

# ZONING PETITION

## for Petitions to Rezone to Most Subdistricts

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### WHO MAY USE THIS PETITION?

Any state or federal agency, any county or municipal governing body, or the property owner or lessee may petition the Land Use Planning Commission (Commission or the LUPC) for the adoption or amendment of land use subdistrict boundaries. In certain instances, a prospective owner or lessee may petition for a rezoning, as well.

This Zoning Petition form may be used for most rezonings, *except*: petitions to rezone to, or amend a, Resource Plan Protection (P-RP) Subdistrict, whether for a concept plan or a resource plan, requires use of a different form.

### WHEN IS A ZONING PETITION NECESSARY?

A zoning petition is required when someone seeks to change the zoning (land use subdistrict) of an area in the Commission's jurisdiction. Rezoning is usually proposed by landowners who wish to use their land in a manner that is not allowed in the existing land use subdistrict. Most commonly, landowner-initiated zoning petitions propose to rezone land to one of several development subdistricts. For further details on the Commission's land use subdistricts and standards, refer to Chapter 10 of the Commission's Rules, [Land Use Districts and Standards](#).

### IS THIS THE ONLY APPROVAL I WILL NEED FOR MY PROJECT?

If your project requires the land to be rezoned, then the development will require a two-step approval process: (1) rezoning approval, followed by (2) permit review and approval (e.g., development, subdivision, or Site Location of Development (Site Law) permit). At the zoning petition pre-application meeting, staff can discuss the advantages and disadvantages of submitting the zoning petition and permit application consecutively, in a two-step process, or simultaneously. The applicant, however, ultimately decides whether a consecutive or simultaneous application process best fits its goals and timeline.

### REQUIRED PRE-APPLICATION MEETING

A pre-application meeting with LUPC staff is required prior to submission of a zoning petition. Staff can help you understand the applicable submission requirements and Commission review process. A pre-application meeting typically involves the petitioner, the petitioner's project manager or consultant(s) (if any), and members of the LUPC permitting and/or planning staff. A pre-application meeting is critical because it:

- Encourages information exchange about the proposed rezoning early in the planning stages so the petitioner is best positioned to submit a proposal that meets its objectives and satisfies the Commission's review standards;
- Helps the petitioner understand the rezoning process and the petitioner's responsibilities in this process;
- Helps the petitioner understand the site review process so that the petitioner may structure the rezoning proposal to best accommodate the planned development or use.

#### Suggested materials to bring to the pre-application meeting:

- This form (*NOTE: while this form does not need to be completed prior to the pre-application meeting, please review the form in order to help identify any questions you may have*);
- Topographic map, or current LUPC zoning map, showing the location of the area proposed for rezoning;
- Brief project description, including the petitioner's general goals regarding type and amount of development (e.g., residential [number and types of residential lots and/or units]; commercial/industrial [nature of use and approximate square footage]; etc.); and
- A Commission Land Use Guidance Map for the area.

#### Suggested topics for discussion during the pre-application meeting:

- Whether the intended uses are allowed within the proposed subdistrict;
- The review standards the Commission applies when evaluating all zoning petitions;
- If rezoning to a Development Subdistrict is proposed, the extent and nature of any existing development near the area proposed for rezoning;
- Whether development review by DEP may be required and a pre-application meeting with that agency is advisable; and
- Any other questions you may have regarding this form and the rezoning process.

NOTE: The Commission (and not staff) ultimately decides whether to approve or disapprove zoning petitions. A pre-application meeting does not involve substantive review. However, as noted above, the pre-application meeting will be valuable to you and facilitate a timely review process. Call the [LUPC office that serves your area](#) to schedule an appointment.

## Pre-application Meeting with the Commission:

In some cases, a petition to rezone may be complex or present a unique set of factors not previously considered by the Commission. In these instances, a pre-application meeting with the Commission may be helpful to the prospective petitioner in developing the zoning petition. A pre-application meeting with the Commission is an opportunity for the prospective petitioner to describe the proposal and for individual Commissioners to ask questions and identify potential issues that the petitioner may choose to address in the zoning petition. A pre-application meeting, however, is informal in that the Commission makes no formal findings-of-fact or conclusions. Additionally, no formal vote or action is taken during a pre-application meeting. If you have met with staff for a pre-application meeting and/or participated in a site visit with staff, and you believe a pre-application with the Commission would be beneficial, contact the [LUPC office that serves your area](#) to discuss coordinating a pre-application meeting with the Commission.

## BEFORE YOU BEGIN...

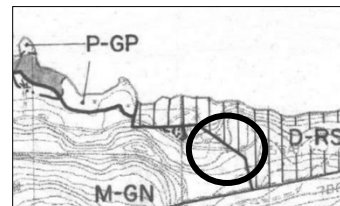
There are some important questions that you should consider before spending time or resources preparing a zoning petition. These questions will be discussed at the pre-application meeting:

- **What is the current zoning of the project area?**

You may obtain a full-size copy of a LUPC Land Use Guidance Map free of charge for the township, town or plantation in which your property is located by contacting the LUPC. Locate your property on the map and identify all the subdistricts (zones) that apply to your lot. *For instance, the circled area on this LUPC map includes two subdistricts: General Management (M-GN) and Residential Development (D-RS).*

If your proposal is located in a prospectively zoned area as listed in Section 10.08.C of the Commission's Rules, contact the [LUPC office that serves your area](#) prior to completing this zoning petition form.

The LUPC's subdistricts can also be viewed on the Commission's Zoning and Parcel Viewer, at [http://mapserver.maine.gov/conservation/lupc\\_master.php](http://mapserver.maine.gov/conservation/lupc_master.php).



- **Are soil conditions within the area proposed for rezoning suitable for development?**

The soil scientist whom you hire to map soils on your property can advise you about whether the soils are suitable for the type of development you envision. Please note that several exhibits (including the soil suitability analysis and phosphorus control) require information that must be provided by a soil scientist. You may save time and expense if you discuss these requirements with your soil scientist *prior to* soils mapping.

## Does your petition propose a Development Subdistrict?

- **Is the area proposed for rezoning near development that is comparable in nature and scale to the use(s) proposed?**

There can be negative impacts of inappropriately located development. These impacts include the loss or reduction of productive forest land, conflicts between incompatible uses, degradation of natural and scenic resources, loss of recreational opportunities, ineffective economic development / negative impacts to the economy, and negative fiscal impacts on communities and taxpayers. To avoid these impacts, the Commission promotes orderly growth adjacent to existing developed areas, particularly near organized towns and established settlements. The principle that new development should be located near existing development is referred to as the "adjacency" principle, and the Commission has generally interpreted adjacency to mean that most rezoning for development should be no more than one mile by road from existing, compatible development, i.e., existing development of similar type, use, scale, and intensity to that being proposed.

It is recommended that you evaluate your property to determine whether it is within a mile of development that is comparable to what you propose and discuss the proximity of compatible development with the LUPC staff at the pre-application meeting. Also see item 13 of the zoning petition form.

- **If the rezoning is for a subdivision, are you aware of the LUPC's requirements regarding subdivision layout and design?**

The Commission requires that subdivisions be designed to "harmoniously fit into the natural environment" and "cause no undue adverse impact on existing surrounding uses." Well-planned projects that apply an integrated planning approach – ones which conserve natural resources, protect sensitive resources, preserve undeveloped open space, and are otherwise well sited – have the greatest potential of providing harmonious, compatible development in accordance with the Commission's standards.

The recommended method for designing harmonious, compatible development is to begin the design process by gathering information about the natural features present within the project area as well as the uses and resources that surround the project area. Before laying out preliminary subdivision lot lines, map the important features of your land (e.g., steep slopes, scenic vistas and ridge lines, wetlands, streams and other water bodies, poor soils, important plant communities and wildlife habitats, historic landmarks, existing structures etc. – see Exhibit D-1 for details). Then look beyond your property lines and identify the characteristics of the surrounding area (i.e., identify the type and scale of land uses and the nature of natural resources surrounding your property). Use this information as a guide, and design your subdivision to: (1) avoid impacts to sensitive natural features on your property; (2) maximize the amount of undeveloped open space; and (3) fit the uses and resources of the surrounding area.

You are not required to have a final site design during the rezoning process, but you should know enough about your site to ensure that the area proposed for rezoning can meet your objectives, as well as the Commission's standards.

Refer to Section 10.25.Q,3 within Chapter 10 of the Commission's Rules, [Land Use Districts and Standards](#) or speak with staff for more details regarding the Commission's layout and design requirements for subdivisions.

• **If the rezoning is for development or a subdivision, are you aware that DEP's Site Law requirements may apply?**

Generally development involving more than 3 acres of impervious area (e.g., roads, parking, buildings, etc.) and subdivisions involving 15 or more lots on a parcel of 30 acres or more may be subject to DEP permitting under the Site Law; however, the DEP must make the determination of whether Site Law permitting is required.

**HOW LONG WILL IT TAKE FOR THE COMMISSION TO ACT ON THIS PETITION?**

Please be aware that petitions to rezone often are more complex than many of the other types of proposals reviewed by the Commission and only the Commission (and not its staff) may make the final decision on a zoning petition. It may take several months for the Commission to complete its review. By law, the Commission must either schedule a public hearing, the notice of which must be posted for 2 to 3 weeks prior, or the petition must be posted for public comment. The Commission must act upon that petition to rezone within 90 days after the public hearing or within 90 days of the end of the public comment period.

**WHAT IF MY PROPOSAL DOES NOT MEET THE CRITERIA FOR APPROVAL?**

After reviewing your petition, LUPC staff will contact you if they believe the proposal is not approvable as presented. Staff will then work with you to help you understand your options, including whether you might be able to modify your proposal in a manner that still achieves your project goals and satisfies the Commission's rezoning standards. In general, you always have the following options:

1. Amend your proposal and petition to better address the approval criteria (it will be placed on-hold until the amendment is submitted); or
2. Withdraw your petition; or
3. Proceed with Commission review of your petition as originally submitted. All petitioners have the opportunity to directly address the Commission and present their proposal. In the event your petition is denied by the Commission, you will have an opportunity to appeal that decision to Superior Court.

