

## **Community Guided Planning and Zoning in the Washington County Unorganized Territories First Round of Community Meetings**

### **Dennysville – October 20, 2015**

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Please also see the Powerpoint presentation provided at each community meeting held in Alexander, Dennysville and Brookton in October, 2015.

These notes also accompany the audience-polling summary for the 3 community meetings.

Both are posted at <http://www.wccog.net/community-outreach.htm>

### **Introductions**

#### **Audience Polling questions:**

**1. Gender**

**2. Age**

- 63% over 65

**3. Residency**

- 63% fulltime residents in UT

**4. Land Ownership**

- 82% own land and live there

**5. Interest in UT planning**

- 56% other

#### **#5 Comments**

- This is my home – that's why I am here – its where I live
- I have a summer camp – its not really recreation it is my home
- I am interested for people to work together with natural resources – my interest is not divided into sectors
- 4<sup>th</sup> generation in home; I don't want wind turbines
- Fishing – Chip...Lakes – many people depend on sports and without clean water the fishing will be impacted
- Clear cutting with Forestry and animals losing habitat
- So many of these areas are related and connected – there are competing interests between the sectors
- Given the age distribution of the audience this is the interests of a particular age group – how are you going to get input from other age groups?
- J: Try and get input from younger folks from the on-line survey. Sent letters to every landowner. Suggestions?
- C: Go to high schools for input
- C: As a teacher from Edmonds – use school newsletters and work with principals; there is a parent population that could be good to talk with; give us your opinion;
- C: Facebook page for project

- C: Work with UUM and WCCC as an access point
- C: “No one in Forest City got a letter. Some how some people got missed.”
- J: Commented on how letter was sent and how extensive the communication was.
- C: Will be we talking about business interests in the UT?
- J: Yes

## 6. Affiliation/Interest

- 88% interested citizens

### How did we get here?

- J: Presentation – see slides and handouts
- J: GIS explanation as resource that will be used for this planning project; not just the map, they are useful but it is the data behind the maps that is the most powerful; the analysis behind the picture is important.
- J: draft maps and recommendations will come back to public in 2016
- C: At the end of process there will be a land use plan for the UT’s – will it be mandates or suggestions?
- J: Once the prospective zoning is approved by the LUPC they will be the zones for the Washington County UTs
- C: Is it your task to set up expedited development zones in the UT? If I want a waste plant I will know where I can go?
- J: We are looking at the existing zones and proposing new ones according to the rules followed by the LUPC; this is not the same as expedited review; the decisions in this process will be to expand residential, commercial and business development in the county.
- H: Rural business development district
- J: In Aroostook County they came up with a new district (Rural business development) and defined where it would apply
- H: In Aroostook County they spent time talking about land use issues, economic development and population issues and what to focus on. Over time they realized most economic development starts as home based business; in the existing General Management District these businesses may pre-exist but there on limits on how much a business can grow; came up with a hybrid: in areas that are not specifically zoned for commercial use the RBD zone option to allow these small rural businesses – they need a permit but not a zone change; they also have the advantage of not having to meet the adjacency standards
- C: In expediting – local people have been cut out of the discussion. If it can be done with wind it can be done with anything. Is the UT being divided up into different areas for expedited zones?
- H: The legislature decided wind was a desired use in the 2008 Wind Energy Act. This Act overrode zoning In the UT ...there has not been any mechanism for the local community to be part of the process. This Community Guided Planning and Zoning process will allow more specificity about what can go into a zone. It is not intended to be single use like in the Wind Energy Act; rather it gives the community the opportunity to extend existing zones or establish new ones in areas appropriate for growth.
- C: It will be imposed by LUPC?

- J: No this process is soliciting input from people in order to come up with these zones and plans.
- C: By designating areas for industry are they automatically allowed to land in those areas?
- J: There is still a permit review process. EX: This area where we are this evening – if it were in the UT: it is close to the sunrise trail and could be changed to a commercial recreation area because of what else is here. Such a district could allow a convenience store, gas station, hotel....In another area you would also look at what existing development, services or infrastructure is there; then propose allowing compatible growth and development to happen into the future.
- J: Another example is Baring: it has on Route 1 going through, it is in between 2 industrial parks, close to the international border, there are ample areas for commercial opportunity.
- C: Lets say the people say Baring is the place to do this. Will they then have expedited review?
- J: Expedited review is a term created by the Wind Energy Act of 2008 – it has nothing to do with what we are doing here tonight. We are not proposing expedited review.
- C: Baring – to do anything commercial there – you have to go back to get permitting. Once it is zoned commercial; every single time you change the use you need a permit
- C: Knock on Wood – made fudge in store; wants to expand to bakery; if we want to provide a place for people to eat we need to get reapply as commercial.  
J: There is a difference between a change on the zone and the need for a permit within a zone; the purpose of this process is to look ahead and decide on new or expanded zones where they are appropriate and then you only need a permit not also a zone change
- H: Confusion between the zoning process and permitting process. We are talking about zoning here. In the General Management Zone property owners are allowed to do forestry, agriculture and have a single family residence – these are allowed uses but they still need permit. If you need to make change to the building you need a permit. If it is commercial – gas station for number of years and then decide you want to have a restaurant – you need a change of use permit to reassess impact – you do not need to rezone. The zoning and permitting are getting mixed together
- C: There needs to be designated areas
- C: Concerned about the number of existing cottage industries – will they be in trouble under new regulations?
- J: Existing businesses would be grandfathered
- J: To answer Candy's question – General Management Zones were established back in the 70's; there may have been existing business in the General Management Zone; when you want to change the business you need to get a zoning change to commercial; even if you were in a Commercial District if you change the commercial use you have to get a permit because there can be different impacts from different types of commercial uses
- C: the application is huge and difficult process
- H: happy to talk about the process; this planning process will help define areas more clearly going forwarding

