean most of Lexington is over 20 miles away from ambulance service.

4. 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 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". We would rather see new development steered to those places that desire it and are prepared for it, than have it diverted to our mostly undeveloped community where it's not generally wanted.

5. Presently, there are only two locations in Lexington zoned for non-residential, commercial development. They total less than fifteen acres and are situated on the only paved road in the township, less than one mile apart. Under the current one-mile adjacency standard, rezoning for this type of development is significantly limited - a situation with which most people here seem to be satisfied. By contrast, the current proposal would make virtually *all* of Lexington subject to potential rezoning for commercial development – to which many people here object.

It's also notable that Highland Plantation, effectively, the only MCD within the region that is not in the Commission's jurisdiction has more restrictive zoning than what might be allowed under the current proposal. Highland allows commercial development only in very limited areas.

6. The area surrounding Long Falls Dam Road, reaching northward from Lexington Twp. is effectively a region in and of itself. The townships and one plantation that largely define the region have shared rural qualities, character and natural resources. But, by making Lexington a primary location, it would be treated much differently than the other townships in this region. From a planning and zoning perspective, treating Lexington in a way that is drastically different from these other locations disrupts this regional continuity.

7. Placing Lexington outside the primary and secondary locations 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. 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.

Alan Michka
16 Spruce Pond Road
Lexington Twp., Maine
(207) 628-2014
alan.michka@gmail.com

6/14/2018

Jennifer Riefler
38 Verona Park Rd
Verona Island, ME 04416

RE: LUPC 6/20/18 Public Hearing & Changes in Adjacency

Dear Commissioners,

I live on the lower Penobscot River. I camp, canoe and hike in the upper Penobscot River watershed including Unorganized Territory Townships in Penobscot, and Piscataquis Counties, and the Union River watershed in Hancock County.

I was surprised and dismayed to learn of the new Adjacency Rule being proposed by the LUPC staff, which appears to violate LUPC's stated objectives for adjacency such as "To support natural-resource based economy and environment". The proposed revised adjacency rules changes zoning and land use practices for at least 2 million acres of the Unorganized Territories. It allows for large-lot subdivisions, which are currently banned in the U.T's by state law. How could this NOT fragment forests and adversely affect wildlife habitat?

This is a major and monumental change, and not for the better for the UT's natural resources, which are the backbone of the forest utilization and ecotourism economy. Please maintain the current One Mile Adjacency Rule.

Thank you,

A handwritten signature in black ink, appearing to read "JR Riefler". The signature is written in a cursive, flowing style.



BACKCOUNTRY HUNTERS AND ANGLERS New England Chapter

Comments to LUPC Regarding Proposed Adjacency Rules June 20, 2018 public hearing

Chairman Worcester and Commissioners of the Land Use Planning Commission, my name is Jonathan Robbins. I'm a resident of Searsmont, Maine and am here today to represent the views and opinions of the Maine members of the New England Chapter of Backcountry Hunters and Anglers. Backcountry Hunters and Anglers is a nationwide organization that advocates for sound wildlife management and habitat conservation and seeks to ensure opportunities to hunt and fish in a natural setting. BHA is the fastest growing hunting and angling group in the country, with membership doubling every year since 2014.

Because only around 5% of land in our state is publicly owned, Maine residents are very fortunate to be allowed the privilege to access thousands of acres of privately owned land in Maine's unorganized territories. We feel Maine's large landowners have done an excellent job of providing access and recreational opportunities through conservation easements and organizations such as North Maine Woods, Inc., while maintaining a working forest and wildlife habitat.

That being said, we are concerned that newly proposed adjacency and subdivision regulations may have the potential to negatively impact the value and uniqueness of Maine's north woods. While we understand the need to provide more definitive standards for determining adjacency, we also recognize the potential threat to the remote character of the unorganized territories if we don't get this right. To their credit, your staff recognized several examples of this potential threat in its' draft rules.

We believe the ability of Maine's north woods to act as an economic engine that fuels not only a healthy wood products industry but also a recreation based economy will certainly increase in value in the future as areas south of the UT become more developed. We are in favor of enhancing growth within or directly adjacent to retail hubs rather than encouraging development farther away from those hubs. As development (particularly subdivisions) occurs farther and farther away from rural hubs and service centers, the potential for forest and habitat fragmentation and loss of access for traditional activities such as hunting, fishing, berry picking, etc., due to posting increases. Increasing adjacency standards up to 10 miles from a rural hub and other changes proposed in these rules will further promote this pattern. Loss of access for not only hunters and fishermen, but all recreationalists, could be the biggest threat caused by the creep of development along the many land management roads and lakes in the north woods.

Our primary concerns are as follows:

1. The increased distance development would be allowed from rural hubs and service centers.

The ten-mile distance from rural hubs does not provide any incentive to locate developments adjacent to retail hubs and service centers. Moreover, because the "hub" boundary is the town line, new development could actually be farther than 10 miles from any actual business or residential area. The proposed rules should be changed to encourage development adjacent to retail hubs and service centers, which will limit the rate of sprawl and help strengthen the economy of towns suffering from population loss and increasing costs of maintaining infrastructure and services.

2. Moderate density recreational subdivisions and recreational business development allowed outside the proposed primary and secondary locations.

Allowing these developments near natural resource attractions such as minimally developed lakes and trailheads will reduce the attractiveness of the natural resource to the public, negatively impacting the remote character of the jurisdiction. As a result, recreation visitors may cease to frequent what was once a popular area and in turn, potentially reduce visits to the nearest retail hub or service center, and negatively affect the local economy.

3. Large lot subdivision will increase the rate of habitat fragmentation and loss of access to traditional hunting and fishing areas.

Provisions in the draft rules would promote large lot divisions for development purposes and will have the effect of needlessly taking land out of natural resource production, diminish wildlife habitat values, limit access to traditional areas as land becomes posted, and diminish the remote character of these areas.

4. Potential development on Management Class 7 lakes throughout the jurisdiction.

This section would promote development on MC 7 lakes throughout the jurisdiction outside of the primary and secondary locations. MC 7 lakes are a catch-all category and many have sections with significant remote character, and there may be a few hundred MC 7 lakes in the jurisdiction that might be eligible for development under the proposed rules. Therefore, LUPC should a) ensure that most development is directed toward management class 4 and 5 lakes that already have significant development, b) clearly define under what conditions development would be approved on MC 7 lakes, including but not limited to protecting remote sections of lakeshore on partly developed lakes and c) fully assess the location, type, and current status of development on all MC 7 lakes before these rules are approved.

5. Increased linear sprawl is encouraged by creating primary and secondary locations along public roads in areas not associated with rural hubs.

This proposed change will increase the rate at which the remote character of LUPC jurisdiction will be eroded, limit recreational access as development increases along roads,

and will further tax the ability of retail hubs to provide services. LUPC should develop criteria to prevent sprawl along road corridors and keep development concentrated near retail hubs and service centers.

6. Threats to State Heritage Fish Waters.

State Heritage Fish Waters are those identified by the Department of Inland Fisheries and Wildlife as having populations of Wild and Native Brook Trout and/or Arctic Char (blueback trout). These are nationally significant waters without par in the US. Proposed development on any state heritage brook trout waters currently undeveloped or minimally developed should be discouraged regardless of lake management class.

7. Potential development near active traditional commercial sporting camps.

Traditional sporting camps represent an important part of Maine's outdoor heritage, but they face many economic challenges to continued operation. Regardless of management class, lakes with traditional sporting camp businesses should receive special consideration.

The LUPC staff is to be commended for acknowledging potential problems for location types in the proposal. They state in their discussion of resource dependent locations that "the risks of excessive or poorly planned development in remote areas is significant." We agree with that statement and believe that NEBHA's recommended changes will address those concerns.

We hope your staff can finalize adjacency and subdivision regulations that not only helps large landowners continue their history of multiple use management and open access but also maintains the remote character of Maine's north woods to provide for a increasingly valuable recreational asset to Maine's economy. However, the current version of the draft rules will promote too much scattered development to achieve that goal. Backcountry Hunters and Anglers encourages LUPC to address these concerns, and intends to submit final comments on the proposed rule changes by the September 24 deadline. Thank you.

Submitted by:

Jonathan Robbins
211 Magog Road
Searsmont, Maine

Member, Backcountry Hunters and Anglers

Good afternoon. My name is Sally Farrand, and I live in Beaver Cove, one of the towns governed by LUPC standards, policies and guidance documents. I suspect that some of you may not know that I was a commissioner of what was known as LURC, appointed in 2010. Not surprisingly, I support the principal mission of the commission (noted on the website)—namely, extend the principles of sound planning, zoning and development to the unorganized and deorganized areas of the State to:

- preserve public health, safety and general welfare; support and encourage Maine's natural resource-based economy and strong environmental protections;
- encourage appropriate residential, recreational, commercial and industrial land uses; prevent residential, recreational, commercial and industrial uses detrimental to the long-term health, use and value of these areas and to Maine's natural resource-based economy; and
- discourage the intermixing of incompatible industrial, commercial, residential and recreational activities.

In that spirit, I come today to express my opposition the current effort to revise the adjacency rule.

I have not read or heard any statement that outlines a problem that such a change is designed to correct. I am unfamiliar with any argument that notes, “but for the 1 mile road rule, such and such would not have happened. What is the rationale for making this change?

In contrast, there have been numerous, compelling arguments and data to support the maintenance of this rule as it currently exists. The large number of comments and testimony from residents, property owners and interest groups at the April 11th meeting was impressive!

Among the concerns are the fragmentation of the landscape with the consequent disruption of wildlife corridors, inappropriate patchwork siting of residential development, and the significant burden such a change could impose on local communities and our rural counties. For example, just driving here today from Beaver Cove, the roads are really in rough shape, so the problem of infrastructure is clearly, jarringly obvious!!

Beaver Cove is one of the small communities, listed as one of the rural hubs (which formerly were referred to as service centers). Were we in Beaver Cove (population: 117 in 2016) to be required to provide fire and emergency medical services that we receive from Greenville to outlying areas, it would be impossible. To extend the obligations of Greenville beyond what it is already serving is hard to visualize without substantial increases in cost including manpower, equipment and time. Moreover, the description of a rural hub as having “significant retail activity that serves the types of uses that are commonly found in the UT” is not a really a relevant characteristic in Beaver Cove.

Indeed, some of the speakers/testimony from the April 11th meeting noted that the prospect of a gas station being identified as a rural hub presents remarkable difficulties. Looking forward, would Kokadjo, for example (population: not many), be eligible to be designated as a rural hub?

[As an aside, it is also worth noting that Maine (especially rural Maine) has the second highest percentage of individuals 65 years old in the country—not a likely robust pool of volunteers to provide such services.]