**WHERE CAN I GET HELP TO COMPLETE THIS PETITION?**

Call the [LUPC office that serves your area](#) and ask to speak to a regional representative (see below for office locations and contact information). Also, go to the LUPC website at [www.maine.gov/dacf/lupc/](http://www.maine.gov/dacf/lupc/) to browse through our rules and regulations, recent publications and newsletters, Commission meeting agendas, and other valuable information.

**MAILING YOUR PETITION**

Submit your completed petition and all required attachments, including the appropriate application fee, exhibits and supplements (see the Instructions for details) to the LUPC office serving your area.

<b><u>AUGUSTA OFFICE</u></b>	<b><u>ASHLAND OFFICE</u></b>
18 Elkins Lane - Harlow Bldg. 22 State House Station Augusta, ME 04333-0022	<i>Serving most of Aroostook County, and portions of northern Penobscot and Piscataquis Counties</i> 45 Radar Road Ashland, ME 04732-3600
Tel. (207) 287-2631 FAX (207) 287-7439	Tel. (207) 435-7963 FAX (207) 435-7184
<b><u>BANGOR OFFICE</u></b>	<b><u>EAST MILLINOCKET OFFICE</u></b>
<i>Serving Hancock, Kennebec, Knox, Lincoln, Sagadahoc, and Waldo Counties; most of Washington County; and all coastal islands in the LUPC service area</i> 106 Hogan Rd, Suite 8 Bangor, ME 04401	<i>Serving southern Penobscot and Aroostook Counties, and portions of Piscataquis and northern Washington Counties</i> 191 Main Street East Millinocket, ME 04430
Tel. (207) 941-4052 FAX (207) 941-4222	Tel. (207) 746-2244 Tel. (207) 731-4398 FAX (207) 746-2243
<b><u>GREENVILLE OFFICE</u></b>	<b><u>WEST FARMINGTON OFFICE</u></b>
<i>Serving Somerset County and most of Piscataquis County</i> 43 Lakeview Street P.O. Box 1107 Greenville, ME 04441	<i>Serving Franklin and Oxford Counties</i> 133 Fyfe Rd P.O. Box 307 West Farmington, ME 04992
Tel. (207) 695-2466 FAX (207) 695-2380	Tel. (207) 670-7492 OX Tel. (207) 670-7493 FR

**📌 A pre-application meeting is required prior to submission of zoning petitions. The best time for the pre-application meeting is after you have basic information about the area proposed for the rezoning and intended project, yet before you fully invest the time and resources needed to complete this form. Our staff can assist by explaining the requirements associated with a zoning petition. Should you wish, the LUPC staff are happy to have a second pre-application meeting just before you submit your petition to help ensure your petition is complete. Call the LUPC office that serves your area to schedule an appointment.**

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For office use:

48436	ZP	\$0
Tracking No.	Permit No.	Fee Received

# Zoning Petition

for Petitions to Rezone to Most Subdistricts

**⚠** If you propose to rezone any portion of your land area to a Resource Plan Protection (P-RP) Subdistrict, **STOP HERE!**  
You cannot use this form. Contact the LUPC office that serves your area if you have questions.

## 1A. PETITIONER INFORMATION.

Petitioner Name(s) Ben Godsoe		Petitioner Title (if representative of a corporation, etc.) Senior Planner, Land Use Planning Commission	
Daytime Phone 207-287-2619		FAX (if applicable) (207) 287 - 7439	
Mailing Address 22 State House Station		Email (if applicable) <a href="mailto:Benjamin.godsoe@maine.gov">Benjamin.godsoe@maine.gov</a>	
Town Augusta	State Maine	Zip Code 04333-0022	

## 1B. AGENT INFORMATION. (If applicable)

Agent Name(s)	Daytime Phone	FAX (if applicable)
Business Name		
Mailing Address	Email (if applicable)	
Town	State	Zip Code

## 2. PETITIONER AND/OR AGENT SIGNATURES.

**Petitioner:** All persons, or authorized representatives of corporations, listed on the deed(s), lease(s) or sales contract as owners or lessees of the property must read the following statement and sign below.

- If an Agent is listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this petition.
- If an Agent is not listed above, I have personally examined and am familiar with the information submitted in this petition, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this petition is complete with all necessary exhibits. The information in this petition is a true and adequate depiction of what currently exists on, and what is proposed at, the property. I understand that I am ultimately responsible for complying with all regulations, conditions and limitations of any petitions and permits issued to me by the Commission.

Please check **one** of the boxes below: (see "Accessing the Project Site for Site Evaluation and Inspection" just prior to the application form)

- I authorize staff of the Land Use Planning Commission to access the project site as necessary at any reasonable hour for the purpose of evaluating the site to verify the application materials I have submitted, and for the purpose of inspecting for compliance with statutory and regulatory requirements, and the terms and conditions of my permit.
- I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to obtain my permission to fully access the project site for purposes of any necessary site evaluation and compliance inspection.

The person(s) signing below must demonstrate that they have a legal right to apply for this petition, either as the petitioner or via a legal agreement or other written contract with the petitioner. (See Exhibit B).

Petitioner Signature \_\_\_\_\_ Date \_\_\_\_\_

**Agent:** All agents listed above must read the following statement and sign below.

I understand that I am hereby authorized by the above-listed petitioner to act as their legal agent in all matters relating to this zoning petition. I have personally examined and am familiar with the information submitted in this petition, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this petition is complete with all necessary exhibits. I understand that if the petition is incomplete or without any required exhibits that it will result in delays in processing the petition. The information in this petition is a true and adequate depiction of what currently exists on, and what is proposed at, the property. I certify that I will provide any final action by the Commission on this petition and associated conditions to the petitioner. I will ensure that the petitioner understand that they are ultimately responsible for complying with all regulations, conditions and limitations of any petitions and permits issued by the Commission as they regard this property.

If the petitioner has not signed above, the petition must include legal documentation designating the agent listed above as a representative of the petitioner in matters such as these. (See Exhibit B).

Agent Signature \_\_\_\_\_ Date \_\_\_\_\_

**3. PROPERTY LOCATION.** Provide the following details about your property location. Tax plan and lot numbers are listed on your property tax bill. Book and page numbers are listed on your deed. If you lease your property, check your lease to find out whether any unique lease lot numbers have been assigned to the property.

Township, Town or Plantation: Bancroft Township (entire township)	County: Aroostook County
<p> If your property is located in one of the following Prospectively Zoned Plantations or Townships, please contact the LUPC office that serves your area prior to completing this form: Adamstown Twp., Dallas Plt., Lincoln Plt., Magalloway Plt., Rangeley Plt., Richardsontown Twp., Sandy River Plt., Township C, Township D, or Township E.</p>	
Tax Information ( <i>check tax bill</i> ) (Please see Exhibit B)	Deed or Lease Information (Please see Exhibit B)
Map: _____ Plan: _____ Lot: _____	Book: _____ Page: _____ Lease #: _____
Map: _____ Plan: _____ Lot: _____	Book: _____ Page: _____ Lease #: _____
Map: _____ Plan: _____ Lot: _____	Book: _____ Page: _____ Lease #: _____
<b>Lot size</b> ( <i>in acres, or in square feet if less than 1 acre</i> )	<b>Lot Coverage</b> ( <i>in square feet</i> )
<b>All Current Zoning on Property</b> ( <i>check the appropriate <a href="#">LUPC map</a></i> ) None. This petition is in response to deorganization of the municipality and its subsequent inclusion in the jurisdiction of the LUPC.	<b>Current Zoning at Development Site</b> None. This petition is in response to deorganization of the municipality and its subsequent inclusion in the jurisdiction of the LUPC.
<b>Road Frontage.</b> List the name(s) and frontage(s) (in feet) for any public or private roads, or other rights-of-way adjacent to your lot: (Exhibit O, Item 2)	<b>Water Frontage.</b> List the name(s) and frontage(s) (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot: (Exhibit G, Item 1)
Road #1 _____ Frontage _____ ft.	Waterbody #1 _____ Frontage _____ ft.
Road #2 _____ Frontage _____ ft.	Waterbody #2 _____ Frontage _____ ft.
<p> Provide, as <b>EXHIBIT A</b>, a location map. See page iv of the instructions for more detail regarding this exhibit.</p> <p> Provide, as <b>EXHIBIT B</b>, your deed, lease or easement. See page iv of the instructions for more detail regarding this exhibit.</p>	

**4. PROJECT DESCRIPTION.** Provide a brief summary of your proposal, including a general description of the project, including proposed development, number of lots (if applicable), roads, and land use activities.

Please see attached Zoning Petition Document.

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**Proposed Zoning.** List all proposed zoning designations (contact the [LUPC office that serves your area](#) if you have questions).  
Please See Exhibit A: Proposed Bancroft Township Land Use Guidance Map

<p> If your proposal includes rezoning lands to or from one of the following subdistricts, be sure to provide as <b>EXHIBIT G</b>, the necessary documentation, data, and/or maps that support the proposed change:</p> <p><input checked="" type="checkbox"/> Aquifer Protection (P-AR) Subdistrict;      <input type="checkbox"/> Fish and Wildlife Protection (P-FW) Subdistrict;  <input type="checkbox"/> Soil and Geology Protection (P-SG) Subdistrict; or      <input checked="" type="checkbox"/> Wetland Protection (P-WL) Subdistrict  See page v of the instructions for more detail regarding this exhibit.</p>
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**5. ACREAGE.** Specify the acreage proposed for rezoning under "Acres to be Developed." If your petition to rezone is intended for subsequent subdivision, specify the acreage proposed to be retained by the petitioner under "Retained Acres." Specify the total amount of contiguous land area that is owned or leased by the petitioner within the township, town or plantation of the project area under "Total Contiguous Acres." "Total Contiguous Acres" should equal the sum of "Acres to be Developed" and "Retained Acres."

