

Public Comments and Hearing Requests Received on ZP 806 Through May 31, 2026

ZP 806 is an application by Walter Haines to rezone approximately 145 acres to the Residential Development (D-RS) subdistrict in Madrid Township, Maine

From: loyd.griscom
To: [Gaffney, Heidi](mailto:Heidi.Gaffney@maine.gov)
Subject: Re: Zoning Petition ZP 806, Madrid Twp
Date: Tuesday, April 28, 2026 1:04:56 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Heidi,
Thank you for your email.
What is the situation with public access and what guarantees are there?
Best regards,
Lloyd Griscom

On Mon, Apr 27, 2026 at 6:05 PM Gaffney, Heidi <Heidi.Gaffney@maine.gov> wrote:

Good afternoon Mr. Griscom,

My name is Heidi and I'm the primary permitting staff contact for the Application for Zone Change (ZP 806) submitted by Walter Haines. I understand you may have questions regarding this application.

I've attached a pdf of the application. It is a large file, please let me know if you have any trouble opening it and I can send it as a link instead.

Please reach out with any questions.

Sincerely,

Heidi Gaffney

Environmental Licensing Specialist II

Land Use Planning Commission

8 Moosehead Lane, Suite 107

Dover-Foxcroft, ME 04426

Phone: (207) 349-0941

From: [lloyd griscom](#)
To: [Gaffney, Heidi](#)
Cc: [Rufus K. Griscom](#); [Hediger, David](#)
Subject: Re: Rufus and Lloyd Griscom signatures [ZP 806]
Date: Wednesday, May 13, 2026 9:20:18 PM

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 [IMG_0632.png](#)

 [IMG_0006.jpeg](#)

 [IMG_0620.jpeg](#)

 [IMG_0007.jpeg](#)

Hello Heidi,

Thank you for your email. As a matter of explanation, I was at Beal Pond taking those pictures recently and had great trouble sending them to you. I will resubmit some to be clear. These show the location of where public access has existed over the years based on an gos track that I took where the multiple canoes are and even though some of the signs about public access there have been removed. There is a photo of where there has been a cable across one of the entrances to Beal pond that almost caused IFW not to stock, were it not for my brother Rufus griscom , the pond as has happened historically . There are private signs on both sides that have never been there historically. I would like to know the status of that current public access and whether there has been any change from Walter Haines to its accessibility by the public? I would also like to know how the rezoning proposal might affect this public access point and want to be sure

That there is

"no undue adverse impact on existing uses or resources," or
that a new designation is "more appropriate for the protection and management of existing
uses and resources within the
affected area."

Best regards

Lloyd Griscom
BWG Trust co-trustee

On Tue, May 12, 2026 at 3:34 PM Gaffney, Heidi <Heidi.Gaffney@maine.gov> wrote:

Good afternoon,

Thank you for your email and the additional information regarding the Nature Conservancy project.

Thank you for clarifying that it was your intent to sign along with Lloyd on the rebuttal letter dated April 24, 2026 received by email from Rick Whinery.

For the photos received previously from Lloyd, if possible it would be greatly helpful to identify what each of the photos is showing/intending to show as it relates to the ZP 806 application.

Thank you,

Heidi Gaffney

Environmental Licensing Specialist II

Land Use Planning Commission

8 Moosehead Lane, Suite 107

Dover-Foxcroft, ME 04426

Phone: (207) 349-0941

From: Rufus K. Griscom <rufus44@aol.com>

Sent: Monday, May 11, 2026 6:36 PM

To: lloyd griscom <lloyd.griscom@gmail.com>; Gaffney, Heidi <Heidi.Gaffney@maine.gov>

Cc: Rufus44@aol.com

Subject: Re: Rufus and Lloyd Griscom signatures

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Dear Heidi, I did intend to sign the rebuttal for the rezoning request. If there is something more I need to do, please let me know. In the event it is of any interest and relevance, my brother Lloyd and I, individually and as trustees of the Bronson W. Griscom Trust, were three participants in a nearby Nature Conservancy project which closed in 2023, which conserved several thousand nearby acres, ultimately transferred to the State of Maine and is now conserved and managed by the Maine Bureau of Public Lands. Best regards, Rufus Griscom 713-961-1686 and 207- 639-2781

[Sent from the all new AOL app for iOS](#)

On Monday, May 11, 2026, 4:34 PM, lloyd griscom <lloyd.griscom@gmail.com> wrote:

Hello Heidi,

My brother Rufus and I are co-trustees of a camp on Beal Pond belonging to the BWG Trust originally set up by our uncle and the original camp purchaser back in 1957.

I cc'd my brother on this email and he was one of the two signatures for the BWG Trust beal pond camp on the rebuttal for the rezoning request.

Best regards,

Lloyd Griscom

207 670-5554

Our BWG trust camp

From: [Jonathan Andrews](#)
To: [Gaffney, Heidi](#)
Subject: Submission of Written Comments and Photo Exhibit – Zoning Petition ZP-806 (Beal Pond, Madrid Township)
Date: Tuesday, May 5, 2026 6:07:42 PM
Attachments: [zp-806 Andrews Letter.pdf](#)
[zp-806 Andrews Photo Exhibit.pdf](#)

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Gaffney,

I am writing to submit my written comments in opposition to Zoning Petition ZP-806, along with a supporting photo exhibit, for inclusion in the Commission's record.

The attached materials include:

- My formal letter of opposition to the proposed rezoning near Beal Pond in Madrid Township
- A photo exhibit documenting the long-standing character, recreational use, and environmental conditions of the Beal Pond area

These materials are intended to supplement the record by providing both a policy-based perspective and a long-term, observational account of the area's historical and current conditions.

Please confirm receipt of this submission at your convenience. If any additional information or formatting is required to ensure these materials are properly included in the record, I would be happy to provide it.

Thank you for your time and consideration.

Sincerely,

Jonathan P. Andrews

171 B Great Rd.
Littleton, MA 01460

Jandrews.nv@gmail.com

(978) 857-8337

Jonathan Andrews
171 B Great Rd.
Littleton, MA 01460

Jandrews.nv@gmail.com

(978) 857-8337

Date: 4/29/2026

Maine Land Use Planning Commission
22 State House Station
Augusta, ME 04333

Subject: Written Opposition to Zoning Petition ZP-806 — Proposed Rezoning from M-GN, P-WL2, P-WL3, P-SL2, P-GP to D-RS near Beal Pond, Madrid Township

Note

Although it is evident on the zoning map, the petition does not appear to reference a P-GP zone that clearly falls within the subject parcel. It does reference an area of *P-SL*. I expect that this is a typographical error but clarification of the protected zone types and acreage is needed.

Dear Commissioners:

I am writing to express my opposition to Zoning Petition ZP-806, which proposes to rezone all of approximately 145 acres of land near Beal Pond in Madrid Township from M-GN, P-WL2, P-WL3, P-SL2, P-GP to D-RS.

My comments are informed by 65 years of direct observation at our family property on Beal Pond, supported by four generations of family history, including anecdotal and photographic records. While I have a personal interest in maintaining the historical pace and scope of development in the Beal Pond area, I recognize that the Commission's decision must be guided by applicable standards and not individual preferences like mine or the applicant's. Based on that understanding, I sincerely believe that the proposed zoning change is inconsistent with the Commission's Comprehensive Land Use Plan, and that the parcel should remain in the M-GN and the various Protection categories.