The change to permit residential and commercial uses in areas that are “*generally no more than 10 miles from a rural hub and 2 miles from a public road*” is really a major change!

A March 23 staff document summarizing the proposal **eloquently identifies the problems** that this rule modification could cause. The major sections that this staff summary document identifies, includes:

- Strip development
- Loss of shoreline character and water quality
- Habitat impacts
- Loss of control over pace
- Residential subdivision in resource-based locations

Under each of these categories of potential risks, that staff document notes that guidance **WILL** be developed, that the Commission **HAS THE OPPORTUNITY** to address....It begs the question **WHEN?** Before or after the rule change has been adopted and is being implemented on the ground? This is not a prudent path.

Until there is more clarity and more specificity, which cannot be accomplished without additional public outreach and input, and fact-gathering/research, a November decision, is a poor idea. This process must **SLOW DOWN**, and the Commission should not make changes that will cause irreparable damage!

In my professional life, I educate physicians and other healthcare providers on best clinical practices. A guiding principle in medicine is the Hippocratic oath, the shorthand for which is “do no harm.” This should also be the approach to changing the adjacency distance. I urge you to maintain the current adjacency rule until it is clear that any change does not damage what makes the UT special, unique residential, recreational, ecological and business destination.

Do no harm.

Thank you for the opportunity to comment.

Comments by Jeff Pidot before the Land Use Planning Commission on Rulemaking Proposal affecting Adjacency of Development

Brewer, Maine
June 20, 2018

Good afternoon, Commission members. My name is Jeff Pidot.

I have a long history with this Commission's work. For more than a quarter of a century, during most of which I was head of the Natural Resources Division at the Attorney General's office, I served as this Commission's legal counsel. For several years, I have also served as this Commission's staff director. In short, I have spent much of my life living and breathing and sometimes dying for this agency.

Reluctantly emerging from retirement, I am here because of the seriousness of this rulemaking proposal. Frankly, it is shocking to make the long trek here today to be told that I and the other citizens who want to be heard are limited to 3 minutes on such an important matter. I have done my best to compress my testimony to about two pages, and I ask you to please let me finish.

I have friends among your staff and respect for all of them, but I can recall no other matter before this Commission that carries so much potential for undermining your mission and program. As I see it, this rulemaking proposal is not a discrete and conservative refinement of your adjacency criterion; it is a drastic sea change.

In considering the reasons why adjacency is the essential, guiding principle for locating future development, let's start with your statute: It directs you to protect your jurisdiction for its economic, recreational, scenic and wildlife resources, and to prevent harm from development sprawl and the intermixing of incompatible uses. Your Comprehensive Plan focuses on the adjacency principle as the primary tool to this end. To quote from your Plan:

"In carrying out its mandate, the Commission has always been guided by the premise that most new development should occur in or near areas where development already exists. ... Th[is] premise is based on generally accepted planning principles of *concentrating* development near services to reduce public costs and minimizing development near productive natural resource-based activities to reduce land use intrusions and conflicts."

"The Commission expects to substantially *strengthen* ... adjacency, and will likely integrate this criterion into its improved approach to guiding growth."

Commission members, these are not *my* words; they are taken from *your current* Comprehensive Plan, which is the legal guidance document for your entire program, including your consideration of this rulemaking proposal.

Why does your Comprehensive Plan focus on adjacency as *the* primary guiding principle for locating new development? Because there is no better way to control sprawl and fragmentation that are so destructive to all the values the Commission was created to protect. There is no better way to efficiently provide for public services and the needs of the communities both within and near your jurisdiction. There is no better way to minimize the loss of productive forest and agricultural lands that are the economic backbone of your jurisdiction and of the entire State. There is no better way to conserve scenic resources beloved by all who live here and essential to the vitality of Maine's tourism industry.

While today's rulemaking proposal pays lip service to adjacency, to my mind many of its provisions undermine, one could say eviscerate, this principle, which your Plan calls upon you to *strengthen*. "Adjacency" derives from the word *adjoin*, meaning to be contiguous, perhaps in its *broadest* sense to lie in close proximity, in this case to provide for future development contiguous or in close proximity to existing development. While others will likely detail how this rulemaking proposal departs from any reasonable concept of adjacency, let me just touch on three of the major problems as I see them.

First, the proposed rules enable the creation of residential subdivisions and other development in a wide array of areas that extend miles beyond existing development, encompassing far more land than the current rules permit for conversion to development uses. In a manner that cannot be considered adjacent by any stretch of the term, the permitted distance for new development ranges up to 10 miles, depending on a number of factors, and these distances are measured primarily as the crow flies, rather than the far more limited one-mile determination of adjacency measured by road distance that is the existing standard. What justification is there for this extraordinary change that will result in the type of sprawl that your Comprehensive Plan and statute call upon you to forbid?

Second, the proposed rules allow still *more* subdivision and development *beyond* these distances if their location is based upon a natural feature or amenity. Most subdivision and commercial development activity in your jurisdiction are based upon just such a feature, such as a particular lake, stream, mountain or, in the case of industrial development the existence of natural resources that abound throughout the jurisdiction. For all this potential development, the adjacency criterion is simply waived, which means abandoned entirely.

Third, the proposed rules allow still *more* industrial development if located near an appropriate power supply. On such matters, this essentially delegates the Commission's planning and zoning function to electricity suppliers.

While *each* of the above described provisions is of concern, it is the *totality* of them that makes this proposal so much in conflict with the adjacency principle that your Comprehensive Plan calls upon you to *strengthen*.

I want to close with a point bearing special emphasis. This fundamental change in your program is not an experiment to try out and see how it goes. While the ultimate impacts of this proposal will take time to be fully realized on the ground, one should not take comfort in that. Once these new rules are in place, amending them in the future in order to return to closer adherence to the adjacency principle (as your Plan directs) will encounter serious political and legal obstacles. If you adopt these proposals, major landowners will have been granted by you, in one fell swoop, what they will reasonably perceive as rights to develop and subdivide that have never existed during the nearly half century of this agency's history; and not just in a few places but in broad swaths of your jurisdiction. Newfound landowner expectations and investments, and some will assert legal entitlements, will become formed by the changes you make. Even if you think these proposals might be worthy of consideration as an experiment, their potential *irreversibility* should give you great concern.

There is more to say, but I will stop here. I appreciate your hearing me out. Some of my comments may feel harsh, but it is tough love.

And thank you and your staff for all the hard work you do on behalf of all of us.

Land Use Planning Commissioners
18 Elkins Ln., 22 State House Station
Augusta, ME 04333

6/18/18

LUPC Commissioners and staff, thank you for hearing our comments. I'm Jane Crosen from Penobscot, and am a self-employed editor and mapmaker. I also do presentations and workshops on map-reading and interpreting Maine's landscape and its history through maps.

My husband and I have a camp in T26 near Wesley, and I do a lot of exploring in Hancock and Washington counties' UTs north of the Airline. I treasure our scenic downeast landscape with its little-developed lakes, ponds, and working forests rich in habitat with access for hiking and paddling, thanks to the generosity of the current large landowners.

I've only begun reading and trying to understand your map and details of your revised land use plan and potential impacts over time. For the many areas not protected by conservation easements, I'm concerned about how your proposed changes would play out over decades to come, especially doubling the 1-mile adjacency rule which has held fragmentation in check the past 40 years. Your draft rules would allow large-lot subdivisions up to 2 miles from developed areas and public roads, and up to 10 miles from boundaries of towns designated "rural hubs." Extending these distances works against your objective of encouraging healthy downtowns, allowing commercial and residential development to sprawl into new areas far outside the actual service centers. It would put a growing burden on neighboring towns, county commissioners, and taxpayers who are responsible for providing road maintenance, emergency response, firefighting, and other services to the UTs. Please measure from actual service centers, not from township boundaries; and by road, not as the crow flies. Most important, please retain the 1-mile adjacency principle.

Your proposal would create a new district allowing natural resource-based commercial and industrial development (including resource extraction) within ¼ mile of remote ponds and within ½ mile of moderately developed lakes and permanent trails. This is too close for people who hunt, fish, and recreate here, and for the wildlife. The last thing we need near a favorite lake, pond, stream, or trail is a gravel or metal mining operation, wind farm, or torrefied wood or water bottling plant, and the associated heavy truck traffic and noise. Please double these setbacks.

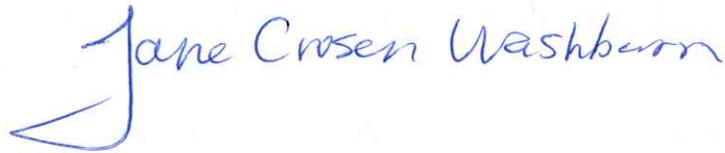
Lake and pond classification is problematic, because they're all favorites. I'm sure many of us are concerned about how your new rules might impact our lakes and ponds depending on how you have classified them. Your new rules are based on the lake management program in your 2010 comprehensive zoning plan, where the majority of lakes and ponds in Maine's UTs are in management class 7 because you do not know enough about them to recommend how much development to allow. If one of your objectives is to protect natural resources and values, our most precious being our lakes and ponds, shouldn't you finish and update the lake management classification, including public input, before the proposal can be considered complete?

These new rezoning and subdivision plans are dense, complicated, and hard to understand. Most people have no idea these are underway and headed for adoption in November. Many sections are still being written, yet only one public hearing has been scheduled for June 20.

How can the public and county officials respond to this major revision that would open nearly 2 million acres to development with so many details still incomplete? Maine's citizens, legislators, and county commissioners need more time to review and understand the proposed plan and its consequences, and recommend needed changes. Please extend the timeline into 2019 and hold a second round of public hearings after all the details of the revised land-use plan and subdivision plan have been completely written and posted for public review.

Maine's relatively unfragmented scenic landscape, with its pristine natural resources and recreation opportunities, is our state's greatest economic, cultural, and spiritual asset—but it's fragile and can be easily destroyed by sprawling or intrusive residential, commercial, industrial development. Above all, please retain the 1-mile adjacency principle.

Jane Crosen Washburn, Penobscot
326-4850, jcrosenmaps@gmail.com





Maine Forest Products Council

The voice of Maine's forest economy

Companies represented on the MFPC Board

American Forest
Mgmt.
Baskahegan Co.
BBC Lands LLC
Cross Insurance
Family Forestry
Farm Credit East
Fontaine Inc.
Hancock Lumber
H.C. Haynes
Huber Resources
Innovative Natural
Resource Solutions
J.D. Irving
JM Cote Co.
Katahdin Forest Mgmt.
Key Bank
LandVest Inc.
Limington Lumber
Louisiana Pacific
Maibec Logging
Nicols Brothers
Pingree Associates
Pleasant River Lumber
Prentiss & Carlisle
ReEnergy
Richard Wing & Son
Robbins Lumber
Sappi NA
Southern Maine
Forestry
Stead Timberlands
TD Bank
Timber Resource
Group
Timberstate G.
Verso Paper
Wadsworth Woodlands
W.T. Gardner & Sons
Wagner Forest Mgt.