Acres to be Rezoned / Developed 26,256 acres	Retained Acres / Acres to retain current zoning n/a	Total Contiguous Acres 26,256 acres
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**6. SITE CONDITIONS.** Describe in detail the present condition of your property and areas to be rezoned, including the nature of any water frontage (rocky, sandy, wooded, cleared, etc.); the general slope and topography of the ground (flat, steep, percent slope, etc.); existing vegetation; the history of vegetation clearing and timber harvesting activities; hydrologic features, including whether portions of the site are subject to flooding or ponding; special natural features, such as rare or unique plants or plant communities; and other natural and cultural conditions.

Water Frontage: Please see Exhibit G, Items 1
Slope and Topography: Please see Exhibit G, Items 1-2
Existing Vegetation: Mixed Forest types exist throughout the township.
Hydrologic Features: Please see Exhibit G, Items 1
Wetlands: Please see Exhibit G, Items 1 & 3
Special Natural Areas: Please see Exhibit G, Items 1-2. Maine Natural Areas Program does not have any mapped unique areas in Bancroft Township. However, the program has identified one area of interest for future inquiry when time and resources allow.
Natural and Cultural Conditions: Please see Exhibit 0, Item 2. Inland Fisheries and Wildlife provided preliminary comments on the draft map and had no concerns with it. However, they request that as future development proposals in Bancroft are assessed, the Commission specifically consider mapped Inland Wading Bird and Waterfowl Habitat (IWWH) information in the township.

**7. CURRENT USE OF PROPERTY.**

How has your property been used over the past ten years?

Residential                       Residential with home occupation                       Commercial or industrial  
 Undeveloped / Forestry                       Public or institutional                       Other: Bancroft TWP includes all uses

**8. EXISTING STRUCTURES AND DEVELOPMENT.** Please list any structures or development on your property, such as roads, residences, accessory structures, driveways, trails and/or other uses.

Type of use or structure (dwelling, garage, driveway, commercial, recreation, etc.)	Year built	Exterior dimensions (in feet) (LxWxH)	Type of foundation (full basement, slab, post, etc.)	Distance (in feet) of structure from nearest:						
				Road	Property line	Lake or pond	Stream	River or stream	Wetland	Ocean

Please see Exhibit O, attachment 2										

**9. PETITIONS TO REZONE TO A MANAGEMENT OR PROTECTION SUBDISTRICT.**

If your petition proposes to rezone to a Management or Protection Subdistrict please complete item 9; If NOT, continue to item 10. Describe how the proposed new subdistrict designation is more appropriate for the protection and management of existing uses and resources within the affected area.

Please see the attached Zoning Petition Document

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**10. FLOOD AREA ZONING.**


 See page ii of the instructions for additional information for, and explanation of, each question.

- a. Is any portion of the area proposed for rezoning located within: i) a mapped P-FP (Flood Prone Area Protection) Subdistrict, ii) a mapped FEMA (Federal Emergency Management Agency) flood zone, or iii) an unmapped area prone to flooding? .....  YES  NO


If you are unsure whether your property is in a mapped P-FP Subdistrict contact the LUPC office that serves your area or review the official zoning map. If you are unsure whether your property is in a mapped FEMA flood zone, first check whether your property is in one of the townships listed on page ii of the instructions and, if so, contact the LUPC office that serves your area.

If you answer NO to 10.a, above, go to Section 11.

If you answer YES to 10.a, above, please continue to items 10.b through d. Note that more than one of the following may apply.

 Note, if this petition proposes to leave unchanged the P-FP or mapped FEMA flood zone, yet proposes to add or change other zoning designations, be aware that in the P-FP Subdistrict:

- some uses may require specific limitations or design requirements; or
- subsequent permitting procedures may require that you hire a licensed land surveyor, engineer or architect who is authorized to certify elevation information.

 See page ii of the instructions for illustrations of items c through e.

- b. Does this petition propose to remove any part of a mapped P-FP Subdistrict? .....  YES  NO
- c. Does this petition propose to affect any areas in a mapped FEMA flood zone? .....  YES  NO
- d. Does this petition propose to add a mapped P-FP Subdistrict? .....  YES  NO

If you answer YES to 10 b, c, or d above, be sure to provide the necessary information as EXHIBIT E. See page v of the instructions for more detail regarding EXHIBIT E.



**Unless advised otherwise by the LUPC staff, if your petition only proposes to rezone land areas to a Management or Protection Subdistrict you may STOP HERE, but, be sure to review and include the exhibits and supplements required by previous items and by the checklist included before the instructions. However, if your petition proposes to rezone land areas to a Development Subdistrict, please continue and complete the rest of this zoning petition form.**

**11. PUBLIC AND COMMUNITY SERVICES.** Please see attached deorganization procedure for Bancroft (Exhibit L), which describes planned provision of public services for the new township.

Service / feature	Name of provider / facility	Distance (in miles) from site:
Ambulance	Please see Deorganization Procedure, Section 6	(see Exhibit L)
Education	Please see Deorganization Procedure, Section 2	(see Exhibit L)
Fire	Please see Deorganization Procedure, Section 6	(see Exhibit L)
Police	Aroostook County Sheriff's Department (Houlton)	41
Solid waste disposal (during construction: construction debris, stumps, brush, asphalt and pavement products)	Please see Deorganization Procedure, Section 6	(see Exhibit L)
Solid waste disposal (after construction, if different)	same	
Public water supply (if applicable)	n/a	
Public wastewater (if applicable)	n/a	
Public road	Please see Deorganization Procedure, Section 6	Total: 14 miles
Service center	Houlton;	41 miles
Electric utilities	Eastern Maine Electric Coop	n/a
Phone utilities	n/a	

Provide as **EXHIBIT L**, either: i) a letter from each service provider confirming the facility's availability and capacity to provide the necessary services to the proposed development; OR ii) only in cases where the rezoning is for legally existing development, provide notice of the rezoning proposal to each service provider and provide, as **EXHIBIT L**, proof of such notice. All zoning petitions intended for residential development must submit such exhibits for education services, regardless whether the dwelling units are anticipated to be seasonal or year-round dwellings. See page vi of the instructions for more detail regarding this exhibit.

*Public services, such as those identified above, are commonly provided by a municipality, or in the case of much of the unorganized territories, these services are provided or contracted for, by the county. In some cases, service centers may provide some of these public services. Service centers are identified by the Department of Agriculture, Conservation and Forestry's Municipal Planning Assistance Program. A partial listing of those near the Commission's jurisdiction includes: Ashland, Augusta, Bethel, Bingham, Brewer, Bridgeton, Calais, Caribou, Dexter, Dover-Foxcroft, Eastport, Ellsworth, Farmington, Fort Kent, Greenville, Guilford, Houlton, Jackman, Limestone, Lincoln, Machias, Madawaska, Mars Hill, Mexico, Milbridge, Millinocket, Newport, Norway, Orono, Pittsfield, Presque Isle, Rangeley, Rumford, Van Buren. For a more complete listing, check with the Municipal Planning Assistance Program at [www.maine.gov/dacf/municipalplanning/index.shtml](http://www.maine.gov/dacf/municipalplanning/index.shtml).*

**12. ACCESS TO SITE.**

a. Starting with the closest public road, then each successive road, provide the following information about each existing road that will be used to access the area proposed for rezoning.

Road name	Public or private? (if private, complete the rest of this row)	Owner name	Length and travel width of road	Right-of-way width	Type of wearing surface
Please see Exhibit L.					

If access to your site is limited as part of your deed, lease, easement or other covenants, be sure to include a copy of such restrictions or provisions as part of **EXHIBIT B**. See page iv of the instructions for more detail regarding this exhibit.

b. If the site can only be accessed by water during any part of the year, identify and describe the parking and boat launching facilities at or near the site and on the mainland. When addressing this item be sure to: i) provide a map or clear description of the locations of the facilities, identify their owner(s), and describe the capacity and any use restrictions of the facilities; and ii) describe how construction equipment and materials will access the site (e.g., will barges be utilized, and if so are there suitable areas for conveyance).

**! Submit answers to Items 13 through 21 on separate 8½ x 11 inch sheets of paper.**

### 13. SURROUNDING USES.

- a. Describe existing uses surrounding the area proposed for rezoning (e.g., within one mile). Identify the types of uses in this area, such as commercial forest, farmland, seasonal residential, year-round residential, commercial uses, and/or other uses.
- b. Provide a detailed list of existing uses in the area, including the number and type of residences (e.g., seasonal vs. year-round), the type and scale of commercial enterprises, and other relevant details.

### 14. ANTICIPATED IMPACTS.

Projects may have positive and/or negative impacts on surrounding areas.

- a. Describe possible positive impacts the rezoning would have on the surrounding land, resources, and uses in the community or area. If describing economic benefits, distinguish between short- and long-term benefits.
- b. Describe possible negative impacts the rezoning would have on the surrounding land, resources, and uses in the community or area.

### 15. CONSISTENCY WITH COMPREHENSIVE PLAN.


Some of the Commission goals and policies, as contained in the [Comprehensive Land Use Plan](#), are designed to guide the location of new development to appropriate areas. Read the goals and policies found in Chapter 1 of the *Comprehensive Land Use Plan* and describe how the proposed rezoning will be consistent with the Plan's policies. Be as specific as possible with regard to individual goals and policy statements. (The Comprehensive Land Use Plan can be viewed or downloaded from the LUPC website at [www.maine.gov/dacf/lupc/plans\\_maps\\_data/clup/index.html](http://www.maine.gov/dacf/lupc/plans_maps_data/clup/index.html); or CD or paper copies are available at the Commission's Augusta office.)