I had an opportunity to read draft comments written by some of my closest neighbors on Beal Pond who also oppose the proposed D-RS development project. Those comments provided detailed technical analysis regarding environmental resources, habitat impacts, and regulatory

deficiencies in the application. I strongly agree with their technical analysis but I do not support the 'constructive alternative' or partial rezone that these draft comments referenced. I believe the appropriate path is to maintain the current zoning in its entirety. My own comments are intended to complement my neighbor's environmental and technical analysis by focusing on the observed character of the area, the practical realities of development in this location, and the consistency of the proposed rezoning with the Commission's broader policy framework.

Personal Background

My grandfather purchased a remote camp on Beal Pond in 1944, and my family has owned it continuously since that time. I have been visiting this camp since shortly after my birth in 1960 and have owned the property myself since 2004. Over these many decades, I have observed that the defining character of this area has remained quiet, forested, and largely undeveloped, with uses centered on traditional recreation, forestry, and wildlife habitat.

The existing M-GN zoning reflects how this land has historically functioned and how it continues to be valued by those who use it. Based on my observations and experience, it is clear that the proposed change to D-RS would introduce a pattern of development that is not consistent with that long-standing character. The Commission's decisions recognize the importance of maintaining the character of remote pond environments. The current M-GN and P- zoning aligns well with that objective.

OPPOSING OPINIONS

I. DEVELOPMENT GOALS AND POLICIES

A. LOCATION OF DEVELOPMENT

The petition suggests that because there are existing camps on Beal Pond, rezoning this parcel to D-RS would be consistent with the area. However, this overlooks an important distinction: the existing camps are the result of very low-density, incremental development that has occurred over many decades under the constraints of M-GN and P-zoning. That pattern has remained relatively stable, in part because M-GN limits further subdivision and residential intensification. Rezoning to D-RS would not reflect that pattern; it would allow a new level and type of development that has not historically existed in the immediate vicinity of Beal Pond.

The petition also references existing D-RS zoned areas near Reeds as support for the proposed rezoning. However, those areas reflect the historical site of Reeds Mill and a long-established village setting located along a paved public road and the former Sandy River and Rangeley Lakes Railroad corridor. This setting is not comparable to the largely undeveloped, forested landscape surrounding Beal Pond.

Although the Reeds D-RS areas are within approximately one mile of the subject parcel, they are separated by steep, forested terrain. By road, they are separated by closer to 2 miles. Given this physical and functional separation, I do not believe that the Reeds area meets the Commission's adjacency principles for extending residential zoning into this portion of the Beal Pond shoreline. Extending D-RS zoning here would be more accurately described as leapfrog development, which those principles are intended to avoid.

The forested land between the subject parcel and the Reeds area includes a section of the Fly Rod Crosby Trail, a community-built and maintained recreational resource. This trail highlights the historical diversity of the region. The presence of this trail in the forested area that includes the subject parcel reinforces the long-standing recreational and undeveloped character of this landscape and underscores its appropriate M-GN and P- zoning.

The subject parcel is also located near the Orbiton Stream Conservation Easement, which extends to within a few hundred feet of the northeast corner of Beal Pond. The working forest lands within that easement are substantially similar in character to the subject parcel and reflect a deliberate effort to maintain the long-standing working forest character of this area.

The petition cites the recreational and aesthetic value of the Beal Pond area as support for the proposed development, noting the appeal of a "remote feeling body of water." In my experience, that value depends on the pond's largely undeveloped shoreline, low-density use, and intact surrounding forest. Introducing a residential subdivision would diminish the very qualities that make the area appealing and distinctive.

The petition does not demonstrate that the requested zoning change complies with the Commission's adjacency principles.

B. ECONOMIC DEVELOPMENT

The petition does not present a market analysis demonstrating that existing D-RS zones in the Madrid area are at or near capacity, nor does it clearly establish a need for additional D-RS

zoning in this location. Instead, it suggests that additional residential development would expand the tax base. While that may be beneficial in general, it fails to justify rezoning land that is environmentally sensitive and historically low in development intensity. If additional residential development is needed, there appear to be other areas within Madrid Township that are closer to other D-RS zones, less constrained and more suitable.

The applicant has not demonstrated a compelling economic justification for the requested zoning change.

C. SITE REVIEW

The scattered and seasonal nature of existing camps around Beal Pond makes it difficult to define a traditional neighborhood or community. This is a significant part of the area's appeal. I am aware that other nearby property owners share similar concerns regarding the proposed zoning change. To that extent, the proposed zoning change and development do not fit harmoniously into the neighborhood or community.

Although most existing camps comply with applicable regulations, additional development has resulted in some increase in visible light, noise, and human activity. In keeping with the current M-GN and P- zoning, these changes have occurred incrementally over many years and are widely dispersed. The proposed development would introduce a more concentrated level of residential activity that would exceed current conditions and the historical rate of change. The proposed zoning change and development is not harmonious with the long-standing character of the surrounding area.

From the water, much of the Beal Pond shoreline still presents a largely continuous forested appearance. Even with required setbacks, the introduction of multiple residential structures and associated clearing would be visible from the pond and would noticeably alter that visual character, particularly given the clustered layout shown in the proposed subdivision plan.

It is clear that the proposed change to D-RS zoning and medium density residential development would not fit harmoniously with the natural environment in this substantially forested and sparsely populated area. (See attached Photo Exhibit)

D. INFRASTRUCTURE

The petition notes that the proposed development is likely to utilize a network of existing public and private roads. In practice, access to this area is influenced by seasonal road conditions, limited maintenance, and distance from services. These factors have historically limited development intensity and helped preserve the character of the area.

Access to my property on the northeast shore of Beal Pond is seasonal and more difficult than what the applicant has described. I have always understood and accepted that access to emergency services is limited in such a remote setting. However, there is a fundamental difference between my more remote seasonal camp and a concentrated 30-lot subdivision. While the current road network is sufficient for the historical, low-intensity use of the area, the petition fails to demonstrate that these narrow roads and "turnouts" can safely accommodate life-safety requirements of a medium-density neighborhood or that the Phillips Fire Department and NorthStar Ambulance are prepared to service it.

Although the applicant expects minimal traffic flow, he anticipates the need for multiple turnouts to allow traffic passage on narrow roads in winter months. The petition fails to specify how turnouts would be spaced and what road infrastructure exists or would be constructed to support them.

Although it appears that the proposed zoning change includes them, as currently zoned, the subject parcel contains and is near several protection zones including P-WL2, P-WL3, P-SL2 and P-GP. Predictably, land clearing and terrain changes associated with the proposed development would alter existing drainage patterns, potentially impacting wetlands and other protected natural resources. The petition fails to specify what existing or additional storm water or erosion control infrastructure might be needed to mitigate harmful impacts to protected natural resources, wetlands and Beal Pond itself.

Although the applicant has established that the subject parcel is at least marginally accessible by a network of public and private roads and that it has some access to public utilities, he has failed to establish that there is sufficient existing or planned infrastructure to support the proposed medium density, 20 - 40 lot development.

E. DEVELOPMENT RATE, DENSITY AND TYPE

In my lifetime, several new camps have been constructed near Beal Pond. While these additions have changed their immediate surroundings, they have generally remained consistent with M-GN zoning and have not significantly altered the overall character of the area.

The petition, however, projects approximately thirty residential subdivision lots. Transitioning from a handful of widely dispersed camps to a concentrated 30-unit development is not "moderate" or "incremental" change; it is a total transformation of a remote pond environment that represents a radical departure from the historical pattern.

F. AFFORDABLE HOUSING

I have no comments relevant to this topic

G. LAND CONSERVATION

Beal Pond has long been managed as a cold-water fishery and designated as a fly-fishing-only waterbody. This reflects its value as a low-impact recreational resource. The existing M-GN and P- zoning aligns with that approach.