DATE: June 20, 2018
TO: Everett Worcester, chair, Land Use Planning Commission
CC: Nick Livesay, Executive Director, Land Use Planning Commission
FROM: Patrick Strauch, Executive Director, Maine Forest Products Council
RE: **Comments in favor of the proposed adjacency rule revisions**

The Maine Forest Products Council (MFPC) represents our state's diverse forest products community, including logging contractors, sawmills, paper mills, biomass energy facilities, pellet manufacturers, furniture manufacturers, and the owners of more than eight million acres of commercial forestland in Maine, most of this land within the Land Use Planning Commission (LUPC) jurisdiction.

HISTORIC PERSPECTIVE

I would like to begin by thanking the commissioners and the LUPC staff for this important and long overdue review of the adjacency principle, which has been promised for two decades.

Both the 1997 and 2010 Comprehensive Land Use Plan (CLUP) state that the application of the adjacency "will be further refined to promote consistency and good planning."¹

I also think it is important to remember why the Land Use *Regulatory* Commission changed to the Land Use *Planning* Commission in 2011. From the landowner perspective it was a time to provide better balance between public values and private landowner rights. In Governor Baldacci's cover letter to the Commission in the 2010 CLUP he wrote:

"In the revised Plan, you mentioned that considerable opportunities may exist for non-regulatory, voluntary approaches that provide landowners with flexibility and incentives to protect the principal values of the jurisdiction while achieving reasonable economic returns. You have assured me that you will actively explore collaborative processes as they may offer a path forward which not only maintains but improves landowners' value while enhancing the protection of public interests. These assurances are integral to my approval of this revised plan."

At that time (and into the present) considerable work had been done to establish conservation easements in the region, demonstrating the effectiveness of this collaborative tool in recognizing private values and public interests.

The landowners I represent are in the tree growing business, but they need to be protective of landowner value whether it is in the negotiation of a future conservation easement or in the ability to develop land for recreational or commercial opportunities in selected locations.

That's why I'm impatient with the rhetoric of those who say the region cannot change, because this is counter to the commitment of progressive planning that we have made to this jurisdiction.

In general, the Council supports the proposed revisions, but we think they do not go far enough to encourage development and there are some unintended consequences that need to be remedied. Despite the attempt by some organizations to raise fears of rampant development,

¹ 1997, p. 127; 2010, p. 128

the opposite is true. There is so little development in the UT that it's becoming increasingly difficult for Maine people to work or live there.

THERE IS A LACK OF DEVELOPMENT IN THE UNORGANIZED TERRITORY

Something needs to be done to enhance economic opportunities in the jurisdiction both for recreation, residential and commercial development. Our goal should not be to accept that the lack of demand justifies no changes to the jurisdiction, it is a signal that we need to work in these regions to do more to preserve these rural economies and create opportunities.

Even a quick look at building permits for new dwellings in the unorganized territory should convince anyone that there is no building boom (see charts, Page 5). The bottom line is that nothing has changed since we last analyzed permit data a decade ago. The rate of building in the interior peaked in the late 1980s and continues to drop. The same is true in the fringe areas. There was a bump during the housing boom in the 2000s, but it was followed by a very sharp drop during the recession. See [LUPC data](#).

The UT population remains fairly flat -- 7,975 in the 2010, slightly up from 7,843 in 2000, but the 2020 census will likely reflect more consequences of the recession.

"Taxes continue to go up and we're losing population incredibly quickly," Steven Sherman, assessor for Oxbow Plantation, told the Bangor Daily News in 2015.²

We calculated a development rate of 0.06 buildings per interior town per year. That's 6 per century. The last time we did this (2008), we got 10 per century.

The rate in the fringe towns is more like 0.83 per year per town, or 83 per century. However, that's driven by a relatively small number of towns that saw a lot of activity. The top 20 towns (see Page 2) represent about 45 percent all the activity (4,255 of 9,821 total permits). There are 470 towns and plantations and 105 – 22 percent – have never had a permit for a new building.

Town	Total permits
Rangeley Plt.	508
Dallas Plt.	451
Sandy River Plt.	339
Lakeville	334
Albany Twp.	247
Beaver Cove	226
Mount Chase	206
Freeman Twp.	197
Trescott Twp.	184
Tomhegan Twp.	174
Prentiss Twp.	162
Coplin Plt.	157
Upper Enchanted Twp.	156
Rockwood Strip Twp. T1R1 NBKP	151
Connor Twp.	147
Salem Twp.	137
Lexington Twp.	133
Carroll Plt.	118
Concord Twp.	116
Lake View Plt.	112

By a 38-1 vote in 2016, Oxbow residents chose deorganization, as have three other towns, Bancroft, Centerville and Madrid, since 2000. Atkinson, Cary Plantation and Codyville Plantation will join them if voters approve deorganization in November.

School enrollment in the UT also is dropping. In 2008-09, it was 1,033, but has **dropped 22 percent** since then, to 805 in 2017-2018. (See chart, Page 6)

Many of the forest industry workers are living in these regions and we need to be concerned with reviving these areas and their local economies.

As we build more economic opportunities for these regions we are seeing more commercial operations examining the ability to build their facilities closer to the supply of wood. Zoning to expedite this type of investment opportunity will be extremely helpful.

We also think there is a need for recreational development near resources outside towns.

The data shows an alarming trend, and one that requires an economic development plan to encourage growth and healthier eco-

nomies. It's clear we can monitor this growth and establish benchmarks to evaluate a regions carrying capacity.

² <https://bangordailynews.com/2015/11/27/news/aroostook/oxbow-plantation-residents-vote-to-deorganize/>

ONE-MILE RULE OF THUMB - ADJACENCY

The Council agrees that encouraging development in retail hubs is still a good idea, but as the Commission itself has noted, the one-mile rule of thumb is “too blunt a tool.” In certain areas the one-mile rule of thumb is appropriate, so it should be preserved as an option, but it should not be the only option. The Council supports opening up the standards on the edges of the jurisdiction where there is the most demand. It’s important to realize that this does not mean that entire area in primary and secondary areas can be developed – only the places that have suitable soils, infrastructure, etc.

However, to encourage development in primary and secondary areas, some certainty is needed that a rezoning request that meets the criteria will be approved. We would prefer LUPC to rezone these areas to allow designated uses with permits that follow the development guidelines. Permits still would be required for subdivisions and buildings, so developments can be designed to avoid sensitive areas and compatible with neighbors. If these areas are not rezoned as a result of this process, then a *rebuttable presumption* needs to be created that the criteria will be met for rezoning petitions in these designated areas.

We know some towns are concerned that opening up these areas might divert development away from towns. But the towns always will attract more development because they have services and infrastructure, and it’s simply easier to locate in towns because there it’s not necessary to go through a rezoning process.

LEGAL ROAD ACCESS:

We are also concerned about the emphasis placed on legal road access, because there are good reasons why lease agreements generally do not guarantee legal road access.

There are three types of forest roads. The most common type are temporary roads, which are designed and constructed for short-term use during timber harvesting. Permanent seasonal roads are maintained as part of the permanent road system but are designed for use only when the ground is frozen or firm. Permanent all-season forest roads usually have gravel surfaces and are designed for year-round use. Roads also might be closed to prevent damaged in spring or to rebuild or move road sections. Sometimes legal access by road cannot be provided because roads cross through areas with multiple landowners. Some leased lots have legal access via the waterbody they abut.

The region is unique and expansive, and a legal road access requirement will not be met in a majority of the jurisdiction.

MINIMUM DENSITY REQUIREMENTS

We also would propose changes to the minimum density requirements for a resource-dependent subdivision to:

- Allow one existing dwelling unit per mile of shoreline to be consistent with the density cap on a Class 2 Lake.
- Include landowner equity to avoid situations where if one landowner sold a conservation easement or declined to develop, it would affect all other owners on the lake.
- Exclude conserved or protected areas
- Include lake surface in the maximum density requirements.

Proposed development is still judged on the following, regardless of the proposed adjacency rules:

1. Scenic character
2. Natural and Historic features
3. Noise and lighting
4. Soil suitability
5. Protection zones (wildlife, natural areas, inland wading bird habitat, etc.)
6. Phosphorous control
7. Erosion and Sedimentation control
8. Groundwater quality
9. Air quality
10. Affordable housing

These are all taken from 10.25 of the existing Chapter 10 rules.”

EVIDENCE OF PLANNING GRANDFATHERING PROVISION

There are instance in the interior of the jurisdiction (White map areas) where landowners worked with the one mile rule of thumb and established development plans under this principle.

For example:

The Pingree family granted a conservation easement to the New England Forestry Foundation in March 2001. Recognizing the easement is permanent, and there might be need for “development” someday, approximately 20 percent of the family’s land was not included. The family held out one or two parcels within each geographic region of ownership.

Non-eased parcels were carefully chosen in 2001 based on then current land uses (including existing development), LURC zoning, LURC policies and regulations, and region.

Whether or not development ever occurs, the value of development rights is an integral component of land value. LURC policy was relied upon to make decisions. Now a change in LUPC policy would negate the Pingree family’s logical planning process with NEFF and strip value from the non-eased parcels.