- a. One of the policies encourages "orderly growth within and proximate to existing, compatibly developed areas – i.e., existing development of similar type, use, occupancy, scale and intensity to that being proposed." This policy is referred to as the "adjacency" principle. The Commission generally has applied the adjacency principle to mean that most rezoning for development should be no more than a mile by road from existing, compatible development. Refer to pages 62 and 128 of the *Comprehensive Land Use Plan* for further information. Drawing upon the information provided in item 13 provide, with as much detail as possible, an explanation of how the proposed rezoning is consistent with the adjacency principle.
- b. Identify and discuss any other goals and policies of the *Comprehensive Land Use Plan* that support your zoning petition.

### 16. SHORELAND DEVELOPMENT.

If the site is adjacent to any lakes or ponds, explain how your proposal fulfills each of the following statements:

- a. The intended activity will not adversely affect any significant or outstanding natural and cultural resource values identified in the Commission's Wildland Lakes Assessment (list the significant or outstanding values for the pertinent lake or pond).
- b. The intended activity will not have an undue adverse impact on water quality, alone or in conjunction with other development.
- c. The intended activity will not have an undue adverse impact on traditional uses, including non-intensive public recreation, sporting camp operations, timber harvesting, and agriculture.
- d. The intended activity will not substantially alter the diversity of lake-related uses available in the area.
- e. Adequate provision can be made to maintain the natural character of shoreland.
- f. The intended activity is consistent with the management intent of the affected lakes classification.
- g. Where development on a lake may be limited for water quality or other reasons (such as subdivision or development within a P-AL or P-GP2 Subdistrict), proposed development on each land ownership does not exceed its proportionate share of total allowable development.


 Refer to Appendix C of Chapter 10 of the Commission's Rules, [Land Use Districts and Standards](#) for a list of lakes and their related natural and cultural resource value ratings, and refer to Appendix C of the Commission's *Comprehensive Land Use Plan* for more information regarding the management intent of each classification.

### 17. SUBDIVISION OR DEVELOPMENT ZONING PROPOSAL.

If your proposed rezoning is for a subsequent subdivision or development proposal, you must provide information in response to the following items concerning whether the land for which rezoning is petitioned is likely to be suitable for the proposed use. Should your zoning petition be approved, the Commission will require more detailed information in your subsequent permit application.

- a. **Harmonious Fit:** Describe what measures will be taken to fit the proposal into the existing surroundings. Include any special considerations given to siting, design, size, coloring, landscaping or other factors which will lessen the impact of the proposal on the surroundings.
- b. **Scenic Impacts:** Describe what measures will be taken to minimize impacts of the proposed new or expanded land use on the scenic quality of the area. Consideration should be given particularly to visibility from roads used by the public and visibility from water bodies.
- c. **Wildlife Habitat:** Describe what measures will be made to minimize impacts of the proposed new or expanded land use on wildlife habitat including birds and water fowl? Consideration should be given particularly to riparian zones along waterbodies.

- d. Sufficient Land Area: Describe how, or provide sufficient evidence that, the area proposed for rezoning is of sufficient size and configuration to accommodate: (1) the proposed use / development, including but not limited to subdivision lots that could meet design standards, structures, parking, wastewater disposal, water supply, stormwater management, etc.; (2) likely phosphorus control and stormwater management areas and infrastructure; and (3) a modest amount of extra land area to provide appropriate flexibility during subsequent development review and construction processes. While subdivision plats are informative at this stage, they are not required; if provided staff will only consider them to be conceptually representative.



 Note that this information does not need to be extensive; rather, this information is intended to best ensure that the petition results in a sufficient yet appropriate amount of land area is rezoned, while minimizing the burden on the applicant and increasing applicant awareness of future permitting requirements early in the process. For example: *a proposal to rezone 25 acres for a small retail store would likely be found to include excessive acreage; while a proposal to rezone 25 acres intended for a 20 lot subdivision would likely be found to be reasonably sized.*

- e. High Yield Sand and Gravel or Bedrock Aquifer: If the proposed rezoning is on or near a mapped and zoned high yield sand and gravel or bedrock aquifer, explain how the rezoning and land use will result in no undue adverse impact on the aquifer.

## 18. NATURAL AND HISTORICAL FEATURES.

For information needed to answer items 18 a and b about S1 and S2 natural communities and plant species, contact the Maine Natural Areas Program at (207) 287-8044 or go to the Program's website at [www.maine.gov/dacf/mnap/index.html](http://www.maine.gov/dacf/mnap/index.html). For information about archaeological and historic features, contact the Maine Historic Preservation Commission at (207) 287-2132 or go to the MHPC's website at [www.maine.gov/mhpc/index.shtml](http://www.maine.gov/mhpc/index.shtml).

- a. If any portion of the area proposed for rezoning includes critically imperiled (S1) or imperiled (S2) natural communities or plant species, describe the resource and the designation. Explain why the proposed rezoning of the area will result in no undue adverse impact on the community/species AND how the values that qualify the site for such designation will be maintained.
- b. If any portion of the area proposed for rezoning includes archaeologically sensitive areas, structures listed in the National Register of Historic Places, or significant archaeological sites or structures, describe the resources and the designation. Explain why the proposed rezoning of the area will result in no undue adverse impact on such features AND how the values that qualify the site for such designation will be maintained.
- c. If any portion of the area proposed for rezoning includes essential habitat, significant wildlife habitat, or other important wildlife habitat, describe the extent of the habitat. Explain why the proposed rezoning of the area will result in no undue adverse impact on the habitat or species AND describe how the habitat will be maintained.

-  Provide as **EXHIBIT M**, either a Phase 1 archaeological survey or a letter from the Maine Historic Preservation Commission that a Phase 1 archaeological survey is not necessary. See page vi of the instructions for more detail regarding this exhibit.
-  Provide as **EXHIBIT N**, letters from the Maine Natural Areas Program AND Maine Inland Fisheries and Wildlife confirming the presence or absence of rare or special plant communities or significant wildlife habitat in the area of the rezoning. See page vi of the Instructions for additional detail regarding this exhibit.


## 19. RECREATIONAL RESOURCES.

Identify high value recreational resources and significant natural or cultural features in the area that might receive increased use if the area is rezoned. Explain why the proposed rezoning will result in no undue adverse impact on these features AND how the values of these recreational resources will be maintained.

## 20. PROSPECTIVELY ZONED AREAS.

For areas that have been prospectively zoned by the Commission, a petition for amendment to a development subdistrict boundary must demonstrate that:

- a. The requested change is needed due to circumstances that did not exist or were not anticipated during the prospective zoning process;
- b. The new development subdistrict is either contiguous to existing development subdistricts or within areas that are suitable as new growth centers; and
- c. The change will better achieve the goals and policies of the [Comprehensive Land Use Plan](#), including any associated prospective zoning plan.

 Refer to Section 10.08,C,2 of Chapter 10 of the Commission's Rules, [Land Use Districts and Standards](#) for a list of plantations and townships that have been prospectively zoned by the Commission.

**21. PLANNED DEVELOPMENT OR PLANNED RECREATION FACILITY DEVELOPMENT SUBDISTRICTS.**

For zoning petitions that propose to rezone any portion of land area to a Planned Development (D-PD) or Planned Recreation Facility Development (D-PR) Subdistrict, contact the [LUPC office that serves your area](#). Because the D-PD or D-PR Subdistricts are in many ways custom, additional zoning petition materials and procedures are required; consult Section 10.21,G,8 (D-PD) or Section 10.21,H,8 (D-PR) for additional, specific requirements.

**22. ADDITIONAL INFORMATION.**

State any facts that further explain your proposal or may help in the review of your petition.

**23. REQUIRED FEES, EXHIBITS AND SUPPLEMENTS.**

Submit all necessary fees, exhibits and supplemental information with this petition, as described in the instructions.

# CHECKLIST OF REQUIRED FEES, EXHIBITS, AND SUPPLEMENTS

Please check off the following for the fee, exhibits, and supplements. To determine which exhibits are required for your petition, use the highlighted notes (👉) contained in certain items and the instructions in Required Fees, Exhibits and Supplements. Please check if the exhibit is required and if it has been provided, and note that the supplements may also require additional exhibits. Please check with the LUPC staff if you have any questions.

Required*		Provided		Exhibit	*Required
YES	NO	YES	NO		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pre-application meeting .....	Required unless otherwise indicated by the LUPC staff.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application Fee .....	Required unless a waiver is granted by the LUPC Director in very specific and limited circumstances.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit A – Location Map and Digital Location Data.....	Location map required; digital location data is ideal.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exhibit B – Deed, Lease or Easement.....	Required unless already on file with the Commission and no changes have been made from what is on file.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit C – Site Photographs.....	Required unless already on file with the Commission and photos are representative of current conditions.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exhibit D-1 – Existing Site Plan .....	Required. Show all existing and proposed structures and features, and existing and proposed subdistrict boundaries.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exhibit D-2 – Preliminary Site Plan or Subdivision Plan...	Required if the proposed rezoning is intended to accommodate a subsequent subdivision; Optional if subsequent subdivision is not intended <u>and</u> if all proposed changes cannot be clearly shown on Exhibit D-1.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit E – Flood Area Zoning .....	Required for any rezoning of a FEMA Flood Plain or a P-FP Subdistrict, if your answer to any part of item 10 b, c, or d is YES.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit F – Notice of Filing .....	Required.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit G – Protection Subdistricts .....	Required for rezoning to or from a P-AR, P-FW, P-SG, or P-WL.

**The following exhibits may only be required for petitions that propose a development subdistrict:**

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exhibit H – Financial Capacity .....	Required.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exhibit I – Corporate Good Standing.....	Required if applicant is a corporation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit J – Soil Suitability and Mapping.....	Required.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exhibit K – Wastewater Disposal.....	Required.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit L – Impacts on Public Services.....	Required.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit M – Archaeological Resources.....	Required.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exhibit N – Rare or Special Plant Communities and Wildlife Habitat.....	Required.