The pond is part of an intact natural landscape that supports brook trout, moose, loons, and other wildlife. Increased residential development raises concerns about shoreline disturbance, septic density, phosphorus loading, runoff, and habitat fragmentation. As other commenters have described in detail, these potential impacts have not yet been fully evaluated in the application record.

PRECEDENT AND CUMULATIVE IMPACT

I believe that the implications of this rezoning extend beyond the subject parcel. Approval could establish a precedent that General Management and Protection Subdistricts adjacent to remote ponds may be converted to residential zoning based primarily on proximity to existing low-density camps.

Over time, similar rezonings—each considered individually—could result in gradual but lasting changes to the low-density, resource-based character that the Commission's zoning framework is intended to protect.

The history of development around Beal Pond suggests that change under M-GN and P- zoning has been incremental and relatively self-limiting. A shift to D-RS would remove those constraints and introduce a different pattern of development that could be repeated elsewhere.

For these reasons, I believe the Commission's decision on this petition should be considered not only in terms of this parcel, but also in terms of its broader implications.

Conclusion

In my experience, even development consistent with M-GN and P- zoning has had noticeable effects on the character of the area, which underscores the importance of maintaining current constraints.

In over 80 years of my family's presence on Beal Pond, the area has not exhibited the level of development that D-RS zoning would allow. Approving this petition would introduce a new pattern of development and could contribute to cumulative changes over time.

The Commission's rules require that rezoning proposals demonstrate consistency with the Comprehensive Land Use Plan and avoid undue adverse impacts on natural and recreational resources. This proposal does not meet those standards.

Other commenters have noted that there are also unresolved technical and environmental questions. I agree with their analysis. If the zoning change was approved, it would be important to resolve those unanswered questions. Even apart from those issues, I believe the proposal represents a shift in land use that is not supported by the historical pattern of development, the existing character of the area, or the policy framework of the Comprehensive Land Use Plan.

To be clear, my opposition is not to the use or development of this parcel in a general sense, but specifically to the requested rezoning to D-RS. I am not opposed to development that occurs within the guidelines and density limits of the existing M-GN and Protection subdistricts, which have successfully balanced private use with resource protection for decades. These existing standards provide the correct framework for this location; the proposed rezoning is an unnecessary departure from them.

For these reasons, I respectfully urge the Commission to deny Zoning Petition ZP-806. The existing M-GN and Protection subdistricts already provide the necessary framework for appropriate, low-impact use of the land, and any shift to a D-RS designation would be a radical and unnecessary departure from that standard.

Once implemented, that change would be difficult to reverse.

Sincerely,



Jonathan P. Andrews

5/5/2026

Date

Photo Exhibit – Beal Pond (ZP-806)

Jonathan P. Andrews (Beal Pond Property Owner)

171 B Great Rd.
Littleton, Massachusetts 01460

jandrews.nv@gmail.com

(978) 857-8337

Purpose

These photographs are provided to support my comments regarding the proposed rezoning near Beal Pond. They show the long-standing character of the area, including:

- A largely undeveloped, forested shoreline
- Quiet, low-impact recreational use
- Ongoing presence of wildlife and intact habitat

Several of the images date from approximately 1955–1960. While the exact dates are not known, they reflect conditions and patterns of use that, based on my own long-term familiarity with the area, remain substantially similar today.

Photo Exhibits Follow:

Photo 1 (circa 1955 - 1960)

View from the northeast portion of Beal Pond showing forested shoreline around Beal Pond including the vicinity of the proposed rezoning area as it existed in the late 1950s.



Photo 2 (2005)

A 2005 view from a similar perspective at the northeast portion of Beal Pond showing the largely unchanged forested shoreline in the vicinity of the proposed rezoning area.



Photo 3 (2025)

A 2025 view from the same general perspective showing a continuing forested appearance of the shoreline and a consistent visual character over time. The area has remained stable, forested, and lightly developed for more than 65 years under the constraints of M-GN zoning.



Photo 4 (circa 1955 - 1960)

Moose observed along the forested Beal Pond shoreline from a canoe, illustrating the long-standing use of near-shore habitat by wildlife and the historical natural and recreational character of the area.



Photo 5 (2005)

View from Beal Pond showing largely continuous, undeveloped shoreline and active use by sensitive wildlife (loon observed), illustrating the pond's quiet, low-density character.



Photo 6 (circa 1955 - 1960)

Individuals fly fishing from a small, non-motorized boat, representative of the traditional, low-impact recreational use characteristic of Beal Pond that has continued to this day.

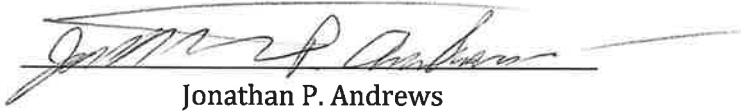


Summary

Taken together, these photographs reflect a consistent pattern of use and conditions over time:

- The shoreline remains largely undeveloped and forested
- Recreational use is quiet, dispersed, and non-motorized
- Wildlife continues to use the area

In my experience, these images are representative of how the pond and surrounding area have functioned for decades and how they continue to be experienced today. The existing M-GN zoning has played an important role in maintaining these characteristics, and a change to D-RS zoning and subsequent medium-density development would be expected to alter them


Jonathan P. Andrews

5/5/2026
Date

From: [RICK WHINERY](#)
To: [Gaffney, Heidi](#)
Subject: Application for Zone Change - ZP 806 - Madrid Township
Date: Thursday, May 7, 2026 4:49:35 PM
Attachments: [20260506_103613.PDF](#)

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Heidiu,
Attached is a formal letter of opposition to the proposed zoning change referenced above.
Regards,
Rick Whinery
rswhinery@comcast.net
713-882-7048

May 6, 2026

Maine Land Use Planning Commission
932 US Route 2
East Wilton, ME. 04294

Subject: Written Opposition to Zoning Petition ZP-806
 Proposed Rezoning from MG-N to D-RS Near Beal Pond, Madrid Township

Dear Commissioners:

We write to express our formal opposition to subject Zoning Proposition ZP-806.

Our family, as well as others, currently with camps on the pond have visited and utilized the pond for well over 60 years. We are on our fifth generation of avid fly fishermen and fully enjoy our time away from the fast pace of daily life in the suburbs. After a day of fishing and working around the camp, it has always been relaxing to sit down to a peaceful meal, listen to Red Sox game on the radio and, ultimately, shut out the lights for a restful sleep.

As others have expressed, the existing M-GN accurately reflects how the land has historically functioned and how it has been valued by those who use it.

Beal Pond is truly a sensitive water resource which provides a habitat for native brook trout, moose, deer, bear, fox and other wildlife. The proposed rezoning would allow development of the area which would increase the septic density, runoff, and human activity as well as increased vehicular activity. This would potentially lead to the degradation of the fishery and harmful effects on the wildlife so dependent on the pond to survive.

This our separate letter of opposition to the proposed rezoning of this land. We have also signed another document which gives specific concerns and has questions that need to be addressed. We will not revisit each one of the items as we understand your time is valuable and we appreciate you taking the time to hear us out.

Respectfully,

Rick Whinery
17419 W Lake Rose Ct
Cypress, Texas. 77429

Randy Whinery
418 Main Road North
Hampden, Maine. 04444

From: lloyd.griscom
To: Gaffney, Heidi
Subject: Re: Zoning Petition ZP 806, Madrid Twp
Date: Thursday, May 7, 2026 6:07:38 PM

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Hello Heidi,
These photos were meant to be included with my last email to you.
Thank you and best regards
Lloyd Griscom
Co-trustee
BWG Trust Beal Pond Camp

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On Thu, May 7, 2026 at 3:54 PM lloyd griscom <lloyd.griscom@gmail.com> wrote:

Hello Heidi,

Here are photos from yesterday of what has been public access to Beal Pond and you can see boats and a gps track locating it at the photo icon. What is the status of that public access now and how would it be guaranteed under the rezone plan? I signed on to my neighbors comments with my brother for a camp owned by a family entity called the BWG Trust Beal Pond camp. I request a public hearing so those affected will have a chance to voice their opinions.