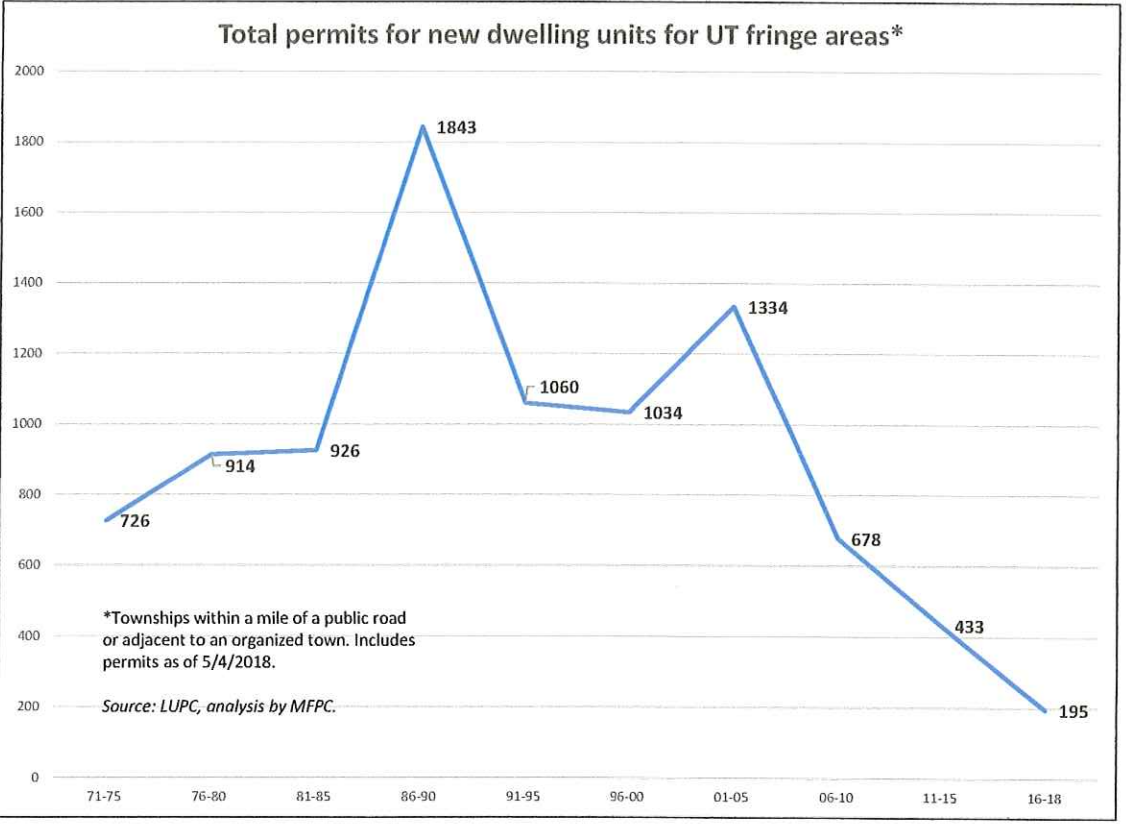
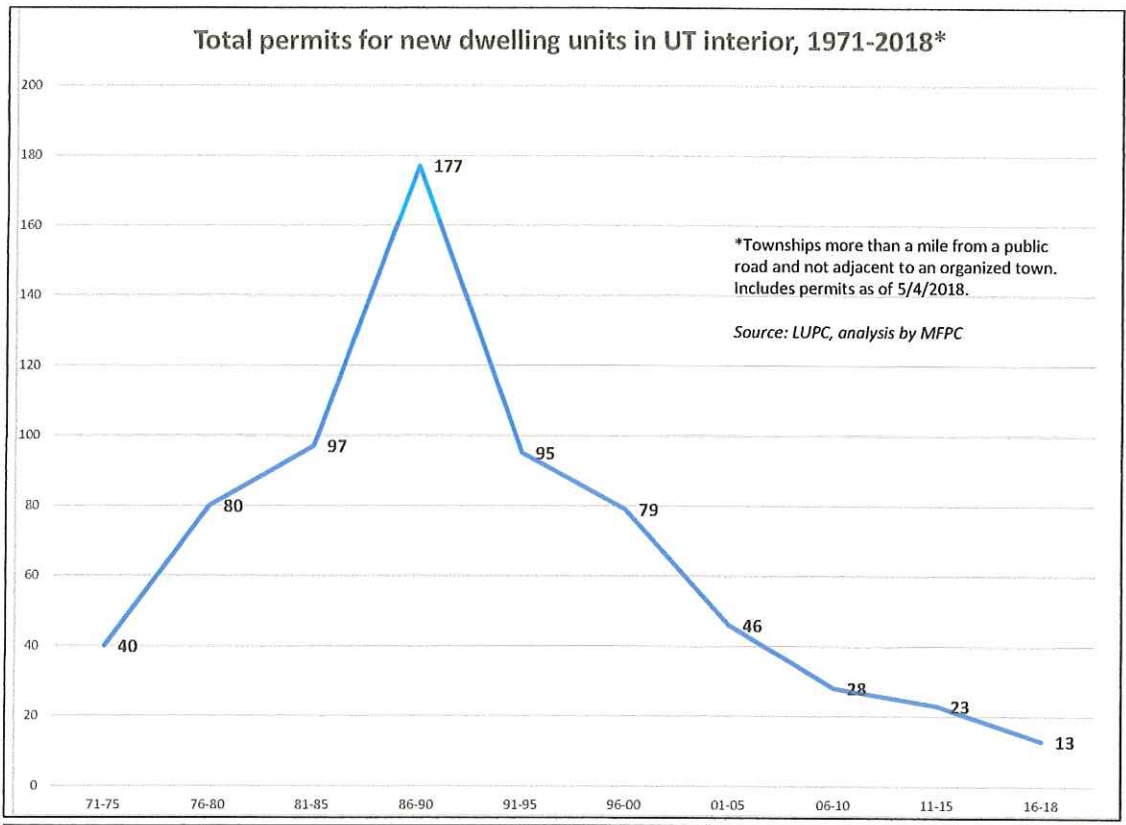
If in a conservation easement plan, provisions were made using existing criteria, it should be treated the same as a concept plan and the opportunity to rezone these areas should be retained under the One mile rule of thumb provision.

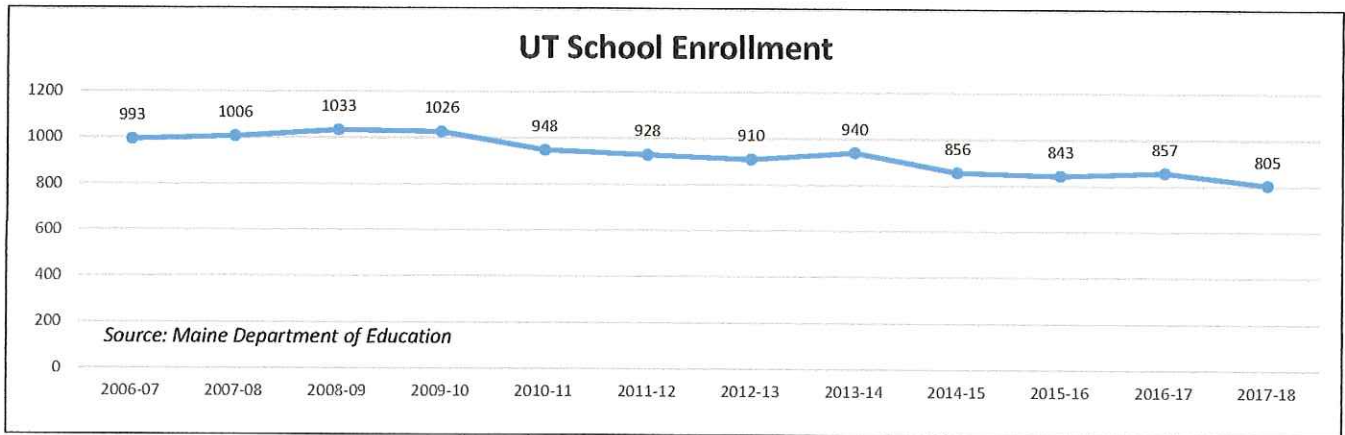
SUMMARY

The Council believes the proposed revisions, including adjustments to the adjacency principle, will benefit the UT’s residents, businesses and economy. The change in mission from LURC to LUPC was to emphasize the planning function of the agency.

The exodus of population concerns us, because we will need workers as our industry continues to modernize. We need to do what we can to encourage/support policies that support the people who live – or want to live – in Maine’s rural regions.

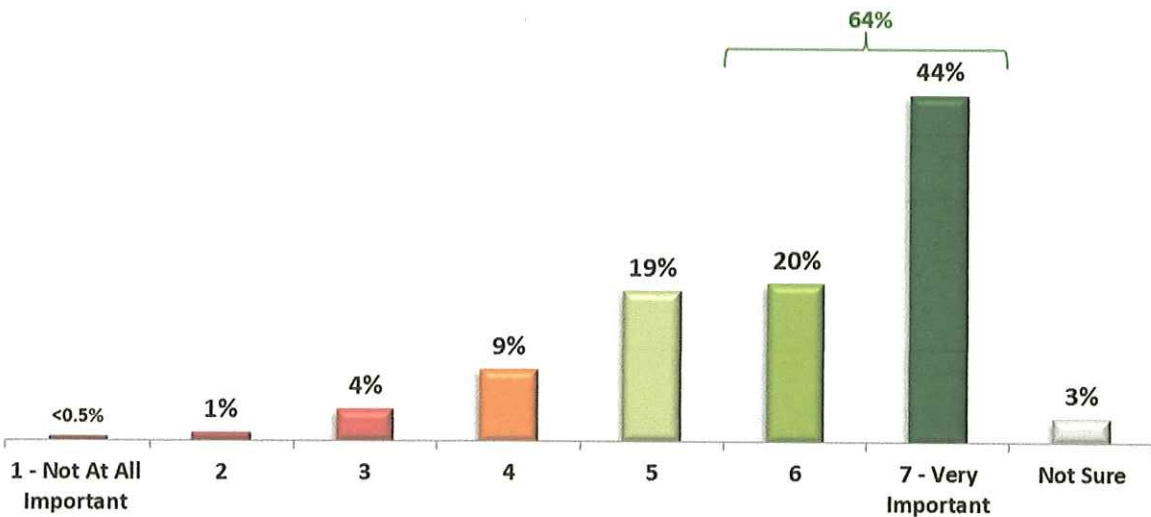
Thank you for your consideration.





Large majorities of voters in Maine recognize the importance of the forest products industry to the state's economy – almost half of voters believe the industry is *very* important.

Importance of the Forest Products Industry to Maine's Economy



Among all (n=619)



"On a scale of 1 to 7, where 1 is not at all important, and 7 is very important, how important to Maine's economy is the state's forest products industry?"

Date: June 20, 2018

Testimony before the LUPC 6/20/18 Public Hearing

Greetings;

My name is David Weeda. I live in Bucksport, where I own and operate an off grid, solar powered ecotourism lodging business; Williams Pond Lodge Bed & Breakfast – which is snuggled-up right to the Orrington town line.

I want to thank you for providing this public hearing today. Your constituents – the citizens of Maine -- deserve this opportunity to share their positions and learn more about the changes to the One Mile Adjacency Principle which are being proposed by the Land Use Planning Commission.

As I stated, I provide solar powered ecotourism to travelers from all over the world -- many of whom intentionally seek lodging accommodations which allow them to reduce their carbon footprint AND spend some time in a real Maine camp in the woods on the shore of a beautiful glacial pond.