**THIS PETITION IS NOT A CONSTRUCTION OR SUBDIVISION PERMIT  
AND NO CONSTRUCTION OR SUBDIVISION ACTIVITIES  
MAY BEGIN PRIOR TO YOUR RECEIPT OF ALL REQUIRED PERMITS**

## 1. PETITIONER INFORMATION

Print the legal names and mailing addresses of all persons or companies with title, right or interest in the property associated with this zoning petition. Persons with "title, right or interest" are those listed on any deed, lease or easement for the property.

## 3. PROJECT LOCATION AND PROPERTY DETAILS

**Tax Plan and Lot Numbers:** The tax plan and lot numbers are listed on your property tax bill.

**Book/Page Numbers or Lease Lot Numbers:** The book and page numbers are listed on your deed. Check your lease or ask your lessor whether a unique lease lot number has been assigned to your property. Unless already on file with the Commission, you will need to submit **Exhibit B: Deed, Lease or Sales Contract** with your petition (see instructions on page iv).

**Zoning:** Locate your property on a Land Use Guidance Map and identify all the subdistricts covering your lot AND those where the development will be located. The subdistrict(s) for your property can also be viewed on the LUPC website at [www.maine.gov/dacf/lupc/plans\\_maps\\_data/zoning\\_maps/index.shtml](http://www.maine.gov/dacf/lupc/plans_maps_data/zoning_maps/index.shtml) or the Zoning & Parcel Viewer at [http://mapserver.maine.gov/conservation/lupc\\_master.php](http://mapserver.maine.gov/conservation/lupc_master.php).

**Lot Coverage:** Calculate the area of your property that will be covered by structures, driveways, sidewalks, and other impervious surfaces after your proposed activities are completed. Include all existing and proposed structures and features on your lot. *For example, a lot with: a 28 foot by 35 foot (980 sq. ft.) dwelling, 10 foot by 12 foot (120 sq. ft.) patio, 20 foot by 20 foot (400 sq. ft.) garage, 20 foot by 50 foot driveway (1,000 sq. ft.), and 20 foot by 20 foot (400 sq. ft.) parking area, would have a total lot coverage of 2,900 sq. ft.*

**Road and Water Frontage:** Measure road frontage along the traveled portion of the road, between the points of intersection of side property lines and the road. Measure water frontage in a straight line between the points of intersection of side property lines and the normal high water mark of the shoreline.

**LUPC Approved Subdivision:** If your lot is part of a Commission approved subdivision, provide the subdivision number and lot number that represents your lot. This information is usually included in your deed description. If your lot is part of a Commission approved subdivision, you do NOT need to complete a land division history.

**Land Division History:** Before a permit can be issued, the Commission needs to know whether your property is part of an unauthorized subdivision. Using your deed, lease or sales contract as a starting point, trace the ownership history and configuration changes of your property back to 20 years from today. Unless already on file with the Commission, list all of the changes in ownership and all divisions of those lots from which your property originated. Be sure to include any land transfers to neighboring land owners as well as property gifted to relatives. (Use an extra sheet of paper if needed). You will also need to submit **Exhibit B: Deed, Lease, or Sales Contract**, if not already on file with the Commission. (See Instructions on page iv)

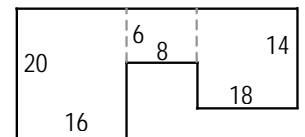
## 4. PROJECT DESCRIPTION

Provide a brief summary of your proposal, including a general description and proposed development, roads, and land use activities.

## 8. EXISTING STRUCTURES AND DEVELOPMENT

**Types of Structures:** Include a house, camp, garage, bunkhouse, porch, deck, shed, driveway, parking area, etc. For each structure that exists on your property, fill out the appropriate information in the table.

**Exterior Dimensions:** Calculate the dimensions (length, width and height) of each structure along its exterior surfaces. Measure the height of the structure from the peak of the roof (excluding chimneys or antennae) to the mean original grade of the structure along the downhill side. If the structure is irregularly shaped, write in its detailed dimensions. *For example, a structure that is 24 feet high and is shaped like this ..... would have these dimensions: 16x20x24; 6x8x24; 14x18x24.*



**Type of Foundation:** Describe the type of foundation that supports the structure. Types of foundations include full foundations, basements, frost walls, slabs, posts, sono tubes, etc.

**Setback Distances:** All setback distances should be measured horizontally. Road setbacks should be measured as the distance from the edge of the pavement or traveled way to the nearest portion of the structure. Property line setbacks should be measured as the distance from the property boundary line to the nearest portion of the structure. Setbacks from lakes, ponds, rivers, streams and wetlands should be measured as the distance from **the normal high water mark** to the nearest portion of the structure.

**📌** *If you own or are under contract to buy the property to be developed, your [county registry of deeds office](#) or the previous owner of the property may provide you some helpful information. If you lease your property, contact your lease company for information on the lease history of your lot.*

**📌** *If you lease your property, contact your lessor before submitting this application to the Commission. You may need to get written permission from the lessor for your proposal first.*

**📌** *The normal high water mark is the line on the shores and banks of non-tidal waters which is identifiable by the different character of the soil or vegetation due to the influence of surface water. This mark is not necessarily the water line! Call the LUPC staff if you need help identifying this mark.*

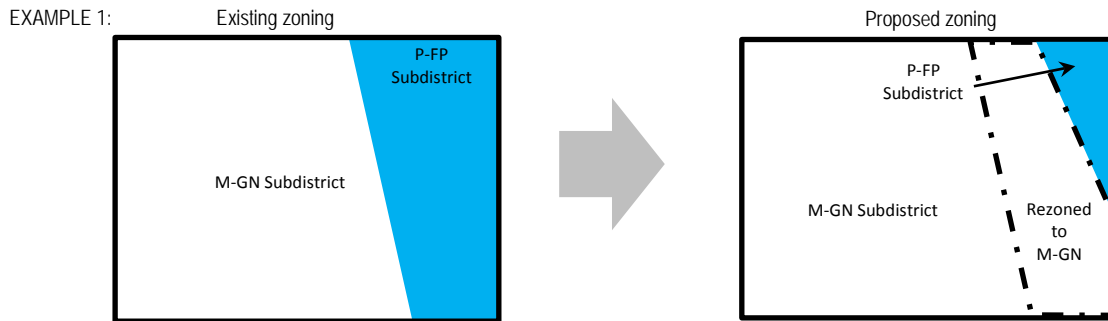
## 10. FLOOD PRONE AREA ZONING

- a. If the petition does not involve any flood prone areas, check “NO”, and continue on to item 11. However, if the petition involves any flood prone areas check “YES” and continue on to items 10.b through e.

If you are unsure whether your property is in a mapped a P-FP Subdistrict contact the LUPC office that serves your area or review the official zoning map. If you are unsure whether your property is in a mapped Flood Prone Area Protection Subdistrict or a mapped FEMA flood zone, check Appendix E of the Commission’s Land Use Districts and Standards ([www.maine.gov/dacf/lupc/laws\\_rules/rule\\_chapters/Ch10\\_Appendix.pdf](http://www.maine.gov/dacf/lupc/laws_rules/rule_chapters/Ch10_Appendix.pdf)); check FEMA’s map service center (<https://msc.fema.gov/portal/>); or contact [the LUPC office that serves your area](#).

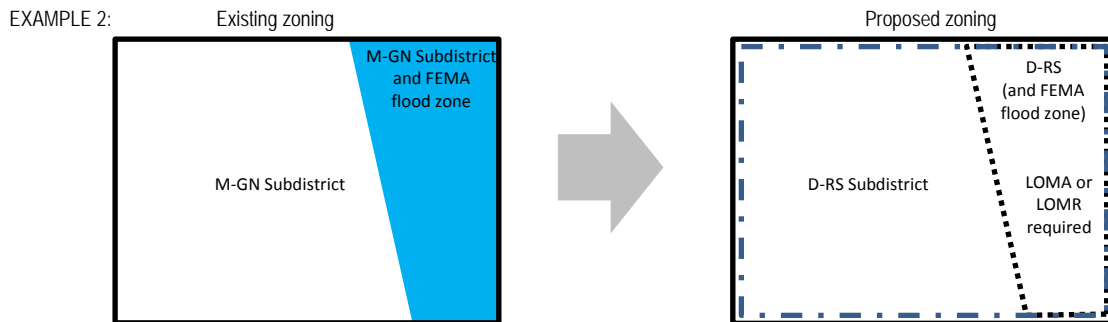
- b. If this petition proposes to remove a mapped P-FP, check “YES”. **If you answer “YES” to 10.b**, be sure to review and attach the appropriate materials as EXHIBIT E. See page v of the instructions for more detail regarding Exhibit E.


*Example 1 illustrates a rezoning from P-FP to M-GN, expanding the M-GN by rezoning a portion of the P-FP to M-GN.*



- c. If this petition proposes to affect an area in a FEMA flood zone, check “YES”. Specifically, does this petition include a LOMA or LOMR from FEMA that would exempt parts of the site from the provisions of the P-FP? **If you answer “YES” to 10.c**, be sure to review and provide the appropriate materials as EXHIBIT E. See page v of the instructions for more detail regarding Exhibit E.

*Example 2 illustrates a rezoning from M-GN to D-RS that also involves a FEMA flood zone; this example is a rezoning from M-GN to D-RS, and requires the issuance of a LOMA or LOMR by FEMA for the appropriate areas. (NOTE: in this example the intended use is residential subdivision, which is not allowed within a FEMA flood zone. As a result, the zoning petition would need to include a LOMA or LOMR for the areas within the FEMA flood zone. If the area proposed for rezoning is covered by an overlapping P-FP Subdistrict and FEMA zone, then the requirements for rezoning the P-FP and for obtaining a LOMA or LOMR must be met if the intended use is not allowed within the P-FP/FEMA zone.)*



 The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program, and as part of that program, FEMA develops the Flood Insurance Rate Maps that are subsequently adopted by the Maine Land Use Planning Commission. The FEMA flood zones delineated on those maps are separate from the LUPC Land Use Guidance Maps, and the FEMA zones overlay the LUPC zones. The LUPC cannot amend or revise the FEMA maps. An applicant must apply to FEMA for a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) to remove a proposed building site or portion of a property from FEMA zoning. If you have questions about the process of obtaining either a LOMA or a LOMR, or to learn more about the National Flood Insurance Program, contact the Maine Floodplain Management Program (MFMP) at (207) 624-6230 or go to the MFMP website at [www.maine.gov/dacf/flood/flood\\_insurance.shtml](http://www.maine.gov/dacf/flood/flood_insurance.shtml); or go to the FEMA website at [www.fema.gov/](http://www.fema.gov/).