- C: Biggest problem: we need a clear path about what is possible. My hope is that we do not have to rezone every time.
- J: Clarify where the lines for different zones need to be redrawn for the future. The point of this exercise to have local information and decision-making.
- C: Will there be a (UT) town by town process?
- J: There are 33 UT's – not possible to do this separately for each one; if you look at the map – we have defined 4 subregions; in several areas we are not going to spend a lot of time; the places where we will spend time on very specific map changes are where there are the greatest number of people: In Baring, Grand Lake Stream, Edmunds, Berry, Marion, Trescott. There will be an opportunity to review what is proposed. (change the map shading and include Baring in one of the 4 sub-regions)
- C: Towns and cities that have comprehensive plans that are guiding the town; is this planning rigid?
- J: A comprehensive plan is advisory, yes; but the future land use map in a Comprehensive Plan does legally direct where zones in an ordinance will be placed; many towns in rural Maine (Washington County not an exception) do not go to the 2<sup>nd</sup> step of creating/adopting a zoning ordinance; BUT this process for the UT will define zoning districts
- C: Can the zone districts be appealed?
- J: Yes – there is always an appeal process and this is an ongoing process. There will still be places where there will be rezoning requests. Purpose of this is to get ahead of those many dispersed decision and decide/define where we want to go in the future.

## **7. Benefits to UT**

- Land base – 76% for very important
- Quiet remote lifestyle – 81% very important
- Critical habitat – 85% very important
- Resource extraction –(Commercial resource activity)
- Residential growth – somewhat less important

## **Judy reviewed Anticipated Products slides**

- C: what about critical habitats like clamming?
- J: Yes critical habitats are included as are shellfish resources
- C: are scenic areas included in GIS?
- J: Could be; WCCOG completed a Scenic Inventory in 2010 for coastal Washington County, not in the interior; approach we took is scenic from a public place (overlooks, roads, pull outs)

## **8. Focus areas - resilience to extreme weather**

- Infrastructure – 65% very important
- C: Very concerned about Marion Station Road – washout took it out – no one fixes it because it is an ATV access road
- Landowner training – responses were more mixed
- What are some examples of Land use restrictions?

- J: increased setbacks, restricting construction in flood plains, avoiding steep slopes, limiting commercial development on poor soil
- What are some examples of Land conservation?
- J: an area that always floods but is still available for residential do you work to have it conserved; inland migration of salt marshes with sea level rise so you conserve areas to allow those wetlands to migrate and continue to provide flood control;
- What are some examples of Land management?
- J: in forestry or agriculture – additional buffer areas around rivers; proper buffers, road location, culvert size, fencing cows from crossing over rivers

#### **Judy on 4 F's and Economic Development**

- Rural business development district – in developing this the group in Aroostook County came up with criteria for which UT townships where the RBD zone could be used including whether there was a road and other criteria
- C: Pretty clear we are going towards rezoning and clarity – what do you mean by growth or development – for us or for Cianbro?
- J: We mean growth for people here now. These questions are to get input from those who live here on the scope and scale of future growth and under what conditions

#### **9. Future Development**

- Shellfish and septic systems – 89% very important
- C: doesn't this indicate the need for enforcement?
- J: it can and does and it can also lead to investment; the Small Community Grant Program to provide resources to help income eligible households replace failing septic systems near clam sites; in the UT there is a TIF; shellfish resources contribute to economy development; direct money to replace these systems; maybe a policy with financial assistance is a priority?
- C: 11 issues – there could be 50 questions around growth and development – how did you pick these 11?
- J: the 4 F's; growth and development for WC; survey was sent to the Process Cmt and revised; and the last three open-ended questions ask respondents to identify what we missed
- Please explain what you mean by Consistent Forestry regulations –
- C; What does this mean
- J: Travis?
- Travis: Three different sets of regulations across Maine; for someone who owns woodlots it would be nice to have the process more consistent; there are questions about where you go and what rules you have to use. Can be different across town boundaries and adds a burden to large land holders
- **Residential development were services close by – mixed/because of question**
- C: is the focus on where?
- C: the verb should be Encourage rather than Increase
- J: Yes the focus on where; perhaps should have said “allow” and not “increase”