I recently signed a petition along with other Hancock County residents which states our concerns about protecting water quality, wildlife habitat, and forests from expanded commercial, industrial, retail, and residential development, which would also impact residents' outdoor recreation opportunities and the state's tourism industry.

My greatest concern with any changes to the currently existing 1-mile adjacency principle is the ultimate degradation of our environment; with a particular concern for a negative impact on water quality in the Penobscot River water shed. Pollutants in the watershed will flow downstream and have a huge impact on water quality in the entire region.

History has shown that sprawling human development forever changes the surrounding environment. Our sprawling undeveloped acreage in Maine has given us a reputation which is understood globally. If we weaken the current 1-mile Adjacency Principle, we are opening our wild landscape to large scale development which would effectively destroy the notion of the uninterrupted wilderness for which we are known and appreciated. Isolated pockets of large scale development bring all the prerequisite corresponding infrastructure – and the pollution and environmental degradation which accompany it.

I strongly recommend that you maintain the existing 1-mile Adjacency Principle which will continue to allow appropriate development around existing hubs, and protect our vast wilderness from inappropriate development which will have lasting negative impacts on our environment and our economy.

Thank you very much for hearing my concerns.

David A. Weeda (207) 460-6064
PO Box 461
Bucksport, ME 04416

My name is John Greenman

6.20.18

I live in Orland, Hancock County

interested in it.

I wasn't around when the "1-mile adjacency" rules were researched and finally enacted. ..but I'm willing to bet that the staff and commissioners at the time used as a guide the principles listed on your web... the principles which use the action verbs: "preserve, support, encourage, honor, prevent, discourage and conserve".

I take it as a given that you, as the ultimate guardians of the state's Unorganized Territories, want only what's best for those lands.

comparable
going along with your concern for transparency...

I urge you to **reject the proposed rule changes as presently written**. There are too many unanswered questions that NEED to be addressed and, I understand there are sections that are still being written. *"concept stage"*

At the VERY LEAST, you should **schedule an additional Public Hearing** to review the new material.

It seems like this process is being rushed through!

Should we be concerned about "following the money"?

Thank you for your work!

John Greenman
PO Box 465
Orland, ME 04472

207-469-2122

TO: LUPC

RE: LUPC Public Hearing on proposed changes 6/20/18

Thank you for the opportunity to submit responses to the LUPC plans to change the adjacency rules in the Unorganized Territories. I see this as ill-advised, but also as an opportunity for the state to finally end its willingness to be a resource colony* for multi-national corporations. If the adjacency rules are not changed and you spend time planning to make changes to benefit Maine's people, farmers, and small businesses we could maintain our natural resources and benefit local economies. Those natural resources are major attractions for both visitors and those who choose to move to the state because of its unique beauty and abundance of wildlife, as well as the starry night skies that are no longer visible in most of the country. If you entice even more development that ultimately turns the state into another New Jersey, you will find that you have killed the goose that lays the golden eggs, and by the time you do it will be too late. Please keep current adjacency rules and the treasures that we have in place for now and for the future.

Bonnie Preston
Blue Hill

*Nestle is a prime example. We give them millions of gallons of water every year, they bottle it and sell it back to us (and all other states), and take the profit with them. I've been told that their profit on Poland Spring water is more than the entire ME state budget. What could we do if that money were circulating around the state instead of going to Switzerland?

June 20, 2018

Re: Land Use Planning Commission
Adjacency Principle

My name is Patsy Shankle and I have lived in Surry, Maine for the past 20 years. I am very concerned about the long range effects of the new 2/10 mile Adjacency proposal for several reasons. I moved to Maine from Ohio specifically because of the natural beauty of this area and the entire state of Maine. Maine is one of the most beautiful places on earth and visitors come here and move into the state for that reason. The new LUPC Rules have the potential to damage or destroy the very beauty and resources we have all come to appreciate as unique to Maine. We have a strong fishing, forestry and farming economy as well as tourism. All of those will be jeopardized by the new LUPC Rules. Tourism in Maine is dependent on our undeveloped forests and pristine waters and the one-mile adjacency principle has provided that for Maine visitors and residents alike for the past 40 years. The LUPC objective to support our natural resource-based economy and environment is conducive to attracting many visitors and motivating many to choose to move here to live permanently in this environment. The new adjacency rule does not fit with that objective.

The small town character of Maine was also an attraction for me. I had seen development-sprawl in Ohio and with it comes the total elimination of a town identity or cohesion. Taxes increased to accommodate services to more distant developments and erased the viability of the town hubs. Again the new rules seem counter to the LUPC objective to encourage the healthy development centers and regional economic viability.

I only recently became aware of these proposed changes but I do not understand why this proposal is being rushed through the system with no real notification or education for citizens to better understand the implications of the long term consequences of drastically changing a land use rules. I have been asking people I meet if they are even aware of this proposal and I have not found one person outside my local group who has even heard any information on it.

I therefore implore the LUPC to maintain the One-Mile Rule. It will be critical to hold additional public hearings after the proposed Rules are complete. It will only be after the rules are finalized and that all the UT residents and all citizens of the retail hubs have been duly notified via mail of the proposed changes, that they will be in a position to accurately determine the potential impact of the changes. These changes have the potential to change the very character of this area and all of Maine. This issue is too important to rush the process and push through without every Mainer, who will be impacted, to consider carefully what it means for the long haul.

Thank you for your consideration
Respectfully submitted,
Patsy Shankle

Patsy Shankle
Surry

Testimony before the LUPC Public Hearing Concerning Adjacency Principal Revisions. June 20, 2018

Members of the commission,

Good afternoon.

I am offering this written testimony to voice my opposition to your proposal to rezone certain areas of the unorganized territories. My name is Michael Maynard and I have spent the better part of a lifetime in the very areas you wish to alter with your plan.

I guess my first question to you has to be "Why?" What possible benefit do you see coming from this proposal? We already have well established protections in place for these woods and waters. What is the Commission's motivation for this? You've never explained to us your reasoning, and I'd like to hear it. Lake classifications have been changed on certain waters from 6 to 3, and those waters are now proposed to be opened up to commercial, industrial, and residential uses? Why was this done?

I've asked several property owners in the UTs if they were ever given notice of these proposed changes; none of them ever received notice of these plans. Why were these people not notified? You're proposing rule changes that will directly affect them. You need to do better than this.

Again, what possible benefit can come from opening up the entirety of St. Froid lake to development? Why is St. Froid even listed here? It certainly doesn't qualify under your 10 mile 'rural hub' designation. It is neither 10 miles from Fort Kent nor 10 miles from Ashland. It seems to me that this Commission has no idea of the value of the unspoiled places in its jurisdiction. If the Deboullie region weren't protected by conservation clauses would this Commission be willing to cede development rights over to a corporate interest? Grand Lake Stream? That's exactly what you're doing by reducing protections for St. Froid and Square Lake. These two lakes are freshwater Nirvana's, they reside in the Pantheon of Maine sport fisheries, and they deserve more protections from future development not less.

Is it the goal of this Commission to have the entire Fish River chain resemble Long Lake and its manicured, urbanized setting, its paved roads and convenient distance to the nearest grocery store? Mainers value our wild places because they're just that, wild places. They value them for their unspoiled beauty and the effort it takes to access that beauty. I can't imagine a worse outcome for our woods and waters than to let rampant development come calling.

Have any members of this Commission taken a canoe and floated down just one of the Fish River thoroughfares? I have. All of them. I suggest you take a canoe trip from the Floating Islands below Portage down to St. Froid before you make your decision. Let the unspoiled, unmarred-by-the-hand-of-man-wilderness be your conscience.

Most people will find this plan unacceptable, I find it unconscionable.

Michael Maynard

Perham, Maine. 455-4320

Godsoe, Benjamin

From: Ryan Linn <dirtybrew@gmail.com>
Sent: Thursday, June 21, 2018 9:16 AM
To: Godsoe, Benjamin
Subject: LUPC Adjacency Rules change written comments

Dear Commissioners,

My name is Ryan Linn, from Portland. I run a company that makes hiking trail guides for trails all over the world, the most popular of which is the Appalachian Trail. I can say with certainty that thousands of people all over the world every year are interested in visiting this wild place, and Maine is almost always their favorite part of the Appalachian Trail. So, preserving the wild and natural character of the state is beneficial to businesses like mine. There are many other small businesses in and near the Unorganized Territories that cater to people who are coming from around the country and world to visit the wilder parts of Maine. I see the proposed rule changes as in direct conflict with those of us who make our living by promoting these remote and scenic areas-- whether from Portland, Caratunk, Monson, or elsewhere.

Proponents of this rules change have made a big deal about low-impact businesses like kayak rental or food trucks that might want to set up in a remote area and serve wilderness seekers. At the hearing yesterday I spoke against these concerns as antithetical to the remote nature of the places where these recreational companies exist. However, my main concern with this issue is not that the rule change will lead to food trucks in the wilderness, but that it seems like the primary goal of this rule change is to allow for vacation home development, strip malls, and possibly mines or other extraction businesses, and that low-impact businesses like kayak rental or food trucks are being used as a decoy to sell the rule change. To be clear: I oppose any rule change that makes permanent development within the UTs easier, and I fundamentally disagree with the commission's assertion that the new rules would limit expansion and development more than the current 1-mile rule. Being able to develop a new parcel ten miles from a town boundary tomorrow using the new rules is a much faster way of expanding current development limits than having to wait years as each part of the "leap frogging" strategy takes place.

I think the LUPC should be using its power to promote development in towns that already exist rather than allowing sprawl to eat up parts of our forest. If food trucks and kayak rentals are such a major issue, they could be explicitly named as a separate category of business that doesn't create a permanent impact on the land in the form of a structure or clearing. Temporarily located businesses like these should be dealt with entirely in a separate rule from homes or businesses that create long-lasting changes to the land and forest.

I'd also encourage the LUPC to push the deadline for this rule change well past November, as the current date gives the appearance of just trying to get the rule change before we have a new governor. Regardless of the intention of the timing, it seems the consensus among commenters at all the hearings I've attended is that this rule change is being pushed through with unnecessary haste. I suggest that the LUPC only move forward with each step once a clear majority supports the final version of the rule. It's pretty clear from the hearings that people who live in or near the unorganized territories (and other places in Maine) do not support this proposed rule changes.

Thank you for your time.
Ryan Linn



Comments to the Land Use Planning Commission

By Thomas Abello, Director of External Affairs for The Nature Conservancy

June 20, 2018

Re: Proposed Changes to the Adjacency Principle

Chairman Worcester, Commissioners of the Land Use Planning Commission my name is Thomas Abello and I am the Director of External Affairs for The Nature Conservancy in Maine. I appreciate this second opportunity to provide comments on the revised proposal for refining the adjacency principle.