Thank you and best regards

Lloyd Griscom

Co Trustee BWG Trust



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Good afternoon,

Thank you for your questions.

Please provide additional information on the public access you are inquiring about. Is there an existing public access within the area the applicant proposes to be rezoned? Or is your inquiry as to whether public access is proposed?

Thank you,

Heidi

From: lloyd griscom <lloyd.griscom@gmail.com>

Sent: Tuesday, April 28, 2026 1:04 PM

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What is the situation with public access and what guarantees are there?

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I've attached a pdf of the application. It is a large file, please let me know if you have any trouble opening it and I can send it as a link instead.

Please reach out with any questions.

Sincerely,

Heidi Gaffney

Environmental Licensing Specialist II

Land Use Planning Commission

[8 Moosehead Lane, Suite 107](#)

[Dover-Foxcroft, ME 04426](#)

Phone: (207) 349-0941

From: loyd.griscom
To: [Gaffney, Heidi](mailto:Heidi.Gaffney@maine.gov)
Subject: Re: Zoning Petition ZP 806, Madrid Twp
Date: Thursday, May 7, 2026 3:55:50 PM

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Lloyd Griscom

Co Trustee BWG Trust



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To: Gaffney, Heidi <Heidi.Gaffney@maine.gov>

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Sincerely,

Heidi Gaffney

Environmental Licensing Specialist II

Land Use Planning Commission

[8 Moosehead Lane, Suite 107](#)

[Dover-Foxcroft, ME 04426](#)

Phone: (207) 349-0941











MAINE 823 AVR



Stopped Time

10

W

200 ft

Upgrade



Custom



Map



Trip



Home



Saved



Settings

From: [RICK WHINERY](#)
To: [Gaffney, Heidi](#)
Subject: RE: Rebuttal_Beal_Pond_Rezone_Proposal.md between Mathew Bickford, Mathew P. Bickford, Rick Whinery, and 2 more is Signed and Filed!
Date: Saturday, May 9, 2026 11:25:57 AM
Attachments: [Rebuttal_Beal_Pond_Rezone_Proposal_Signed.pdf](#)

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Heidi,

Attached is a formal, signed rebuttal of the proposed rezoning ZP 806. It is signed by 5 landowners with camps on Beal Pond. If you have any questions, please do not hesitate to contact me.

Regards,

Rick Whinery

713-882-7048

rswhinery@comcast.net

Written Comments in Opposition to Zone Change Application

Walter Haines – Beal Pond Road – Madrid Township, Maine
Maine Land Use Planning Commission Application No. 25-024

Submitted to:

Maine Land Use Planning Commission – Western Region
932 US Route 2 East Wilton,
ME 04294

Date: April 24, 2026

Re: Zone Change Application – Beal Pond Road, Madrid Township, Franklin County
Applicant: Walter Haines, represented by Main-Land Development Consultants, Inc.
Proposed: Rezone 145 acres from M-GN, P-WL2, P-WL3, P-SL2, and P-SL to D-RS

To the Commissioners of the Maine Land Use Planning Commission:

We are neighboring property owners with land and/or interests adjacent to or near the above-referenced project area. We respectfully submit these written comments in opposition to the pending zone change application filed by Walter Haines through his agent, Main-Land Development Consultants, Inc., seeking to rezone approximately 145 acres along Beal Pond Road in Madrid Township from Management General (MGN) and multiple Protection Subdistricts (P-WL2, P-WL3, P-SL2, P-SL1) to Residential Development Subdistrict (D-RS) for the purpose of creating a medium-density residential subdivision of up to 37 lots on and around Beal Pond. These comments are submitted for the Commission's consideration and for the record of this application.

We do not oppose Mr. Haines's right to seek the highest value and/or best use of his property, nor do we question the good faith efforts reflected in portions of this application. However, a zone change to D-RS for the entire 145 acres is an irreversible gateway decision in this process, once granted, the land use character of this watershed is permanently altered. The application's consistent approach of acknowledging significant environmental constraints while deferring their resolution to future permitting stages is procedurally inadequate at this threshold step. The required studies must inform the rezoning decision, not follow it.

After careful review of the submitted application materials, we believe the application as currently submitted is premature, inadequately supported, and inconsistent with the goals of the Comprehensive Land Use Plan (CLUP). Specifically, the application fails to adequately address (1) the rezoning of designated Protection Subdistricts, (2) significant wildlife habitat and endangered species concerns, (3) water quality and phosphorus loading impacts to Beal Pond, (4) wetland extent and soil suitability deficiencies, and (5) unresolved emergency services capacity. We respectfully request that the Commission deny the application in its current form or, at minimum, require the supplemental environmental reviews identified herein before rendering any decision.

I. The Application Fails to Provide the Substantial Evidence the Statute Requires, Illustrated by the Proposed Rezoning of Designated Protection Subdistricts

Under 12 M.R.S.A. § 685-A(8-A), the Commission may not adopt or amend a land use district boundary unless there is substantial evidence satisfying two criteria: first, that the proposed district is consistent with the standards for district boundaries in effect at the time, the Comprehensive Land Use Plan, and the purpose, intent, and provisions of the

governing chapter; and second, that the proposed district has "no undue adverse impact on existing uses or resources," or that a new designation is "more appropriate for the protection and management of existing uses and resources within the affected area." The statute places the obligation squarely on the Commission: it may not act without that substantial evidence. As the petitioner seeking the change, Haines is the party responsible for building a record that provides it. The application as submitted does not do so.

Rather than supplying the evidence the statute requires, the application consistently acknowledges significant environmental constraints, wildlife habitat conflicts, wetland uncertainties, threatened and endangered species concerns, phosphorus loading risks, and absent agency reviews, while deferring resolution of each to future permitting stages. Deferral is not evidence. The Commission cannot make the required finding of substantial evidence on the basis of promises to address problems later.

The applicant acknowledges that 37.1 of the 145 proposed acres are currently designated as Protection Subdistricts: 2.9 acres of P-WL2 (Wetland Protection), 4.6 acres of P-WL3 (Wetland Protection), 14.8 acres of PSL2 (Shoreland Protection), and 14.8 acres of P-SL1 (Shoreland Protection).

These protection classifications exist for compelling ecological and public safety reasons. Shoreland Protection districts (P-SL1 and P-SL2) safeguard the riparian buffer and littoral zone surrounding Beal Pond and its tributary streams, providing critical filtration of surface runoff, bank stabilization, temperature regulation for aquatic life, and protection of the scenic and recreational character of the waterway. Wetland Protection districts (P-WL2 and P-WL3) protect jurisdictional wetlands that provide floodwater retention, groundwater recharge, and habitat for waterfowl, amphibians, and other wildlife dependent on wetland systems.

The application also fails to recognize or address the P-GP (Great Pond Protection) subdistrict, the 250-foot shoreland buffer surrounding Beal Pond. A review of the concept plan reveals that seven of the proposed building lots are 85–100% within the P-GP zone, including partial roadways. This omission alone is a significant deficiency in the application's analysis.

The applicant dismisses the significance of this rezoning with a single paragraph (Section 11), stating that "no impacts are anticipated, other than the existing road crossings." This assertion is not credible. The Concept Plan (CP1.0) shows proposed residential lots in close proximity to or overlapping with these protected areas. Rezoning these lands from protective classifications to D-RS permanently removes the regulatory buffer that currently shields these resources. Once rezoned, the protections afforded by these subdistrict designations are effectively extinguished.