- d. If this petition proposes to add a P-FP Subdistrict in an unmapped area prone to flooding, check “YES”. **If you answer “YES” to 10.d**, be sure to review and provide the appropriate materials as EXHIBIT E. See page v of the instructions for more detail regarding Exhibit E.

# REQUIRED FEES, EXHIBITS AND SUPPLEMENTS

**GENERAL INSTRUCTIONS.** A zoning petition cannot be considered complete until all necessary exhibits have been submitted. Read carefully the description of what is required for each exhibit. If you are unsure about what to submit with your petition, contact the [LUPC office that serves your area](#). In general:

- Each exhibit must be clearly identified with the petitioner's name and exhibit letter.
- All plans must be drawn to the same scale, generally 1 inch = \_\_\_\_\_ feet, and must include an identification box with the following information: \_\_\_\_\_ →
- Plans must not exceed 24 x 36 inches in size.
- Submit 1 complete electronic copy, and at least two complete paper copies. Additional paper copies may be required; the LUPC staff will advise you as to how many paper copies will be required at the pre-application meeting.

Project Name and Petitioner Name
Name of Township, Town or Plantation; and County Name
Scale 1 inch = _____ feet (include scale bar)
Prepared by: _____ Date prepared: _____

**FEE FOR ZONING PETITIONS** (nonrefundable). Submit a check or money order payable to "Treasurer, State of Maine" for the appropriate fee:

1. Change to a protection subdistrict .....\$250.00
2. Change to a management subdistrict .....\$500.00
3. Change to a development subdistrict (except D-PD).....\$1,000.00 plus \$25.00 per acre of new or changed development subdistrict
4. Change to a D-PD subdistrict .....\$5,000.00 fee for Preliminary Plan, plus \$0.40 per square foot (footprint) structures

**EXHIBIT A: LOCATION MAP AND DIGITAL LOCATION DATA.** Submit a copy of the LUPC Land Use Guidance Map or another equivalent map (such as a USGS topographic map) on which you have clearly marked the boundaries of your property and the boundaries of the land you propose to rezone, **and if available**, the location of the area proposed for rezoning in digital form created from GIS or CAD source data.

All location maps must include and otherwise illustrate:

- the boundaries for the entire area proposed for rezoning
- map reference points, including but not limited to roads and waterbodies
- a scale bar, north arrow, and legend

Land Use Guidance Maps are available for all townships, towns and plantations served by the Land Use Planning Commission. If you did not receive one of these maps with your petition form, copies are available at the regional LUPC office. There is no charge for these maps when associated with a zoning petition.

If you have questions or difficulty developing this exhibit, please contact the LUPC office serving your area or the LUPC's GIS coordinator.

**EXHIBIT B: DEED, LEASE OR EASEMENTS.** Submit complete, signed copies of all deeds or leases, including any covenants/restrictions or easements that demonstrate the petitioner's title, right or interest in the land proposed for rezoning. A lessee must provide a copy of the written notice provided to the landowner of the intent to file this zoning petition. In the case of fractional ownership, the petitioner must either: i) include all other owners as co-petitioners, or ii) provide documentation or statements from all other owners that authorizes the petitioner to proceed on such matters.

This exhibit must include any existing or proposed restrictions pursuant to a conservation easement or other binding mechanism. This exhibit should include a map and the deed or binding language.

**EXHIBIT C: SITE PHOTOGRAPHS.** Attach a series of photographs taken within the past two years that show your property as it currently exists. Photographs should be of features or aspects of the site that are of note or are representative of the site as a whole. In many cases aerial photography can best illustrate the current condition of expansive proposals such as a proposed rezoning. Either mount the photos on 8½ x 11 inch paper or provide photographs in electronic format – in both cases include an explanatory caption and date for each photo. Provide a map that indicates the vantage point or field of vision for each photograph.

**EXHIBIT D: PRELIMINARY SUBDIVISION OR SITE PLANS.** Submit two site plans of the area proposed for rezoning, one showing the area as it presently exists and one preliminary plan showing the proposed subdivision or site plan. Include the following features for each plan:

**D-1: EXISTING SITE PLAN**

- Existing natural features (including wooded areas, open fields, steep slopes, waterbodies, incl. perennial and intermittent streams, wetlands, floodplains, historic landmarks, special natural areas, etc), property boundary lines and dimensions (including amount of road and water frontage).
- Existing development (including roads, buildings, trails, etc.).
- Areas that have been cleared of vegetation, or otherwise disturbed.

**D-2: PRELIMINARY SITE PLAN OR SUBDIVISION PLAN**

- All property boundary lines, existing development and natural features as shown on the Existing Site Plan, topography (identifying areas with steep slopes), and soils mapping.
- For subdivisions, conceptual lot lines, common areas, and new roads. For other development, preliminary site plan, and approximate location of proposed structures and roads.
- Areas proposed to be cleared and/or disturbed.




**EXHIBIT E: FLOOD AREA ZONING.** The types of materials required to be provided as Exhibit E are determined by your answers to Questions 10 c through e, specifically:

If you answer **YES** to 10.b, EXHIBIT E must include substantial evidence that the land area does not qualify as a P-FP Subdistrict.

If you answer **YES** to 10.c *and* the intended uses are not allowed within the FEMA flood zone, EXHIBIT E must include a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) issued by FEMA. However, if you answer **YES** to 10.c, *and* the intended uses are allowed within the FEMA flood zone, no additional materials are required as part of Exhibit E.

If you answer **YES** to 10.d, EXHIBIT E must include substantial evidence that the land area qualifies as a P-FP Subdistrict.

-  "Substantial evidence" for rezoning a P-FP Subdistrict may include, but is not limited to:
- historical data (e.g., information that illustrates a local base flood elevation (BFE) derived from marks on a bridge or building or from DOT studies for bridge construction or replacement, *and* information correlating that elevation to the area proposed for rezoning);
  - soils information;
  - elevation information (e.g., a documented local BFE *and* information correlating that elevation to the area proposed for rezoning);
  - a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) issued by FEMA; and/or
  - the best available data for determining the BFE.

**EXHIBIT F: NOTICE OF FILING.** Within the same week that this petition is filed with the Commission, you must provide by certified mail a completed copy of the attached Notice of Filing Form to the following persons: (1) all persons owning or leasing property abutting or within 1,000 feet of the property to be rezoned (as shown on the records of the Maine Revenue Service or plantation or town tax assessors); (2) plantation assessors or town selectboard; and (3) county commissioners. You must also send a complete copy of the petition to Town or Plantation, and County officials. The written notice must either be provided using the attached form or contain the information, exactly as stated on the attached form.

Submit to the Commission a copy of the written notice that was sent and a complete listing of all persons to whom notice was provided (including names and mailing addresses) and the date such notice was provided.

**IMPORTANT:** Additional notice requirements will apply where the LUPC Director deems the petition to be of general public interest due to their nature, location, or size (Chapter 4, Section 4.05,(4)(c)). Contact the [LUPC office that serves your area](#) to determine whether these additional requirements apply to your petition.

**Note:** Names and addresses of abutting property owners are available from town and plantation public officials or, in unorganized townships, from the Maine Revenue Service at (207) 624-5611 or at [www.maine.gov/revenue/](http://www.maine.gov/revenue/).

**EXHIBIT G: PROTECTION SUBDISTRICTS.** If the zoning petition proposes to rezone to or from one of the following protection subdistricts, provide substantial evidence supporting the proposal in accordance with the following.

- Aquifer Protection (P-AR) Subdistrict – Submit a letter and supporting evidence from a qualified geologist demonstrating that the proposed change to the P-AR Subdistrict is appropriate due to resources that are or are not present.
- Fish and Wildlife Protection (P-FW) Subdistrict – Submit the following information and evidence:
  - a. Site details, including:
    - the applicable Wildlife Management District;
    - applicable deer yard number;
    - number of acres currently designated by the LUPC as P-FW or P-4 Subdistrict;
    - number of acres proposed for designation by the LUPC as P-FW Subdistrict;
    - current zoning designation;
    - proposed zoning designation;
    - current use of the area proposed for rezoning; and
  - b. All information required by Section 10.23,D,2 within Chapter 10 of the Commission's Rules, [Land Use Districts and Standards](#)
- Soil and Geology Protection (P-SG) Subdistrict – Submit a letter and supporting evidence from a qualified, licensed soil scientist or geologist demonstrating that the proposed change to the P-SG Subdistrict is appropriate due to resources that are or are not present.
- Wetland Protection (P-WL) Subdistrict – Submit a letter and supporting evidence from a qualified wetlands professional demonstrating that the proposed change to the P-WL Subdistrict is appropriate due to resources that are or are not present.

 Unless advised otherwise by the LUPC staff, if your petition only proposes to rezone land areas to a **Management or Protection Subdistrict** you may **STOP HERE**; you do not need to submit Exhibits G through M. However, if your petition proposes to rezone land areas to a **Development Subdistrict**, please continue and review and provide Exhibits G through M as appropriate.

**EXHIBIT H: FINANCIAL CAPACITY.** If the zoning petition is in preparation for subsequent subdivision or development, you must demonstrate that you have adequate financial resources to undertake the proposed rezoning and subsequent development. Describe how you expect to finance subsequent development in the area proposed for rezoning, and submit at least one of the following:

- Submit a letter of Intent to Fund from a financial institution, government agency or other funding source indicating a commitment to provide a specified amount of funds and their specified uses.
- Submit the most recent corporate annual report indicating the availability of sufficient funds to finance proposed development, along with explanatory materials to interpret the report.
- If you will personally finance the development, submit copies of bank statements or other similar evidence indicating availability of funds necessary to complete proposed development.
- If the applicant is a governmental agency, or agents thereof, indicate the source of funding (e.g., town revenue, bond, grant, etc).