The Nature Conservancy is a science-based nonprofit organization dedicated to conserving the lands and waters on which all life depends. The Conservancy has been working in Maine for some 60 years and is the 12th largest landowner in the state, owning and managing some 300,000 acres. We also work across the state to restore rivers and with fishermen in the Gulf of Maine to rebuild groundfish populations. In 2017, the Conservancy paid more than \$450,000 in property taxes.

In the Unorganized Territory, The Nature Conservancy owns and manages some 240,000 acres, including 160,000 acres along the Upper St. John River, 10,000 acres along Spring River, and the 46,000-acre Debsconeag Lakes Wilderness Area just north of Millinocket. All of this land is open to the public for a wide variety of uses, including hiking, hunting, canoeing and fishing.

At just over 10.5 million acres, this region represents the largest block of well-connected forestland east of the Mississippi River. It forms the core of a larger block of 30-million acres running from the Adirondacks in New York to the Gaspé Peninsula. It is the fiber resource for our forest products industry and contains the highest concentration of remote ponds and high-quality lakes in the Northeast. It is home to a remarkable tradition whereby landowners provide public access on private lands for abundant and diverse recreational pursuits, many of which are not found elsewhere in the Northeast. It is also home to many Maine citizens who have built their lives and raised their families there.

The adjacency principle guides subdivisions and commercial development. This policy, which restricts areas to be rezoned for development to one mile of existing, compatible development, encourages lower tax burdens, keeps land available for forestry, agriculture and recreation, and promotes the health of existing communities. Once an area has been rezoned, the process shifts to the building permit and subdivision standards.

It is important to note that there are problems with the current adjacency principle. For example, recreation day use businesses and some resource processing activities are treated as if they were the same as a gas station or factory. This often leads to difficulties in siting and permitting. As Maine's natural resource economy and recreational pursuits change, providing more flexibility to meet these needs while maintaining core natural resources and environmental protections is essential.

For the Conservancy, development should complement and be compatible with other nearby existing uses. Changes to adjacency should improve predictability for rezoning of where subdivisions and commercial activity can occur. Encouraging compatible development can minimize potential land use conflicts and potentially could enhance economic viability by encouraging a critical mass of similar uses and activities that support each other.

The Conservancy appreciates the hard work of LUPC staff to seek feedback, make adjustments and seek a proposal that balances natural resource conservation with economic opportunities. The Conservancy especially appreciates the outreach to municipalities, citizens involved in local planning efforts and resource users. Moreover, the proposal's rezoning restrictions for subdivisions on remote, undeveloped lakes and ponds is an important new element. This proposed policy would be more protective of remote, undeveloped lakes than the current adjacency principle.

As this process moves forward, here are recommendations to improve the draft proposal:

1. Encourage wildlife connectivity: Proactively identify high-value wildlife connectivity areas to be removed from the primary and secondary areas. For example, given the existing conservation land, the Jackman to Rockwood corridor should fall into this category.
2. Establish Strong Wildlife Buffers: As part of a rezoning effort, the Conservancy encourages strong wildlife buffers and minimum distances between subdivisions, such as 1,000 feet. This would increase the proposed 500-foot open space area identified in the subdivision standards. The Commission should consult Beginning with Habitat Focus Areas, Department of Inland Fisheries and Wildlife's significant habitats and riparian areas, and Maine Natural Areas Program's identified natural communities.
3. Establish a 5-year review period: Given the complexity of the proposal, the Commission should establish a 5-year check in to gauge the impact and effectiveness of the proposal. The would also provide an opportunity to address unintended consequences and limitations in the proposal.
4. Focus development within the retail hubs: As the economy continues to evolve in rural Maine, concentrating growth *within* retail hubs (rather than expanding development near retail hubs) supports rural communities, enhances the local tax base, and minimizes impacts to the surrounding landscape.
5. Re-examine retail hubs: We encourage additional staff time in evaluating the appropriateness of currently designated retail hubs: are these the right towns for adjacency of new development? We are aware of some towns being removed based on initial feedback.

6. Reduce 10-mile Primary Location standard: Reduce the 10-mile measurement from the boundary of a retail hub to 7 miles. This would curb strip development, focus growth toward service centers, reduced costs, and limit impacts to natural resources, including wildlife habitat.

Once again, The Nature Conservancy appreciates the work of LUPC staff and the Commission on this important issue. Thank you for the opportunity to participate and I am happy to answer any questions now or in the future.

RECEIVED

JUN 18 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.

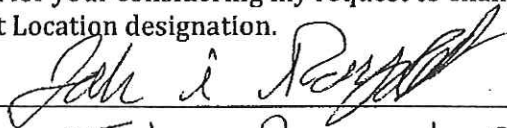
2. The Resource-dependent Location designation is more consistent with the findings and ideas expressed in the 2015 regional community guided planning and zoning effort, which included participation by residents of Lexington Twp. The group reported, "The Region includes large tracts of industrial forest 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 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



Date

6/6/18

Printed Name

John I. Rogachoff

Address

636 Hancock Pond Rd, Lexington township.

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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 *Steven E. Pray* Date June 2018

Printed Name Steven E. Pray

Address 46 Dillons LN Lexington TWP 04961

(sepray@gmail.com)
please send info

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JUN 18 2018

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

Signed Carol Wilson Carol Wilson Date 6-15-18

Printed Name Cecil Wilson Carol Wilson

Address 1343 Long Falls Dam Rd Lexington Twp Me 04961

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JUN 18 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 Phillip Carl Date 6-15-18

Printed Name PHILLIP CARL

Address P.O. Box 174 Alfred, ME 04002

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JUN 18 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 Allison Ford Date 6/7/18

Printed Name Allison Ford

Address 1585 Long Falls Dam Rd, Lexington ME 04941

RECEIVED

JUN 18 2018

LUPC - AUGUSTA

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

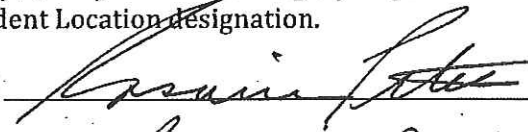
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3. Existing infrastructure and services in regional hubs, and rural hubs along Route 16, make those towns more suitable than Lexington Twp. for the types of development allowed in Primary Locations. Many of them are actively exploring and promoting 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



Date

6/15/18

Printed Name

ROSARIA PETERS

Address

1571 Long Falls Dam Rd, Lexington 04961

RECEIVED

JUN 18 2018

LUPC - AUGUSTA

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

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Signed

Carmen Rose

Date 6-15-18

Printed Name

Carmen Rose

Address

2173 Industry Rd., Industry, ME 04938

RECEIVED

JUN 18 2018

LUPC - AUGUSTA

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

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Signed Joseph Rozanski Carol Rozanski Date 6/15/18

Printed Name JOSEPH ROZANSKI CAROL ROZANSKI

Address 133 OLD COUNTY RD LEXINGTON
MAIL - 497 EAST MAIN ST. CHICOPEE MA.
01070

RECEIVED

JUN 18 2018

LUPC - AUGUSTA

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

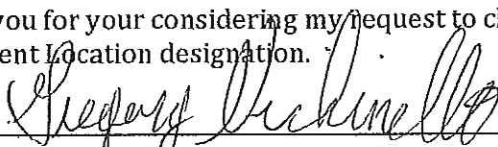
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Signed



Date

6-10-18

Printed Name

Gregory Nickinella

Address

792 Back Rd Lexington Maine

Mailing 1171 Po. Box South Yarmouth Me 02664

RECEIVED
JUN 18 2018
LUPC - AUGUSTA

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

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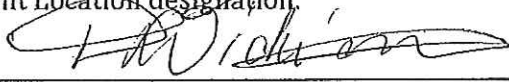
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Signed



Date

6.10.18

Printed Name

Tatsiana Wickinello

Address

792 Backroad, Lexington Twp, ME

Mailing address: P.O. Box 1171, S. Yarmouth, MA 02664

RECEIVED
JUN 18 2018
LUPC - AUGUSTA

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Signed  Date 6/14/18

Printed Name ALAN MICHKA

Address 16 SPRUCE POND RD., LEXINGTON TWP., ME 04961

RECEIVED

JUN 18 2018

PC - AUGUSTA

Maine Land Use Planning Commission
Board of Commissioners
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Signed

M. Kay Michka

Date

6-14-18

Printed Name

M. Kay Michka

Address

16 Spruce Pond Road, Lexington TWP, ME 04961

Godsoe, Benjamin

From: Ayotte, Shannon
Sent: Tuesday, June 19, 2018 10:40 AM
To: Godsoe, Benjamin
Cc: Livesay, Nicholas
Subject: FW: Adjacency principle one-mile rule

Follow Up Flag: Follow up
Flag Status: Flagged

From: Jim Giel [mailto:redwingjj@gmail.com]
Sent: Monday, June 18, 2018 5:18 PM
To: cperuccio@nrcm.org
Cc: DACF <DACF@maine.gov>
Subject: Adjacency principle one-mile rule

We are James & Joyce Giel, residents of EBEEMEE Twp. living on Ebeemee lake and would like to voice our objection to any major changes of how our lake as well as the surrounding area will be negatively affected by this very unusual & potentially catastrophic land use proposal.

Thank you for your help, James Giel

965-8604

2018 Board of Directors

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Jean Claveau
Carl Eppich
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Fred Heimann
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Lynne Seeley
Sally Stockwell
David Webster
Robin Zinchuk
Daniel Hildreth, Emeritus
Evan Richert, Emeritus
Anna Marie Thron, Emeritus

June 20, 2018

To Members of the Maine Land Use Planning Commission,

In testimony from the April hearing, attached here, I outlined GrowSmart's concerns related to proposed revisions to the LUPC adjacency rule. While GrowSmart appreciates the need to improve the current adjacency "one-mile rule" we offer recommendations to minimize development outside of areas not appropriate for growth, to remain true to the intent of the 2010 CLUP.

Our intention is to support the viability of organized towns within/adjacent to the UT and the economic future of the region without sacrificing the unique environmental attributes of the UT. To achieve these goals, the revised rules must address a complex matrix of community, economic and environmental considerations.

Below are several recommendations to encourage protection from intensive development those areas of the jurisdiction that are particularly representative of the UT's principal values, especially lands valued for their remote and relatively undeveloped condition.