- C: With an aging population we could think about them in their home but near services; but in areas close to stores and services.
- C: Does this mean everyone needs to move to Bangor?
- J: No; some may choose to move to more urban centers but there is still complete freedom of choice
- C: Geriatric care in urban high rises
- **Increase residential where ever proposed - not very important**
- C: Theses questions assume that if they build it they will come; rather we are saying if they want to build will we encourage them to build in certain places
- C: is there a need to decide this where to build?
- J: Yes, the product is prospective zoning, we will be putting lines on the map that say this is where we will grow in the future; these questions are providing direction to those decision
- C: who is doing the building – developer or private home?
- J: wherever and whoever
- C: or it could be someone who wants to divide their property for their children
- **Increase commercial/industrial – important**
- C: What is a transportation corridor?
- J: Think any significant corridor: Route 1, 9, the 190s going north south
- C: Also 190 and the port of Eastport
- J: yes and the other smaller ports
- **Identify locations for Commercial - important**
- C: How far ahead are we planning for
- J: 5 to 10 years is most common; can require update if significant change occurs (large business failure and/or location)
- **Explore mineral extraction opportunities – not very important**
- J: As noted in the Alexander meeting: what minerals we have are known
- C: is commercial water extraction considered mineral extraction?
- J: No
- **Critical habitats – 87% very important**
- **Wildlife/fish passage – 63% very important**
- C: what about hydro use of dams?
- J: yes fish passage accommodation on existing or proposed hydro dams is a consideration
- C: does this apply to roadways?
- J: yes – where wildlife corridors intersect with roads; also culverts and bridges
- C: we created corridors that helped some species but not others
- **Continued public access to water and land – 81% very important**

## 10. Competing interests

- No comments

## 11. Land use with most positive impact – audience comments

- C: people living near services; WC will be losing population; things like medical and other services need to be thought about.
- C: getting broadband to more people would be positive

## **12. Topics/concerns to be aware of – comments from audience**

- Wind farm in backyard
- Access to personal property off Marion Station Road on Second Gardner Lake
- Wind energy and renewable as positive and interest when going right next to me – I want to have a say
- Who is benefiting from wind power? Massachusetts and the companies.
- Wind power is not viable. The only reason they are doing them is because they are getting subsidies.
- Judy - How much can this process influence the expedited review of wind development?
- C: A wind turbine farm causes massive destruction of wildlife habitat
- HUGH – as stated by the legislature in the Wind Energy Act, there is a policy preference for wind development and in identified places in state. To change that policy the change needs to go back to the legislature. You could form a group to try and amend the law. Prospective Zoning that we are developing is mostly designed for economic development and land use. As far as changing LUPC rules there is limited opportunity to change any laws. There is a process to petition the removal of land from the designated areas by the state. If discussions through this process can be helpful
- C: what process should a small group of people follow to have an infrastructure problem addressed?
- J: Talk to Heron as the Interim Supervisor of the UT
- C: I just want to say something about the expediting process – group working in Trescott on getting off the speedy permitting process – trying to get to the earlier process before; Marion and Trescott expedited – Trescott organizing a petition drive; if no one objects to getting off the list then we will get off – want it done by the first of the year – if other townships are interested about process we will be glad to help.
- C: when these lines are drawn and in Marion for commercial development and we do not want commercial development there will we have recourse. What is participation?
- J: Coming to meetings, staying involved on line. At each stage there is opportunity for input. LUPC will ask if people were involved and if it was a fair process.
- C: in this process – will the township have the ability to review/deny permits?
- J: No, In the UT land use is administered through LUPC. Trescott on its own will not have its own review authority.
- C: Will you send out another mailing for the June 2016 meetings when the draft maps are ready?
- J: No, we don't have the resources to do another 2000 household mailing; all the other meetings will be in newspapers and if you want to get notice you're your name on the email list.
- C: Put the notice in the Houlton Pioneer Times

- C: Positive impact – the changes that will have positive impact – where the benefits accrue locally – commercial things that bring outside companies are NOT what we need because they simply extract resources and do not benefit.
- C: Resources are extracted and the least money is left here; I was impressed that recreation on PEI is almost all cottage industry – organized tourist places and get info on all kinds of information about area – a place supported by small business and government support – it defined tourism as a business.
- C: Bold Coast Highway is key to this strategy – what do we have to expand this – The Bold Coast group is still meeting.
- C: Can we make it a criteria of plan to limit wind power development to certain areas:
- J: I don't know – what will evolve will help us understand what we can say about that. Not sure if the authority is there – the zoning authority in the UT is trumped by the expedited rule.
- C: Why did they changed the rules in WC for wind power
- J: the change that took place is the change in rules for wind power and expedited review.
- Hugh – the wind energy permitting process was taken out of LUPC and given to DEP.
- C: When it was in LURC public comment was permitted
- C: one thing can be done – the importance of identifying the key scenic and recreational areas that are incompatible with wind energy. Where are there are conflicts we can address them in this process.
- J: this process is not a vehicle to convey concerns to DEP – I cannot do the advocacy for one set of interests with one perspective on the issue
- C: Time frame for the next public meetings.