

Strawboss

Western Maine Planning Process – Franklin County Subcommittee-

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CATEGORY	ISSUES	Relationship to Area of Focus (JAM)	SOLUTIONS	LUPC REGULATORY CONNECTION	OTHER REGULATORY CONNECTIONS
Aesthetics	<ul style="list-style-type: none"> • Unsightly gravel pits and industrial uses • Unsightly development • Junked vehicles • Failure to maintain homes and yards • <u>Disturbing noise/lighting of night sky(JAM)</u> 	<ul style="list-style-type: none"> • <u>People who come to the region for commercial outdoor recreation opportunities that see unappealing roadside uses may leave with a bad impression and not return and/or inform others causing a loss of economic gain.(JAM)</u> 	<ul style="list-style-type: none"> • Screening along designated scenic byways • Building codes • Junkyard ordinance enforcement • Community action groups and CEO enforcement 	<ul style="list-style-type: none"> • <i>Current rules address most concerns but could be reviewed for possible changes. When reviewing a development proposal, LUPC must make a finding of no undue adverse impacts on existing resources (Chapter 10, Section 24, Subsection C). Scenic Byways are visual resources of statewide, and sometimes national, significance and potential impacts on visual resources would be considered accordingly. (LUPC)</i> • <i>Lighting standards (Chapter 10, Section 25, Subsection F, Subsection 2). (LUPC)</i> 	<ul style="list-style-type: none"> • 38 §490-Z. Performance standards for quarries. A natural buffer strip at least 150 feet wide must be maintained between the working edge of an excavation and a road designated as a scenic highway (DEM) • NFPA 1 site develop fire code International Building Code (for Comm) (DEM) • Int. Residential Code (by ICC) (DEM) • 30 A §3758-A. Violations junkyard All state, county and local law enforcement officers shall enforce (DEM)

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Insufficient recreational trail connections	<ul style="list-style-type: none"> Landowners resistance to establishing trails Lack of connections between County hubs Conflict between trail use by foot / ATV / snowmobile 	<ul style="list-style-type: none"> <u>Non-motorized and motorized trails are important to the economy of the Region. Without landowner participation their economic impact will be diminished.(JAM)</u> <u>Without suitable connections of non-motorized and motorized trails to “hub” communities they will not recognize the full economic benefit of this recreation activity.(JAM)</u> <u>Should trails become used by only a single predominate user group the economic benefit from other user groups will be lost. (JAM)</u> 	<ul style="list-style-type: none"> Build coalition between user groups and limit the number of trails. Avoid over-building. Purchase fee rights where possible. Establish more trailheads for motorized users to serve local lodging owners’ needs. (Guests can be transported to these trailheads by the lodge.) High Peaks Alliance, the local voice in land conservation, to ensure and enhance public access and opportunities for recreation (DEM) Create connections to hub communities through grants from Kibby Wind TIF (DEM) Educate public on shared use compatibility, trail etiquette, schools (DEM) 	<ul style="list-style-type: none"> <i>LUPC does not regulate trails in that trails may be built without a permit. LUPC regulations do require that trails meet erosion standards. (LUPC)</i> 	<ul style="list-style-type: none"> <i>BPL Incentivizes co-location of user groups on multi-use trails in certain circumstances like water crossings, downtown access routes, etc...(through funding mechanisms; e.g., RTP grants) (LUPC)</i> <i>Some regional planning is done during development of regional management plans for public lands, and on private lands in consultation with landowners. (LUPC)</i>

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Zoning Related Issues	<ul style="list-style-type: none"> Getting a change in zoning requires full project planning which is financially burdensome. The adjacency rule may limit opportunities for development more than a mile from existing development, particularly for businesses related to recreation but who may not be associated with recreational lodging. (LUPC) 	<ul style="list-style-type: none"> <u>The current process to petition a zoning change may discourage commercial outdoor recreation growth opportunities. (JAM)</u> 	<ul style="list-style-type: none"> Fast-track zoning changes as an alternative process in the same model as the first step of approval for a subdivision application. Denials could be appealed through the current and more a <u>less</u> burdensome process. Facilitate development and growth of recreation-related businesses. (LUPC) 	<ul style="list-style-type: none"> Creation of a new zoning approach could facilitate development of recreational support businesses and may add greater predictability for new businesses, and potentially greater flexibility for existing businesses. (LUPC) 	<ul style="list-style-type: none"> 38§438-A. Municipal authority; state oversight in addition to notice required by Title 30-A, section 4352, subsection 9, a municipality shall provide written notification to landowners whose property is being considered by the municipality for placement in RP (DEM) 30 A §4353. Zoning adjustment. Any municipality which adopts a zoning ordinance shall establish a board of appeals (DEM)