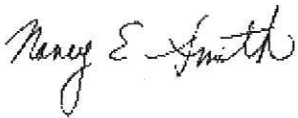
1. Timing: As adjacency and subdivision both move from vision to concepts to rules, as outlined in the timeline and comment opportunity in Samantha's presentation, there may be insufficient time for advocates and communities to review, consider potential impacts, and think through local scenarios. The two sets of rules are now just coming together in draft form. Is it realistic to schedule a September public hearing for subdivision? I recommend moving this to October at the earliest to allow adequate time for thoughtful response and recommendations and that the commission allow addition time after that hearing for stakeholders to evaluate the interrelated implications of the pair of rules.
2. Outreach to Towns: From our conversations, many town officials are unaware that these rules are coming together. LUPC staff shared that they reached out to some towns early on and sent a letter within the past few weeks to many more. We realized that turnover in town staff and elected officials certainly adds to the challenge, and we recommend staff follow up on these initial inquiries to ensure towns most likely to be impacted by these changes have an opportunity to get up to speed as the two sets of rules come together. GrowSmart Maine and Maine Municipal Association are willing to assist in this outreach, acknowledging that

these towns are outside of the LUPC jurisdiction. It is our understanding that the PCEDC is a willing partner as well.

3. Identifying appropriate hubs for adjacency: We encourage additional staff time in evaluating the appropriateness of currently designated retail hubs: are these the right towns for adjacency of new development? We are aware of some township being removed based on initial feedback and encourage continued openness to feedback on both townships and retail hubs/service centers from those who live, work and recreate in and near the UT.
4. 10-mile distance: Given the potential impact of these changes, the 10-mile distance from rural hubs is too great. It risks pulling demand for services too far from these towns while risking damage to wildlife habitat and the forest. It would be better to proceed with caution, given the potential harm; by first designating 3 miles, or perhaps 1 mile, and re-evaluate after a trial period of perhaps five years.
5. Scenic Byways: In addition, caution should be taken in determining appropriate locations for new development along designated scenic byways, as they serve a vital role in destination tourism being developed by local stakeholders in partnership with the Maine Woods Consortium.

We will continue to engage with staff and the Commission as adjacency and subdivision rules evolve. We encourage a careful approach as these changes will have significant impact on the UT.

Sincerely,



Nancy E Smith
Executive Director

2018 Board of Directors

Carol Morris, Chair
Ethan Boxer-Macomber, Vice-Chair
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Buzz Lamb, Secretary
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Fred Heimann
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Robin Zinchuk
Daniel Hildreth, Emeritus
Evan Richert, Emeritus
Anna Marie Thron, Emeritus

Below is testimony delivered to the Land Use Planning Commission meeting in Brewer on April 11, 2018 regarding proposed changes to the Adjacency Rule.

My name is Nancy Smith and I am Executive Director of GrowSmart Maine, a statewide non-profit whose mission is to build lasting prosperity without sacrificing the quality of place that defines Maine. We work with people in rural communities as they seek to achieve that goal for their hometown.

I also bring to this discussion my prior professional experience as a forest technician and then licensed professional forester for International Paper for thirteen years, much of that based in Lincoln where I worked in forest management and oversaw harvest operations in organized and unorganized towns. For several years I managed the recreation program on 600,000 acres in Maine and NH with annual revenue of \$250,000. In addition, I was co-owner of a family farm in central Maine for nearly twenty years.

Here are my concerns with the current proposed changes to adjacency rules:

1. These proposed changes are significant. When coupled with pending subdivision rules there will be significant changes in growth patterns in the Unorganized Territory (UT). Coordination of the timing of these two components of land use will be very helpful to all concerned.
2. The greatest potential for harm to the UT is in the residential development. Changes proposed for commercial and business uses appear to be appropriate. I offer caution regarding residential development because of its potential detrimental impact on the regional economy and communities.
3. To demonstrate this, I will point to work being done by the Maine Woods Consortium, of which GrowSmart Maine is a member. Much work is underway to acknowledge and strengthen destination tourism as an economic driver that is quite compatible with the forest products sector. The Maine Woods Rally will be held May 16-17 as a part of this effort. Proximity of residential development to unique natural resources is as much a threat to destination tourism as it is to timber harvesting.
4. I continue to have concerns related to the proximity of homeowners to timber management, specifically, to timber harvesting. As Mainers work with millions of federal dollars invested in the Forest Economy Growth Initiative led by Maine Forest Products Council and Maine Development Foundation, let's not undermine their work by allowing the establishment of homes which by their very nature give new owners the assumption that in purchasing a home they also have an expectation of undisturbed natural surroundings.
5. I also continue to share concerns about expectations for emergency services by those who purchase homes in remote areas. Agreements signed by original purchasers will not defer requests for assistance by these initial and future occupants. Those volunteers and professionals who provide emergency services from nearby organized communities will respond to the call; and their dedication to service is commendable. But we must acknowledge the strain this will put on these communities that receive no property tax revenue from homes located in the UT.

6. I want to thank staff of the LUPC for their outreach and openness. I appreciate the chance to meet with them on all issues and to offer my insights on farm stand location, having been a part of farmers' markets and a home-based farm stand for over a decade.
7. In closing, I thank the Commissioners for this opportunity to engage and am happy to continue to assist in this process.

Godsoe, Benjamin

From: Livesay, Nicholas
Sent: Thursday, June 21, 2018 8:51 AM
To: Godsoe, Benjamin
Subject: FW: Do not change the rules

From: Whitcomb, Walt
Sent: Wednesday, June 20, 2018 6:20 PM
To: Livesay, Nicholas <Nicholas.Livesay@maine.gov>
Subject: Fwd: Do not change the rules

Get [Outlook for iOS](#)

From: Gene Corey <genecorey@masiello.com>
Sent: Wednesday, June 20, 2018 6:13:50 PM
To: Whitcomb, Walt
Subject: Do not change the rules

Do not change the rules for development of the Maine North woods!

Godsoe, Benjamin

From: Wright, Ernest <Ernest.Wright@Anthem.com>
Sent: Monday, June 18, 2018 8:43 PM
To: Godsoe, Benjamin
Subject: Adjacency

Mr. Godsoe,

I hope you are doing well and that summer is getting off to a good start up in Maine. Here in Central Virginia, it is HOT, HOT, HOT. The climate is definitely changing, and the summers are getting hotter year after year...so I really miss the mild weather I remember growing up in Southwestern Virginia. Years ago, my family took a trip to Maine's North Woods hoping to enjoy a milder summer vacation in a state we'd never visited before...and my life hasn't been the same since. That first trip was all it took for me to fall in love with the North Woods' rugged beauty and quiet remoteness. My family had been to some impressive spots around our country on other trips, places like Mt. Rainier, Yosemite, Bryce Canyon, Zion National Park, Florida's Everglades and even the Dry Tortugas, but Maine's North Woods embodies everything that I've wanted and needed from my natural environment...trees, fresh water, wild life, dark starry nights, and clean fresh air for miles and miles.

Since that first visit, I've made return trips each year, and some years I've made multiple trips. I've come to need the time I spend in the North Woods to recharge, lower my stress, and to reconnect with nature. Sad to say, but I find myself missing the North Woods only days upon returning home to Virginia. You have something very special in your state...a natural resource you should protect as much as you absolutely can. I have made it a point to champion this area, to try, whenever possible to speak up for its beauty with friends, family, Maine advocacy groups...and now you.

I urge you, please do not change the LUPC's Adjacency Rule...a rule that has for decades protected the North Woods from becoming just another once pristine forest, taken over by commercial or residential developments driven only by profits. Endeavors that want ROI, at the cost of the beauty and restorative qualities in this remote undeveloped area. If this happens, where will people (me specifically) go to "get away"? Where will people go to reconnect with nature? Where will people go to stare up on a dark night and be humbled by stars so bright, that the Milky Way appears to pulse with life? Keep the Adjacency rule in place, and thus keep the North Woods pristine and undeveloped for more generations to experience the natural beauty that brings me back time and time again.

I appreciate the work you and the LUPC do to protect Maine's natural resources. You should be proud to protect such a wonderfully beautiful state. Thank you for considering my comments as the LUPC makes its final decision regarding the Adjacency Rule, and best of luck in the 6/20 hearing.

Yours respectfully,

Ernest Wright
10625 March Hare Dr
Richmond, VA 23235
(804) 658-8308

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and destroy all copies of the original message and any attachment thereto.

Godsoe, Benjamin

From: Terrell, Betsy <BTERRELL@EOSmith.org>
Sent: Tuesday, June 19, 2018 1:03 PM
To: Godsoe, Benjamin
Subject: Adjacency - Fish River Chain of Lakes Concept Plan

Follow Up Flag: Follow up
Flag Status: Flagged

To the Land Use Planning Commission:

My name is Betsy Bishop Terrell and I have camps on Carr Pond T13 R8. I am writing you in concern of the Fish River Chain of Lakes Concept Plan. Carr Pond is the headwaters of the Fish River Chain. My family has had camps on Carr Pond since 1902. I grew up in this remote wilderness and consider myself a steward of the land. I have watched the development in the area change Carr Pond over my lifetime. I remember either flying in or hiking three mile from the logging road to get across the lake from camp, and my father paddling the canoe over to pick up whoever hiked in. Over the years the Carr Pond road was developed and had a huge impact on the lake, changing the character of the lake from wilderness to a wild place. More people fish the lake than ever, in summer and in winter, logging in the area increased and the threat of metallic mining lurks. With all of this in my mind, and the Fish River Chain of Lakes at stake, I decide voice my opinion. I started by looking at the sound planning and zoning principles that guide the Land Use Planning Commission. I compared each objective with components of the Fish River Chain of Lakes Concept Proposal and wrote my comments in red ink.

Objectives:

- Encourage appropriate residential, recreational, commercial and industrial uses. This plan is not a balance of conservation to development. I would call it excessive development!
- Encourage well-planned and managed multiple uses, while discouraging intermixing of incompatible uses. Irving estimates 67 boats per day on Square Lake if proposal is approved. This would have grave impact on brook trout and landlocked salmon whose habitat is currently protected by the largely undeveloped lake with its remote access.
- Support and encourage Maine's natural resource-based economy and strong environmental protections. The proposal would turn the east side of Square Lake into what could be considered a resort, and this would have a negative impact on natural resources and the remote character of the lake and the habitat of trout and landlocked salmon.
- Promote economic health of development centers, and encourage and facilitate regional economic viability. Small businesses are at risk with this plan, and would lose business if a lodge went in on Square Lake that offered a convenience store, retail hubs, and a gas station.
- Ensure that the provision of public services matches the new development, or that any needed additional service capacity may be added efficiently and economically over time. This proposal will require more public services and cost will fall on tax payers.
- Minimize development near productive natural resource based activities. Only 29 % of the concept plan is permanently protected. Compare this to Plum Creek concept plan which is 96% permanently conserved in conservation easement.
- Protect resources and values of the jurisdiction. Cross Lake's water quality is already taxed with algae blooms from excess phosphorus. Sixty new residential development units at the south end of the lake should not be developed.