**EXHIBIT I: CORPORATE GOOD STANDING.** If the petitioner is a corporation, submit a certification of corporate good standing from the Secretary of State, State of Maine. Certification of good standing can be requested at: <https://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x> or by contacting the Bureau's Reporting and Information Section at (207) 624-7752.

**EXHIBIT J: SOIL SUITABILITY AND MAPPING.** Submit an on-site soil survey of the area proposed for rezoning, including five foot interval topographic contours. It must be conducted by a [Maine Licensed Soil Scientist](#) according to the "*Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping*" (Maine Association of Professional Soil Scientists, 2004) and should include a soil map, soil narrative report, and soil profile log description. Refer to Section 10.25,G within Chapter 10 of the Commission's Rules, [Land Use Districts and Standards](#) for the applicable soil survey that is needed. If the proposed rezoning is for residential development, the soils map should include preliminary lot lines, proposed roads, and location of streams and waterbodies.

Identify the development potential rating for each soil type within your project area using the Natural Resources Conservation Service's soils potential ratings. If any soils within your project area have a low or very low development potential rating, additional soils information may be required. Include any identified wetlands.

If the rezoning is for development or a subdivision, the DEP's Site Law requirements may apply. In these cases, after consulting with the DEP, this exhibit should: i) confirm whether or not the project will require a permit under Site Law; and ii) if so, identify which class soil survey the DEP would be requiring for that permit.

**EXHIBIT K: WASTEWATER DISPOSAL.** If you propose to install a private centralized or clustered waste water disposal system, or if you propose that waste water be collected and treated off-site, submit one of the following:

- If a private central or clustered wastewater disposal system is proposed, submit evidence that there are sufficient appropriate soils on-site to support the system(s) and a replacement site in the event of system failure.
- If waste water is to be collected and treated off-site by a sewage treatment facility, submit evidence that: (1) there is adequate capacity in the facility to ensure satisfactory treatment; and (2) the facility is fully licensed by the Maine Department of Environmental Protection.

**EXHIBIT L: IMPACTS ON PUBLIC SERVICES.** Submit information quantifying the expected change in demand for public services and the associated cost (e.g., fire protection, ambulance service, education, solid waste disposal, wastewater disposal, etc.). Provide information on: 1) either the estimated capacity of the facility to provide the necessary services or evidence that such capacity can be created without an undue burden on the service provider; and 2) the cost to provide additional public services to expected development, the revenue generated by the development, and whether the revenues generated will flow to the service providers. Include letters from local and county officials, and/or service providers confirming the availability and capacity of services to meet demand generated by development in the area proposed for rezoning. In cases where the rezoning is for legally existing development, provide notice of the rezoning proposal to each service provider and provide, as EXHIBIT L, proof of such notice.

**EXHIBIT M: ARCHAEOLOGICAL RESOURCES.** Submit a Phase 1 archaeological survey or information on provisions for preservation of historic structures if the area proposed to be rezoned meets any of the following conditions: (1) any portion of the area contains an archaeologically sensitive area or a structure listed in the National Register of Historic Places; OR (2) any portion of the area is considered likely to contain a significant archaeological site or structure by the Maine Historic Preservation Commission or other pertinent authority. If these do not apply, submit a letter from the Maine Historic Preservation Commission confirming that a Phase 1 archaeology survey is not necessary for the area proposed for rezoning. For information about archaeological and historic features, contact the Maine Historic Preservation Commission at (207) 287-2132 or go to the MHPC's website at [www.maine.gov/mhpc/index.shtml](http://www.maine.gov/mhpc/index.shtml).

**EXHIBIT N: RARE OR SPECIAL PLANT COMMUNITIES AND WILDLIFE HABITAT.** Submit letters from the Maine Natural Areas Program ("MNAP") and Inland Fisheries and Wildlife ("IFW") confirming the presence or absence of rare or special plant communities or significant wildlife habitat in the area proposed for rezoning. If MNAP or the IFW recommends a more detailed inventory of the area proposed for rezoning by a qualified professional, submit the results of an on-site survey for these features. For information about S1 and S2 natural communities and plant species, contact the Maine Natural Areas Program at (207) 287-8044 or go to the Program's website at [www.maine.gov/dacf/mnap/index.html](http://www.maine.gov/dacf/mnap/index.html). For information about wildlife habitat, contact the Maine Inland Fisheries and Wildlife at (207) 287-8000 or go to the department's website at [www.maine.gov/ifw/](http://www.maine.gov/ifw/).

**NOTICE OF FILING OF ZONING PETITION  
WITH THE MAINE LAND USE PLANNING COMMISSION**

At the time a zoning petition is filed with the Maine Land Use Planning Commission, the petitioner must send by certified mail a completed copy of this notice to: all persons owning or leasing property abutting or within 1,000 feet of the property to be rezoned (as shown on the records of the Maine Revenue Service or plantation or town tax assessors); plantation assessors or town selectboard; and county commissioners. Note: if the number of persons owning or leasing land within 1,000 feet of the affected land is more than 50, notice may instead be by publication in a newspaper(s) of general circulation in the area affected by the petition as determined by the LUPC staff.

This is to notify you that the Land Use Planning Commission, at 22 State House Station in Augusta Maine, 04333,  
(name and address of petitioner)

has filed a zoning petition, pursuant to provisions of 12 M.R.S. Section 685-A(7-A), to rezone the entire township of Bancroft located in Aroostook County.

(name of town, township or plantation, and county)

from its present (No Zoning) \_\_\_\_\_ designation  
(name(s) of the existing zoning subdistricts)

To: General Management Subdistrict (M-GN); General Development Subdistrict (D-GN); Residential Development Subdistrict (D-RS); Aquifer Protection Subdistrict (P-AR); Flood Prone Areas Protection Subdistrict (P-FP); Great Pond Protection Subdistrict (P-GP); Shorland Protection Subdistricts (P-SL1, P-SL2); and Wetland Protection Subdistricts (P-WL1, P-WL2, P-WL3)

(name(s) of the proposed zoning subdistricts)

for purposes of extending principles of sound planning, zoning, and development to the new township of Bancroft in conformance with 12 M.R.S. § 685-A; Chapter 10 Land Use Districts and Standards; and with the Comprehensive Land Use Plan. Bancroft deorganized July 1<sup>st</sup> 2015 and joined the jurisdiction of the Land Use Planning Commission in conformance with 30-A, M.R.S. § 7205, Section 5.

The petition will be filed for public inspection at the Maine Land Use Planning Commission office circled below (circle the appropriate office) on November 2, 2015.

<b><u>AUGUSTA OFFICE</u></b>	<b><u>ASHLAND OFFICE</u></b>
18 Elkins Lane - Harlow Bldg. 22 State House Station Augusta, ME 04333-0022	<i>Serving most of Aroostook County, and portions of northern Penobscot and Piscataquis Counties</i> 45 Radar Road Ashland, ME 04732-3600
Tel. (207) 287-2631 FAX (207) 287-7439	Tel. (207) 435-7963 FAX (207) 435-7184
<b><u>BANGOR OFFICE</u></b>	<b><u>EAST MILLINOCKET OFFICE</u></b>
<i>Serving Hancock, Kennebec, Knox, Lincoln, Sagadahoc, and Waldo Counties; most of Washington County; and all coastal islands in the LUPC service area</i> 106 Hogan Rd, Suite 8 Bangor, ME 04401	<i>Serving southern Penobscot and Aroostook Counties, and portions of Piscataquis and northern Washington Counties</i> 191 Main Street East Millinocket, ME 04430
Tel. (207) 941-4052 FAX (207) 941-4222	Tel. (207) 746-2244 Tel. (207) 731-4398 FAX (207) 746-2243
<b><u>GREENVILLE OFFICE</u></b>	<b><u>WEST FARMINGTON OFFICE</u></b>
<i>Serving Somerset County and most of Piscataquis County</i> 43 Lakeview Street P.O. Box 1107 Greenville, ME 04441	<i>Serving Franklin and Oxford Counties</i> 133 Fyfe Rd P.O. Box 307 West Farmington, ME 04992
Tel. (207) 695-2466 FAX (207) 695-2380	Tel. (207) 670-7492 OX Tel. (207) 670-7493 FR

Written comments from interested persons should be sent to the Maine Land Use Planning Commission address circled above and **must be received by the Commission in a timely manner.**

Requests for a public hearing must be submitted in writing and **must be received by the Commission in a timely manner.** Requests for a public hearing must clearly state the reasons for why a public hearing is warranted on this project.

For information on how to request a public hearing or for additional information, contact the Maine Land Use Planning Commission staff at the office highlighted above.

## **Bancroft Twp – Zoning Petition Document**

**1. Petitioner Information:**

See completed petition.

**2. Petitioner and/or Agent Signatures:**

See completed petition.

**3. Property Location:**

This is a zoning petition for all of Bancroft Township in Aroostook County, Maine.

**4. Project Description:**

Background Information

The town of Bancroft submitted a petition to the Maine Commission on Municipal Deorganization to deorganize. Bancroft then held a special town meeting to discuss the impacts of deorganization on May 3, 2012 and voted in favor of deorganizing. They appointed a citizen committee to develop a deorganization procedure and then submitted it to the Maine Commission on Deorganization on July 13, 2012. The procedure was formally accepted and the town scheduled a special town meeting to discuss and vote on the deorganization procedure (Exhibit O, Item 2). The 126<sup>th</sup> Maine Legislature approved deorganization of the Town of Bancroft, as described in Public Law 2013, Chapter 390 (Exhibit O, Item 4). Residents of Bancroft issued final approval for the town to deorganize, in accordance with 30-A M.R.S. § 7209, during general elections held November 14, 2014. In accordance with 30-A M.R.S. § 7205(5), the Commission has one year from the effective date of deorganization, July 1, 2015, to adopt zoning for Bancroft Twp.