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<p><i>Transition from “Opportunistic Recreation”, to “Planned Recreation”</i></p>	<ul style="list-style-type: none"> Trail advocates demand ever-expanding buffers to established trails, from a few feet to a viewshed extending for tens of miles. 	<ul style="list-style-type: none"> <u>Landowner rights can be infringed on by demands for large buffer areas potentially discourage them to agree to trail development/use. (JAM)</u> 	<ul style="list-style-type: none"> Designate the size of the buffer at the time of trail creation. Offset viewshed degradation by protecting nearby resources.¹ This could include the purchase of fee rights to trail corridors. 	<ul style="list-style-type: none"> <i>LUPC does not regulate trails in that trails may be built without a permit. LUPC regulations do require that trails meet erosion standards. (LUPC)</i> <i>When considering a development proposal, LUPC must consider visual impacts and must find that the proposal does not create undue adverse impacts on existing resources (10.24,C). (LUPC)</i> 	<ul style="list-style-type: none"> <i>In situations where BPL stewards public access rights (e.g. on state lands and state held easements), they have a role in trail design – which may include consideration of impacts to visual and other public resources. (LUPC)</i>

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Regulatory Coordination	<ul style="list-style-type: none"> Landowners and developers must deal with multiple sets of regulatory requirements from the MFS, LUPC, DEP, and IF&W and local ordinances. 	<ul style="list-style-type: none"> <u>The current regulatory process for new land use development associated with commercial outdoor recreation opportunities may not encourage but discourage investment in outdoor recreation growth.(JAM)</u> 	<ul style="list-style-type: none"> Adopt Chapter 21 Statewide Standards for forestry activities in all Maine’s towns and townships. <u>Streamline the regulatory process for those targeted commercial outdoor recreation and uses identified in the Western Maine Plan for Townships and Plantations Served by the Land Use Planning Commission. (JAM)</u> 	<ul style="list-style-type: none"> <i>Committee could develop policy guidance for project review by multiple agencies. (LUPC)</i> <i>LUPC recommends a pre-application meeting with agency staff to assist applicants as they navigate the permitting process. The committee could look at this and other steps in the process. (LUPC)</i> 	<ul style="list-style-type: none"> 38 §438-B. Timber harvesting and timber harvesting activities in shoreland areas; authority of Director of the Bureau of Forestry. (DEM) 38 §439-B. Contractors certified in erosion control in shoreland areas (DEM)
<u>Changing Outdoor Recreation Opportunity Demand (JAM)</u>	<ul style="list-style-type: none"> <u>As new land uses are needed to respond to changing outdoor recreation opportunity demands (“softer”) will chapter 10 be reactive or proactive? (JAM)</u> 	<ul style="list-style-type: none"> <u>The planning effort is supposed to consider anticipated land uses needed to support commercial outdoor recreation opportunities growth. Need to consider what those anticipated land uses will be.</u> 	<ul style="list-style-type: none"> <u>Determine what will be the commercial outdoor recreation opportunity demand for the next 10-20 years. Propose needed changes to Chapter 10. (JAM)</u> 	<ul style="list-style-type: none"> <i>New zoning approaches may provide flexibility for future unforeseen, recreation-related uses. (LUPC)</i> 	

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<ul style="list-style-type: none"> <u>Information (JAM)</u> 	<ul style="list-style-type: none"> <u>Committee does not know all the concerns/issues pertaining to anticipated land uses needed to support outdoor recreation growth and other uses such as manufacturing, zoning changes needed to encourage/allow such uses. (JAM)</u> 	<ul style="list-style-type: none"> <u>Provide opportunities for a broad spectrum of residents, property owners, and interested parties to participate, as well as to allow for a respectful consideration of divergent views. (JAM)</u> 	<ul style="list-style-type: none"> <u>Seek outdoor recreational interests/public input to planning process(JAM)</u> 		

¹ The Stratton biomass plant was opposed by the Friends of Bigelow on the basis of viewshed. It was resolved by offset through the purchase of development rights on nearby Mount Abram.

Prepared by: *Thom Dodd-04.29.15*

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