- Ensure that the anticipated future development is in keeping with the character of the area. The North Maine Woods is the last great forest east of the Mississippi. The Fish River Chain of Lakes would lose the character of the area, which cherished for its trout and salmon fishing, and its solitude.
- Ensure orderly growth by pacing development. Development should be kept in existing communities which already provides commercial and public access to residents.
- Allow for incremental assessment of impacts from development (the resources and values of the jurisdiction may be better supported, and development may be better planned, by providing an opportunity for interim assessments of impacts because future phases of development can then consider those impact assessments). Assessment of any development in the UT should be frequent in order to protect its natural resources that could be lost forever.

Thank you for taking the time to review my concerns.

Sincerely,

Betsy Bishop Terrell



E.O. Smith High School is known across the region for our student-centered community, challenging curriculum, and talented faculty, as well as a robust array of clubs, athletics, and artistic activities. Together, these efforts position our graduates for success in all of life's pursuits. Learn more at www.eosmith.org

Godsoe, Benjamin

From: Bill Bishop <bbishop@napanet.net>
Sent: Tuesday, June 19, 2018 8:13 PM
To: Godsoe, Benjamin
Subject: North Maine Woods

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Godsoe,

I recently heard that the Land Use Planning Commission (LUPC) -- the land use authority for Maine's 10.5 million acres of unorganized territories -- is considering a proposal that would open thousands of acres to residential subdivisions and commercial development. Our family is very concerned that this proposed change will unduly fragment wildlife habitat, degrade water quality, and compromise the health of existing communities.

The Bishop family has continuously owned property on Carr Pond, in Township 13 Range 8 in Aroostook County, since 1901. I grew up at camp, where my father was a sport fishing & hunting guide all of his adult life. The first five years of my life were spend growing up at camp. There was only our camp, the U.S. Forest Service camp (to maintain the fire watch tower on Carr Pond Mountain), and one other sporting (non-commercial) camp around the pond. In 1970, two more camps were built along the shore -- one as an overflow to Moose Point Camps on Fish River Lake and the other built by Wendell Hay (a friend of then Governor Edmund Muskie). There was not a road to Carr Pond until the early 1975. The pond was pristine with native brook trout, land lock salmon, and lake trout. Once the road was developed near the outlet of the pond, we started seeing more and more fishermen coming to fish. Not all but, some would leave their left over live bait of non-native species of fish such as yellow perch. The perch eat trout eggs and young fish. With the combination of the road, along with snowmobile access in the winter, discarded beer cans, liquor bottles, and food waste can be found that was not there 40 years ago. I fear that the commercial development around Carr Pond will only speed up the desecration of pristine natural resource.

While I am not opposed to commercial development in Aroostook County, the added value of building more camps, or even homes on Carr Pond, would be minimal at best. This would only exasperate an already fragile environment. It's not that large of a pond. I encourage you to look over the value of having Carr Pond be rezoned for commercial development. Adding more commercial and/or residential development will only tax the sustainability of a healthy natural environment. We are a half hour drive to Portage and over an hour to Presque Isle and Caribou. There are many more opportunities to develop north on Route 11 towards Ft. Kent and/or east toward Ashland and Presque Isle without compromising some of the last true north Maine woods.

Sincerely,

William Henry Bishop
Bishop/Terrell Camps
Carr Pond
T13 R8, ME

Godsoe, Benjamin

From: aphd2@aol.com
Sent: Wednesday, June 20, 2018 4:40 PM
To: Godsoe, Benjamin
Subject: Proposed changes to development neat AT

Dear Mr. Godsoe,

Mine is a distant voice from Texas, so I hope you will listen. My good friend Louise Delano keeps me abreast of all the news regarding the Appalachian Trail in Maine, and I fell compelled to write regarding the proposed changes to lands near the Appalachian Trail.

Ms. Delano and her sister are property owners near the Trail, and have cherished the land since their childhoods there. I've spent time at their cabin, and walked each time I've visited on the AT right of way their family gave to the ATC. It is beautiful and quiet - just as it was in 1973 when I walked the entire Appalachian Trail from Georgia to Maine, to Katahdin. The last long stretch of the AT through Maine is the wildest and most memorable, and in late September and early October, the most beautiful expanse of the Appalachian Trail. I've returned several times to summit Katahdin again, to celebrate the magnificent experience of walking 2,000 miles in America's woods.

No doubt you can predict which side of the LUPC proposal I am on. I live in a small town in Texas, and for 35 years I've watched beautiful sunsets over my neighbor's stock pond from my back porch, with horses grazing lazily, while white egrets flock in to roost around the pond. There are proposals here, too, to rezone the city boundaries to include this land if she ever moves away; that means they'll fill in the stock pond and divide the acreage into single-family housing lots. When that happens, I'll move, because without the unique and tranquil view from my porch, I may as well be living in any subdivision, anywhere.

Rezoning and allowing development so close to the Appalachian Trail in Maine, is exactly, and sadly, the very same thing. Once the unique and breathtaking quietude of the area near the Appalachian Trail in Maine is gone, you can't get it back, ever. Maine will head down that predictable path blazed by the almighty buck, and become just another state with Starbucks and McDonald's crouching on the perimeters of the AT corridor.

I'll leave you with the lesson I learned when cleaning out my mother's house after her death: "You can only throw things away once".

So, please consider the arguments carefully before throwing away the uniqueness that is Maine.

Respectfully,

Alice Derbyshire
Appalachian Trail End-to-Ender, 1973

940--300-5345
32 Cole Circle
Krum, Texas 76249

replace traditional steel and styrofoam building products, and increase the value of wood and wood fiber as these products enter and take a larger share of the mainstream building market.

As more jobs become available via the internet more people will be able to move to or stay in Maine towns and work remotely via the internet. Already a young person growing up in Orono can go to UMaine and get a job working for IBM, never leaving Orono. People will continue to choose to move to (or back to Maine) to live in places that have livable lifestyles, which is mostly defined by walkable town centers, good schools, and access to nature. We can support this by increasing access to fiberoptic cable, supporting investment in existing towns, and promoting ecosystem-based sustainable forestry practices.

I ask the commission to consider all rule changes based on protecting our resources of existing towns and our ecosystem of global importance, and consider the LUPC's crucial role in building a future for Maine based on those resources.

The rules as currently proposed would likely pose a threat to both the small town economies and the continuity of our Forests allowing sprawl into currently undeveloped areas.

Liz Trice
CEO, PelotonLabs
liztrice@gmail.com
207-776-0921

June 22, 2018

LUPC Commissioners:

My name is Liz Trice. I am writing to encourage the LUPC to base any rule changes on protecting and investing in two of Maine's most valuable resources: its existing small towns and the continuity of its forest ecosystem.

I have lived in Maine my whole life, except for my twenties, when I lived in 5 other states and visited more than a dozen countries. I returned to get a masters' degree in land use at the Muskie School at USM, and I am currently the owner of PelotonLabs, a coworking space in Portland with about 5,000 square feet that caters to over 100 remote workers and freelancers. Coworking is a new industry, only about 10 years old, that has been born out of the ability of people to work from anywhere via the internet. People pay a monthly membership fee to get out of their homes and have a sense of community working around other people.

Over the last 8 years, I have interacted with over 1,000 people who have moved to Maine and brought their jobs with them. Most of them grew up in Maine or have a family connection here, and most have professional jobs based elsewhere, have good salaries, and they all say the same thing: they are coming back to Maine for two things: community and access to nature. They want to live in Maine because they think Maine is a special place.

We all know that Maine is a special place, but what does that mean, and what makes it special? Recently I've come across some data that helps me answer part of that question.

- Our forested lands are part of the largest continuous forest ecosystem of its type IN THE WORLD. There used to be large forests like ours in Europe and China, but they have been degraded and decimated. Forests like ours literally don't exist elsewhere.
- We have the largest bird area of global importance IN THE COUNTRY
- Maine has 97% of the wild brook trout in the Eastern US.
- Forests are the single land use type that produce the best water quality.
- Maintaining continuous undeveloped forest gives us resilience to the floods and droughts that ravage the rest of the country.
- Continuous undeveloped mature forests are necessary for big species like lynx, allow for migration of species as the climate fluctuates, and big dead trees are necessary for the survival of many rare species.

I realize that the collapse of the paper industry and unemployment have put financial pressures on the rural parts of the state. But there are good things coming that will allow us to reinvest in towns and preserve vibrant forest ecosystems at the same time:

Maine is poised to become a leader in green building techniques and products. New building techniques, including Passive House, allow buildings to be affordably built so airtight and so insulated so as to hardly need heating systems at all. Bayside Anchor in Portland, an affordable multiunit housing development in Portland, was built last year with only 2 feet of electric baseboard per unit, and much of that electricity is provided by solar panels. Building this way costs 5% up front and reduces 90% of heating costs for the life of the building. Cross Laminated Timbers (CLT) and wood based insulation products as being developed by the companies Ecocor and Gutex are poised to

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JUN 21 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 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 Grace M. Stasica Date 6-18-18

Printed Name Grace M. Stasica

Address 705 Westward Dr
Palmer Lake, Co
80133

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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 Mark Mansfield Sr. Date 6/17/18

Printed Name Mark Mansfield Sr

Address 11 OAK ST. Waterville, Me. 04901

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

Signed Domenic Padula Date 6-15-2018

Printed Name Domenic Padula

Address Last Roundup Rd. and 108 Crestmill Rd Warwick, RI 02889
Lexington, Maine

See: Letter Attached

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JUN 21 2018

LUPC - AUGUSTA

6-15-2018

Dear: Land Use Planning Commission
c/o Ben Godsoe

I just wanted to add in my own words.

I have purchased land in Lexington because it is quiet and peaceful here. Also because there is no commercialized areas to close buy. I don't mind driving a little while to go get gas and groceries. I get to see wooded areas and wildlife on my drive to the Big Towns and city.

If commercial development is located to Lexington I believe it will actually hurt the town rather than help the town and its residence.

Sincerely

Domenic Padula

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LUPC - AUGUSTA

Maine Land Use Planning Commission
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

6-16-18

Printed Name

Shawn Brewster

Address

1511 Bear Pond Rd Hartford ME

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JUN 21 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 Elizabeth V. Cobb Date June 18, 2018

Printed Name Elizabeth V. Cobb

Address PO Box 124 New Portland ME 04961

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JUN 21 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 Gary F. Cobb Date June 17, 2018

Printed Name GARY F. COBB

Address 4 LONGFALLS DAM RD - NEW PORTLAND, ME