The Commission should require the applicant to demonstrate, with a fully delineated wetland survey and detailed site plan, that rezoning of protection subdistrict lands is necessary and that no viable alternative exists that avoids the conversion of these designated resources. The current application does not meet this burden.

II. Unresolved Wildlife Habitat and Endangered Species Concerns Require Mandatory Field Surveys Prior to Rezoning Approval

A. Significant Wildlife Habitat – Inland Waterfowl and Wading Bird Habitat

The Maine Department of Inland Fisheries and Wildlife (MDIFW), in its December 12, 2025 review letter submitted as part of the application (Section 26), expressly confirmed that this project intersects with an Inland Waterfowl and Wading Bird Habitat (IWWH), which is a Significant Wildlife Habitat protected under Maine's Natural Resources Protection Act (NRPA), 38 M.R.S. § 480-B(10). MDIFW's recommendation was unequivocal: "we would recommend that these resources be avoided entirely, including no clearing within the 250-foot upland zone extending from the wetland edge."

The applicant does note in Section 9(H) that a 500-foot-wide wildlife corridor is planned for the future subdivision phase, intended to connect Beal Pond with habitat features including the potential vernal pool, intermittent streams, and the retained forested land. That commitment is acknowledged. However, a corridor concept stated at the rezoning stage, without site-specific mapping, field surveys, or demonstration that it is compatible with the 37-lot layout, does not

satisfy MDIFW's recommendation. The applicant's response otherwise defers this concern to the future subdivision permitting stage. Rezoning the property to D-RS without first establishing that development is feasible while fully avoiding this Significant Wildlife Habitat creates a false premise. If IWWH buffers cannot be honored in the context of a 37-lot subdivision, the rezoning is not supportable. The Commission should require the applicant to demonstrate, through site specific mapping, that all proposed development activity falls entirely outside the IWWH wetland complex and its 250-foot upland buffer zone before approving any zone change.

B. State-Listed Endangered and Threatened Bat Species

MDIFW's letter identifies four state-listed bat species with likely occurrence in the project area: little brown bat (State Endangered), northern long-eared bat (State Endangered), eastern small-footed bat (State Threatened), and tri-colored bat (State Threatened). These species have experienced dramatic population declines due to white-nose syndrome, making the loss or disturbance of roosting and maternity habitat particularly consequential.

No acoustic surveys have been conducted within the project area to establish presence/absence of these species. The applicant's sole mitigation commitment, noted in Section 9(H), is a reference to restricting clearing to certain times of the year, acknowledging that MDIFW may require this. While that seasonal restriction is a legitimate standard practice, it does not substitute for a baseline acoustic survey at the rezoning stage. A rezoning decision that enables a 37-lot subdivision without a baseline acoustic survey creates regulatory and legal risk and does not satisfy the Commission's responsibility to protect threatened and endangered species.

The Commission should require bat acoustic surveys, conducted by qualified biologists following MDIFW's current survey protocol, before approving this zone change.

C. High-Elevation Stream Species – Roaring Brook Mayfly and Northern Spring Salamander

MDIFW's letter also identifies the Roaring Brook Mayfly (State Threatened) and the Northern Spring Salamander (State Special Concern) as species with potential occurrence in streams at or above 1,000 feet elevation. The applicant acknowledges that the subject property sits at elevations of 1,200+ feet above mean sea level, well within the zone of concern identified by MDIFW.

MDIFW recommends 250-foot intact riparian buffers along all mapped and unmapped streams as the minimum protective measure, with no new development or permanent habitat conversion within this zone. No stream surveys have been conducted to evaluate presence or absence of these species, and no buffer plan has been prepared or submitted. The concept plan (CP1.0) does not adequately depict all stream corridors, let alone demonstrate compliance with the recommended 250-foot riparian buffers.

D. Significant Vernal Pools

MDIFW notes that a comprehensive statewide inventory for Significant Vernal Pools has not been completed and acknowledges that absence from resource maps "is not necessarily indicative of an absence on the ground." The application references a "potential significant vernal pool" on the site but presents no survey data. MDIFW recommends that vernal pool surveys be conducted within the project boundary, and that results be submitted and verified by MDIFW before any permits are issued.

No such surveys have been submitted with this application. The Commission should require completion and MDIFW verification of vernal pool surveys prior to acting on this application.

E. Maine Natural Areas Program Caveat

The Maine Natural Areas Program (MNAP), in its November 24, 2025, response (Section 26), cautioned that its finding of no documented rare botanical features "may indicate minimal survey efforts rather than confirm the absence of rare botanical features," and recommended that a qualified field biologist conduct an on-site inventory. No such inventory has been performed. The Commission should require this survey as a condition of further review.

III. Beal Pond Water Quality Is at Serious Risk Without a Phosphorus Budget and Stormwater Assessment

Beal Pond is the principal natural resource at the heart of this development proposal, yet the application does not include any quantitative analysis of the phosphorus loading impacts that 37 new residential lots, each served by an individual septic system, would impose on the pond.

The applicant acknowledges in Section 9(K) that "a future subdivision proposal [will] be subject to management and mitigation of phosphorus in run-off as determined by Maine Stormwater Best Practices Manual – Volume II." This deferral is unacceptable at the rezoning stage. The State of Maine's lake watershed protection framework requires that phosphorus budgets and stormwater assessments be used to evaluate the carrying capacity of a lake watershed before development density is determined. A rezoning that commits the watershed to 37 lots without this foundational analysis puts Beal Pond at risk of irreversible water quality degradation, including eutrophication, algal blooms, loss of cold-water fisheries habitat, and reduction of the recreational value that is the primary rationale for the proposal itself.

Furthermore, the soil survey (Section 23) documents extensive areas of poorly drained and very poorly drained soils throughout the project area, including Monarda soils (Hydrologic Group D; water table 0 to 1.5 feet), Burnham soils (Hydrologic Group D; water table 0 to 0.5 feet), and Telos soils (Hydrologic Group D; water table 9 to 15 inches). These soils have very low permeability in the substratum (0.0 to 0.2 in/hr) and high surface runoff potential. At an elevation of 1,200+ feet, any improperly designed or failing septic system has a direct hydrological pathway to Beal Pond via surface runoff and shallow groundwater transport.

The Commission should require a Maine-compliant phosphorus impact assessment for Beal Pond's watershed as part of this rezoning application before any zone change is approved.

IV. Wetland Boundaries Have Not Been Properly Delineated – The Application Relies on Approximate Mapping

The applicant concedes in Section 9(L) that "approximate wetland boundaries are shown on the proposed maps" and that "more precise wetland delineation and mapping will be performed in conjunction with planning and design of a formal subdivision proposal." This admission is fundamentally incompatible with a rezoning application that purports to demonstrate that development is appropriate and that impacts to protected wetland resources will be minimal.

The Commission cannot meaningfully evaluate the suitability of this land for residential development, or the appropriateness of rezoning Protection Subdistricts, without an accurate and properly executed wetland delineation meeting Army Corps of Engineers and Maine DEP standards. Approximate boundaries are insufficient to determine:

- The actual extent of jurisdictional wetlands on the site.
- Whether proposed building envelopes truly avoid wetland impacts.
- Whether the stated goal of limiting wetland losses to under 10,000 square feet is achievable.
- Whether rezoning of P-WL2 and P-WL3 areas is justified.

The soil survey itself identifies hydric soil series (Monarda, Burnham) across substantial portions of the project area, indicating that wetland extent is likely greater than shown on the concept plan's approximate mapping. Approval of a zone change predicated on undefined wetland boundaries is premature and creates a significant risk of irreversible harm to wetland resources.

V. Critical Agency Reviews Remain Unanswered

The application (Sections 17, 18, and 19) discloses that, despite two written requests, neither NorthStar Emergency Services nor the Phillips Fire Department has provided a capacity or ability-to-serve response. The MSAD 58 School District has not responded, and the Phillips Transfer Station has not responded.

The proposed subdivision is located approximately 6.1 miles from Route 4, accessed via private gravel roads through rural, largely undeveloped terrain at elevations above 1,200 feet. This location presents real challenges for emergency response, particularly during winter months when snowbanks, ice, and road conditions may further impede access. The applicant's own submission notes that "turnouts are anticipated on a regular interval to allow traffic passage during winter months when snowbanks can creep in on the travel ways" – acknowledging that emergency access will be challenging.

The Commission should not approve a rezoning that enables 20 to 40 residential units in a remote location without confirmed capacity from the agencies responsible for emergency medical services and fire suppression. The absence of responses, despite two written attempts, is not equivalent to approval or concurrence. The Commission should ensure these agencies have an opportunity to supplement the record before any decision is rendered.

VI. The Application Fails to Disclose Direct Adjacency to P-FW 060098 – LUPC's Most Restrictive Land Use Designation

A review of the LUPC zoning map (sheet C2.1) reveals a significant gap in the application: the entire western boundary of the proposed rezone area directly abuts P-FW 060098, the Forest-Wildlife Protection Subdistrict. P-FW is LUPC's most restrictive land use designation, reserved specifically to protect large, ecologically intact forest blocks and wildlife movement corridors from fragmentation and development pressure. The application does not disclose or address this adjacency anywhere in its 26 sections.

A. Edge Effects and Habitat Fragmentation

The P-FW 060098 zone was designated because of its value as a contiguous, unfragmented forest block. Developing 37 residential lots on its immediate eastern border creates classic edge effects that degrade ecological integrity even when the P-FW boundary is not physically crossed. Increased human foot traffic and domestic predators (cats and dogs) directly suppress wildlife use of the adjacent forest margin. Artificial lighting from residences and roads disrupts nocturnal movement patterns critical to the four state-listed bat species already confirmed by MDIFW as likely occurring on this site — species that depend on dark, undisturbed foraging corridors between roost sites and wetland feeding areas. Noise and human disturbance during the nesting season directly affect the productivity of the Inland Waterfowl and Wading Bird Habitat confirmed within the rezone boundary. Invasive plant species, introduced through landscaping, fill material, foot traffic, colonize disturbed forest edges and degrade the structural integrity of habitat buffers. LUPC's own framework for P-FW designations recognizes that development pressure immediately adjacent to protected forest can undermine the very resources the designation is intended to safeguard. This is not a theoretical concern: residential development immediately bordering a designated wildlife protection block is, in itself, a documented impact on that resource.

B. Wildlife Corridor Severance

The Inland Waterfowl and Wading Bird Habitat (IWWH) wetland complex and the high-elevation stream corridors identified by MDIFW in its December 2025 review letter almost certainly constitute the ecological link between the P-FW 060098 forest block (to the west) and the wetland complexes within the rezone area. Placing 37 residential lots between the P-FW zone and these wetland-dependent habitats would effectively sever a wildlife movement corridor that LUPC and MDIFW have independently identified as significant. This is a textbook fragmentation scenario: protected forest on one side, developed residential lots on the other, with a confirmed Significant Wildlife Habitat corridor squeezed in between.

The application makes no attempt to map, analyze, or mitigate this fragmentation risk. The Commission cannot approve a zone change without understanding whether the IWWH and stream habitats within the rezone area can continue to function as a wildlife corridor given a residential development on their eastern edge and a P-FW protected forest block on their western edge.

C. Misrepresentation of the "Retained Land"

The applicant's concept plan (CP1.0) identifies "Retained Land Forestry Management 35.04 ac" as an apparent voluntary stewardship commitment, implying that the applicant is choosing to preserve forested land as a good-faith conservation measure. However, the location and acreage of this parcel are consistent with the PFW 060098 zone abutting the rezone boundary to the west. If this parcel carries P-FW classification, it cannot be developed under existing LUPC zoning regardless of what this application determines. The application does not disclose the underlying zoning designation of this parcel, which leaves the Commission unable to assess whether its retention represents a genuine conservation choice or a reflection of existing regulatory constraints. Clarification is required.

The Commission should require the applicant to:

- Identify the LUPC zoning designation of each component of the "Retained Land Forestry Management 35.04 ac" on CP1.0 and confirm whether any portion is subject to P-FW or any other Protection Subdistrict classification.
- Provide an edge-effect and habitat-fragmentation analysis documenting the impacts on P-FW 060098 from residential development on its immediate eastern border.
- Demonstrate that the proposed development will not sever the wildlife movement corridor linking the P-FW 060098 forest block to the Significant Wildlife Habitat (IWWH) confirmed by MDIFW within the rezone area.

VII. The Application Fails to Address Impacts on a State-Managed Fishery, Established Public Access, and the Principal Values of the Jurisdiction

A. *Beal Pond as a State-Managed Cold-Water Fishery*

Beal Pond is not simply a scenic amenity. It is an actively managed cold-water fishery. Under MDIFW's Special Fishing Laws, Beal Pond carries designations that restrict fishing to fly fishing only (FFO) and prohibit the use of motorboats — designations that reflect a deliberate state management decision to protect the pond's ecological character and the quality of the fishery it supports. MDIFW stocks the pond, investing state resources in maintaining a fishery that the public currently accesses and enjoys.

These designations exist because cold-water fisheries, overwhelmingly brook trout at elevations like Beal Pond's, are acutely sensitive to the very impacts this development would introduce. Brook trout require cold, well-oxygenated water with low phosphorus levels. Phosphorus loading from residential development, through septic system effluent, lawn fertilization, stormwater runoff, and shoreline clearing, raises water temperatures, promotes algal growth, and reduces dissolved oxygen. As discussed in Section III, the application defers all phosphorus analysis to the future subdivision stage. In the context of an active state managed brook trout fishery, that deferral is not merely a procedural inadequacy; it risks the irreversible degradation of a resource that MDIFW has actively invested in managing for the public benefit.

The application makes no mention of Beal Pond's MDIFW fishery classification, does not assess development impacts on the cold-water fishery, and does not consult with MDIFW's fisheries management division on what phosphorus loading thresholds the pond can tolerate. The Commission should require MDIFW fisheries staff to review the proposal specifically from the standpoint of cold-water fishery protection before any rezone decision is rendered.

B. *Public Access – A Voluntary Courtesy Without Legal Protection*

Mr. Haines currently allows the public carry-in boat launch access to Beal Pond, and the proposal states an intent to maintain this access as part of the open space plan. This gesture reflects genuine goodwill toward the broader community and is acknowledged accordingly.

However, the application provides no legal instrument, no conservation easement, no deed covenant running with the land, and no recorded right-of-way, that would guarantee this access survives the sale of 37 individual lots to future

private owners. Once lots are conveyed, each new owner holds independent property rights. A homeowner's association without binding conservation language has no legal obligation to maintain public access, and individual shorefront lot owners may lawfully restrict access to the launch or the corridor that serves it.

The Commission should require the applicant to identify the specific legal mechanism by which public carry-in access to Beal Pond will be permanently protected, prior to any rezone approval.

C. The Application's Core Contradiction: Marketing Remoteness While Eliminating It

Section 9(A) of the application describes the proposed development as providing "recreational opportunities close to the beaten path" with "a remote feeling body of water." Section 9(E) characterizes the area as "well suited for infill of moderate density subdivision." Section 16 commits to maintaining "the rural, low-density development pattern characteristic of Madrid Plantation."

These characterizations reveal an internal contradiction at the heart of the proposal. The applicant is seeking to market Beal Pond's remote, quiet, undeveloped character as the primary value proposition for 37 residential lots. But the development itself would eliminate the very qualities being marketed for current users and, ultimately, for the future lot owners as well.

Under 12 M.R.S. § 685-A, the Commission is required to ensure that proposed development has "no undue adverse impact on existing uses or resources" and that land use standards protect "significant natural, scenic and historic features where appropriate, beneficial and consistent with the comprehensive land use plan." The CLUP's Recreational Resources goal likewise directs the Commission to conserve "the natural resources that are fundamental to maintaining the recreational environment that enhances diverse, abundant recreational opportunities."

Beal Pond's current character, marked by quiet waters under special fishing protection, nesting waterfowl in MDIFW-confirmed Significant Wildlife Habitat, and the near-absence of light and noise pollution at elevation, constitutes exactly the kind of recreational and scenic resource value that the CLUP directs the Commission to protect. A rezoning that enables 37 lots, up to 15 or more of which would be positioned along or near the shorefront, would introduce a level of human activity, lighting, noise, domestic animals, and shoreline modification that would fundamentally and permanently alter the character that makes Beal Pond what it is today.

As a neighboring property owner who recreates in this area, we can attest that this is not a theoretical concern. It is the observable and predictable consequence of the proposed scale of development on a small, remote, high-elevation pond. The Commission has the authority and the responsibility under the CLUP and 12 M.R.S. § 685-A to weigh this impact before the gateway rezoning decision is made, not after.

VIII. Required Actions Prior to Any Zone Change or Development Decision

The unresolved issues identified above, including the rezoning of Protection Subdistricts, significant wildlife habitat impacts, threatened and endangered species concerns, lake water quality, deficient agency reviews, and the undisclosed adjacency to the P-FW 060098 Forest-Wildlife Protection Subdistrict, are collectively sufficient to warrant denial of this application in its current form or, at minimum, to require that the Commission hold the application open pending submission of the additional information and analyses described herein. We submit these written comments for the Commission's consideration and for the record of this application.

A zone change to D-RS is effectively irreversible in practical terms. Once granted, it will enable the subdivision and development of land surrounding Beal Pond that is currently managed as forest and partially protected under LUPC's own zoning framework. The natural, recreational, and ecological character of Beal Pond and its watershed, the very qualities the applicant hopes to market to future lot buyers, depend on the integrity of the protections now in place.

We respectfully urge the Commission to require the following before rendering any decision towards rezoning or development activities on this application:

1. Require a full, field-verified wetland delineation.

2. Require completion and MDIFW-verified submission of vernal pool surveys, bat acoustic surveys, and high-elevation stream species surveys.
3. Require a quantitative phosphorus impact assessment for Beal Pond's watershed.
4. Require written capacity and ability-to-serve responses from NorthStar Emergency Services and Phillips Fire Department.
5. Require the applicant to demonstrate that no rezoning of Protection Subdistrict lands is necessary to achieve the proposed development concept, and to consider whether a partial rezone limited to the 107.9 M-GN acres would adequately serve the applicant's stated objectives while preserving existing protective designations.
6. Require the applicant to identify the LUPC zoning designation of the "Retained Land Forestry Management 35.04 ac" on the concept plan (CPI.0) and confirm whether any portion of that land is subject to P-FW 060098 or any other LUPC Protection Subdistrict classification that restricts development.
7. Require the applicant to assess and disclose the edge-effect and habitat-fragmentation impacts on the adjacent P-FW 060098 (Forest-Wildlife Protection) Subdistrict, and to demonstrate that the proposed development will not sever the ecological corridor linking P-FW 060098 to the Significant Wildlife Habitat (IWWH) confirmed by MDIFW within the rezone area.

IX. In Conclusion

We recognize that Mr. Haines has invested considerable resources in this application and has a legitimate interest in the future use of his land. Again, these comments are not submitted to prevent Mr. Haines from realizing any benefit from his land. They are submitted because the application, as currently structured, asks the Commission to make a permanent and irreversible decision without the information necessary to make the decision responsibly.

Other than the currently established protected zoning, the majority of the 145-acre parcel is already zoned M-GN. Thus, ultimately, the proposal is asking to disregard the LUPC's determination of the original zoning and approval of the proposal only opens the door for the rest of the state's natural resources to re-zoning under the same basis.

As we have been made aware, other interested parties have commented on this proposal in opposition and we too have a long history, four generations, of stewardship with the pond and the land that surrounds it. We agree there is a significant lack of justification for this proposal beyond what can only be surmised as personal financial gains and not in the best interest of the land, the pond, the natural resources, or the people that use them.

Measured against the governing statutory standard, the application fails both criteria of 12 M.R.S.A. § 685-A(8-A). On the first criterion, the proposal is inconsistent with the Comprehensive Land Use Plan and the purpose of the Commission's own protective subdistrict framework, as detailed throughout these comments. On the second criterion, the record does not contain the substantial evidence the statute requires — either that the rezoning will produce no undue adverse impact on existing uses and resources, or that a D-RS designation is a more appropriate vehicle for protecting and managing those resources. Every unresolved issue identified in these comments — the undelineated wetlands, the absent wildlife surveys, the deferred phosphorus analysis, the undisclosed P-FW adjacency, the unanswered emergency services inquiries — represents a gap in that required showing. The Commission cannot make the necessary finding on the basis of promises to address problems later. The burden must be met now, at the rezoning decision, before the irreversible gateway is opened.

We thank the Commission for its consideration of these comments and for its continued commitment to the careful stewardship of Maine's unorganized territories.

Respectfully,

X Mathew P. Bickford
Mathew P. Bickford (May 7, 2026 06:09:26 EDT)

Mathew Bickford
83 McLaughlin Rd, Wilton, ME 04294

X Rick Whinery
Rick Whinery (May 7, 2026 08:57:29 CDT)

Rick Whinery
17419 W Lake Rose Ct., Cypress, TX 77429

X rmRandy Whinerywhinery@gmail.com
rmRandy Whinerywhinery@gmail.com (May 9, 2026 09:31:24 EDT)

Randy Whinery
418 Main Road, North Hampden, ME 04444

X Lloyd Griscom
Lloyd Griscom (May 7, 2026 11:25:44 CDT)

Lloyd Griscom
658 E Madrid Road, Madrid Township, ME 0496...

From: [Jonathan Andrews](#)
To: [Gaffney, Heidi](#)
Subject: ZP-806 - supplemental comments and request for public hearing
Date: Monday, May 11, 2026 11:23:37 AM
Attachments: [ZP-806.Supplemental Comments.Andrews.pdf](#)
[ZP-806.Hearing Request.Andrews.pdf](#)

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Gaffney,

Thank you for accepting my recent comments opposing the zoning change proposed in ZP-806. After submitting them, I realized that I had only commented on one of the 2 D-RS zones referenced in the petition. Attached is a brief supplemental comment acknowledging the second D-RS zone and tying it to my original comments.

Also attached is a letter formally requesting a public hearing.

Please confirm receipt of these submissions and please let me know if you need any additional information or format changes to include them in the record.

Thank you again for your time and consideration.

Sincerely,

Jonathan P. Andrews

171B Great Rd.
Littleton, MA 01460

Jandrews.nv@gmail.com

(978) 857 - 8337

Jonathan Andrews
171 B Great Rd.
Littleton, MA 01460

Jandrews.nv@gmail.com
(978) 857-8337

Date: May 11, 2026

Maine Land Use Planning Commission
22 State House Station
Augusta, ME 04333

Subject: Supplemental Clarification Regarding Nearby D-RS Zoning — Zoning Petition ZP-806

Dear Commissioners:

After submitting my written comments regarding Zoning Petition ZP-806, I noted that, in addition to the Reeds D-RS area that I referenced, there is an additional existing D-RS zoned area located within approximately one mile of portions of the subject parcel by straight-line measurement. This second D-RS zone is located along E. Madrid Rd. and is approximately five miles from the subject parcel by road. The E. Madrid Rd. D-RS zone serves a distinct corridor and does not share common road access, development patterns, or topographic connections with the Beal Pond parcel, further illustrating that the subject area remains a low-density and largely undeveloped landscape distinct from existing D-RS development patterns.

Similar to the Reeds area, this D-RS zone is separated from the subject parcel by substantially forested and undeveloped terrain and does not appear to form part of a continuous or integrated pattern of residential development associated with the Beal Pond shoreline and the surrounding forested land. Road access and development patterns remain functionally distinct.

Accordingly, this additional D-RS area does not alter the conclusion that the proposed rezoning is inconsistent with the Commission's adjacency principles and would represent an extension of residential zoning into a historically low-density and largely undeveloped landscape.

Respectfully submitted,



Jonathan P. Andrews

Jonathan Andrews
171 B Great Rd.
Littleton, MA 01460

Jandrews.nv@gmail.com
(978) 857-8337

Date: May 11, 2026

Maine Land Use Planning Commission
22 State House Station
Augusta, ME 04333

Subject: Request for Public Hearing — Zoning Petition ZP-806

Dear Commissioners:

I respectfully request that the Commission hold a public hearing regarding Zoning Petition ZP-806.

Based on my review of the petition materials, supporting documents, and public comments submitted to date, I believe the proposed rezoning raises substantial questions regarding adjacency, development patterns, infrastructure, protected resources, and consistency with the Commission's Comprehensive Land Use Plan.

In addition, the petition has generated substantial interest and concern among nearby property owners and long-term users of the Beal Pond area. A public hearing would provide an appropriate opportunity for the Commission to further evaluate the factual, environmental, and land use issues associated with the proposed rezoning and to develop a more complete public record.

Thank you for your consideration of this request.

Respectfully submitted,



Jonathan P. Andrews

From: [Sue And Rick Whinery](#)
To: [Gaffney, Heidi](#)
Cc: [Mathew Bickford](#); [Randy Whinery](#); [lloyd griscom](#); [Jonathan Andrews](#)
Subject: Rezoning Proposal ZP 806
Date: Sunday, May 10, 2026 4:04:43 PM

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Heidi,

In addition to the formal rebuttal document signed by Bickford, Griscom and Whinery submitted to you yesterday, I would like to request a formal hearing on the matter. Please advise the date, time and location.

Regards,

Rick Whinery
rswhinery@comcast.net
713-882-7048
Sent from my iPhone

From: [Randy Whinery](#)
To: [Gaffney, Heidi](#)
Subject: Rezoning Proposal ZP 806
Date: Wednesday, May 13, 2026 3:08:50 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Heidi,

In addition to our formal rebuttal document signed by Bickford, Griscom and Whinery submitted to you on May 9, 2026, I would like to request a formal hearing.

Regards,

Randy Whinery
rmwhinery@gmail.com
418 Main Road North
Hampden, Maine 04444
207-745-6447

From: [RICK WHINERY](#)
To: [Gaffney, Heidi](#)
Cc: lloyd.griscom@gmail.com
Subject: Rezoning Application ZP 806
Date: Friday, May 15, 2026 11:37:20 AM

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Heidi,

To further explain the importance of maintaining a public access at the southeast end of Beal Pond, I have the following:

The Whinery / Bickford camps on the pond have several family members that have used the public access/landing for quite some time now. These are people that have canoes/kayaks yet do not have the 4 wheel drive or high clearance vehicle means to get them to our land over our access road to be able to launch. By quite some time, I'm referring to at least 25 to 30 years or more. I have a nephew and his son who use the public access to be able to come to our camp.

As can be seen from Lloyd Griscom's photos, there are quite a few people who leave their canoes in the public access area. If the access is blocked off, not only are fly fishing enthusiasts denied entry to the pond but also the Maine Dept of Inland Fisheries and Wildlife fish stocking program.

Regards,

Rick Whinery

From: loyd_griscom
To: Gaffney, Heidi
Cc: [RICK WHINERY](mailto:RICK_WHINERY); Rufus44@aol.com; Hediger, David
Subject: Dark sky Madrid
Date: Saturday, May 16, 2026 8:10:43 PM

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Hello Heidi,

Madrid, Maine, offers exceptionally pristine night skies, featuring a Bortle Scale rating of 2, meaning it acts as a "typical truly dark site" with minimal light pollution. [[1](#), [2](#), [3](#), [4](#)]
It seems that rezoning to allow 37 camps or houses around Beal Pond might diminish our dark sky high quality? Will the rezoning cause

"no undue adverse impact on existing uses or resources," or
that a new designation is "more appropriate for the protection and management of existing uses and resources within the affected area."

Thank you and best regards
Lloyd

From: loyd.griscom
To: Gaffney, Heidi
Subject: Re: Dark sky Madrid - Rezoning Application ZP 806
Date: Sunday, May 17, 2026 9:31:26 AM

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On Sat, May 16, 2026 at 8:10 PM lloyd.griscom <loyd.griscom@gmail.com> wrote:

Hello Heidi,

Madrid, Maine, offers exceptionally pristine night skies, featuring a Bortle Scale rating of 2, meaning it acts as a "typical truly dark site" with minimal light pollution. [[1](#), [2](#), [3](#), [4](#)]

It seems that rezoning to allow 37 camps or houses around Beal Pond might diminish our dark sky high quality? Will the rezoning cause "no undue adverse impact on existing uses or resources," or that a new designation is "more appropriate for the protection and management of existing uses and resources within the affected area."

Thank you and best regards

Lloyd

From: [Sheryl Mosher](#)
To: [Gaffney, Heidi](#)
Subject: regarding the proposed zoning change for Beal Pond Madrid Maine
Date: Thursday, May 28, 2026 2:35:09 PM
Attachments: [doc01272020260528141809.pdf](#)

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Sheryl Mosher, Realtor

Allied Realty
915 US Route 2 East
Wilton ME 04294
207-312-4054
smosher@alliedrealty.net
www.AlliedRealty.net



"Emails sent or received shall neither constitute acceptance of conducting transactions via electronic means nor shall create a binding contract in the absence of a fully signed written agreement".

May 15,2026

To Whom it may Concern:

Despite what is written in the application, this isn't a lake, but a small mud bottom trout pond. The state website says Beal Pond is 17 feet at the deepest point. The pond is so shallow with rocks just under the surface, motor boats are not used. Being mud bottomed, it isn't a swimming destination for most. The runoff into the pond from Mr. Haynes's huge development would be detrimental.

Changing the zoning from strict natural resource management to residential development would allow more intense development. These developments would need septic systems whose leach fields due to the lay of the land would drain toward the pond. This pertains especially to the lots on the edge of the pond and all the lots between Beal Pond and what is being called Beal Pond road.

We would like to have a public hearing so other concerned people will have a voice.

This zoning change should be denied!

Not a very great area for a residential housing development. So far from schools, hospitals, doctors, dentists, shopping and not much prospect of jobs. The roads are dirt and not easily traversed year round.

It should also be noted that the Haines don't always follow the law. The camp that is on the small triangular lot was built illegally. No permit, no proper set backs and quite a bit larger than the old one that had fallen completely down. With no one to check on them, they do whatever they want.

Sincerely, Sheryl Mosher,



I am one owner of a camp on the pond and adjacent land owner.