Commission staff hosted an informal open house on January 22, 2015. Commission Planning and Permitting staff members were available during regular hours at the Bancroft town office to answer questions that residents or property owners had about the deorganization process and land use services provided by the Commission.

A public informational meeting was held on March 19, 2015 and included introduction to land use services provided by the Commission, as well as an overview of the prospective zoning process (Exhibit O, Item 3). Participants had a chance to review a series of maps depicting natural resources and existing development in Bancroft and to discuss likely zoning based on existing natural resources.

A draft zoning map was developed based on the information depicted in the series of resource maps shown to property owners in Bancroft at the March 19, 2015 meeting (Exhibit A). Another public informational meeting was held on May 7, 2015, and focused primarily on review of the draft zoning map. Participants were able to see the map, ask questions, and make comments.

During further review of the draft map, it came to the Commission's attention that several proposed P-WL and P-FP subdistricts, which are based on information contained in the National Wetlands Inventory and USGS soils dataset, overlapped existing structural development. In these locations, Commission staff proposed to work closely with property owners and consultants to gather better information about existing soils at each site and more accurately delineate the boundaries of mapped wetlands and flood prone areas overlapping existing structural development.

On June 10, 2015 the Commission directed staff to proceed with the wetland delineation for certain identified properties in order to finalize the draft land use guidance map, and then to initiate a public comment period (Exhibit O, Item 5). Wetland delineation was done on: 9/28/2015; 9/29/2015; 10/15/2015; and 10/21/2015. Once the P-FP and P-WL subdistrict boundaries were finalized, based on information obtained during wetland delineation by consultants, Staff initiated a 30 day public comment period from November 2, 2015 to December 2, 2015.

Notice of the proposed zoning petition was properly made to appropriate parties and the public as required under Chapter 4 of the Commission's rules. Notice of public informational meetings held in Bancroft was sent by mail to all property owners based on contact information provided by the town. Additionally, posters advertising the meetings were posted in a public, visible place in Bancroft. The Commission developed a webpage<sup>1</sup> for the deorganization project and posted information about, and materials for, public meetings online. Over the course of the project, staff regularly corresponded with property owners who could not make it to the meetings but wanted to ask questions or make comments.

### Proposal

The Commission proposes establishment of management, development and protection districts within the township of Bancroft. Establishment of zoning would extend sound principles of planning, zoning, and development to Bancroft Twp as it joins the deorganized and unorganized areas of the state and comes under the jurisdiction of the LUPC.

The Commission prospectively zones Municipal Civil Divisions (MCDs) that become part of the Jurisdiction after deorganizing. Prospectively zoning an entire township entails: identification of existing natural resources, which ultimately are included in protection or management subdistricts; and identification of existing development and appropriate locations for future growth, which forms the basis for establishing development subdistricts.

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<sup>1</sup>Bancroft Deorganization Website:  
[http://www.maine.gov/dacf/lupc/projects/deorganization/bancroft\\_deorg.html](http://www.maine.gov/dacf/lupc/projects/deorganization/bancroft_deorg.html)

### *Existing Natural Resources and Existing Development*

Commission staff developed a series of maps, based on existing data that describes existing natural resources and existing development in Bancroft. These resource maps represent the best available data for the new township and are grouped into three broad topic areas:

- *Water Resources.* This map shows the location of hydrologic features such as lakes, ponds, rivers, and streams; significant sand and gravel aquifers (glacial deposits that are significant ground water resources); wetlands depicted in the NWI; and 10 foot contour intervals showing changes in elevation (Exhibit G, Item 1).

Lower Hotbrook Lake is located on the southern boundary between T8 R4 WELS and Bancroft with only the northern portion of the lake in Bancroft. Lower Hotbrook Lake is approximately 713 acres, resource class 3, and characterized as inaccessible and undeveloped by the Maine Wildlands Lake Assessment Findings (Chapter 10, Appendix C).

The Mattawamkeag River from the Reed Plantation and Bancroft Township town line to the East Branch, including its tributaries (e.g., Baskehegan Stream in Bancroft), is considered a Significant River Segment identified in 38 M.R.S. § 437. The Maine Rivers Study (Maine Dept. of Conservation, 1982) identified the sections of the Mattawamkeag River and Baskehegan Stream in Bancroft as Level B Rivers, exhibiting some outstanding characteristics of statewide significance. Both are noted for their undeveloped shoreline, scenic character, and recreational resources for canoe-touring and whitewater activities (Exhibit O, Item 6).

- *Soil Resources.* This map shows the locations of different soil profiles in the township according to the National Cooperative Soil Survey (USGS). There currently are no Flood Insurance Studies, Flood Insurance Rate Maps (FIRM), Floodway Maps, or Flood Hazard Maps prepared by FEMA. Bancroft does not have an established Base Flood Elevation (BFE) (Exhibit E).
- *Existing Development.* This map shows existing property boundaries; structural development and known commercial, residential and municipal land uses; road networks; municipal facilities (e.g., sand/salt storage, cemetery, town office, etc.); and other development (Exhibit O, Item 2).
- *Other Special Natural Resources.* Mapped information about wildlife habitat in Bancroft, including deer wintering areas and Inland Wading and Water Bird Habitat (IWWH) developed as part of the Maine Natural Resources Protection Act (NRPA) (Exhibit G, Item 2).

Information about existing natural resources was obtained through the Maine Office of GIS and through discussions with state and federal agencies (Exhibit O, Item 1). The locations of existing structural development were verified during a land use windshield survey, conducted January 22, 2015 – January 23, 2015,<sup>2</sup> and through outreach to individual property owners.

### *Proposed New Zoning*

New zones would be based on existing natural resources, existing development, and input from property owners and appropriate state or federal agencies. The following subdistricts would be appropriate in Bancroft, given the existing resources.

*General Development Subdistrict (D-GN).* The D-GN subdistrict recognizes and promotes existing patterns of development in appropriate areas and encourages it therein and adjacent thereto. It is the Commission’s intent to promote these areas as future growth centers and encourage the general concentration of future development. The two proposed General Development subdistricts in Bancroft would conform to the D-GN subdistrict description Chapter 10 Land Use Subdistricts and Standards, Section 10.21,C,2.

The Comprehensive Land Use Plan (CLUP) includes a discussion of prospective zoning, by which the Commission “uses information on existing development patterns, natural resources constraints and recent trends to identify and zone areas appropriate for future growth (CLUP, pg. 63). The CLUP goes on to describe several communities that have deorganized and been prospectively zoned. In each MCD the Commission “developed and adopted zoning maps which included development zones that have sufficient undeveloped land to accommodate future growth” (CLUP, pg. 64).

During the two public meetings and subsequently as the map was developed, property owners identified two areas as being appropriate future growth centers. Both proposed D-GNs either currently have, or have had in the past, non-residential uses. Both are proximate to other existing residential development and public roads, and were identified as community focal points by participants in the public informational meetings. The two areas proposed for a D-GN Subdistrict include:

- Kelly Road D-GN: The boundaries of the D-GN located on Kelly Road were drawn in consultation with property owners to include existing businesses and structures, and to incorporate enough additional area to accommodate planned small-scale commercial uses, but to exclude resources within proposed protection subdistricts.
- Schoolhouse Road D-GN: The boundaries of the D-GN located on Schoolhouse and Bancroft Roads, in the southwest corner of the township, were drawn to include existing structures and exclude known natural resources that would otherwise be included in protection subdistricts. The proposed D-GN would include the former town office and

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<sup>2</sup> Survey included visual verification from public roads of location and use of existing structural development.

veteran's memorial. The subdistrict is contiguous and includes areas within 250 feet of public roads along School House Road and a portion of Bancroft Road.

*Residential Development Subdistrict (D-RS).* The D-RS subdistrict is intended to set aside certain areas for residential and other appropriate uses so as to provide for residential activities apart from commercial development. The Commission's intention is to encourage residential development in and adjacent to existing, similarly developed areas.

One D-RS subdistrict is proposed along Bancroft Road, in an area where four or more single family dwelling units exist within a 500 foot radius, and are in a recorded single family residential subdivision. This is the only location in Bancroft where 4 or more single family dwelling units exist within a 500 foot radius and would not otherwise be within a proposed D-GN subdistrict. The proposed Residential Development Subdistrict would conform to the D-RS Subdistrict description in Chapter 10 Land Use Subdistricts and Standards, Section 10.21,J,2.

*General Management Subdistrict (M-GN).* The General Management Subdistrict is intended to permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that the resource protection afforded by protection subdistricts is not required. Additionally, the M-GN subdistrict is proposed in areas that do not qualify for any other subdistrict (e.g., development subdistricts).

In Bancroft, these areas are currently low density, dispersed residential development, or actively managed for agricultural or forestry activities. The proposed General Management Subdistrict would conform to the M-GN subdistrict description in Chapter 10 Land Use Subdistricts and Standards, Section 10.22,A,2.

*Aquifer Resource Protection Subdistricts (P-AR).* The purpose of the Aquifer Protection Subdistrict is to protect the quantity and quality of ground water supply used or potentially available for human or industrial consumption.

The P-AR is proposed in three locations where information from the Maine Geological Survey indicates significant sand and gravel aquifers (glacial deposits that are a significant ground water resource) for Maine mapped at a scale of 1:24,000. Two of the proposed P-ARs include small portions of aquifers that are mostly located in nearby Haynesville and Danforth. The proposed Aquifer Protection subdistrict would conform to the P-AR subdistrict description in Chapter 10 Land Use Subdistricts and Standards, Section 10.23,b,2.

*Flood Prone Area Protection Subdistricts (P-FP).* The purpose of the Flood Prone Areas Protection Subdistrict is to regulate in all flood prone areas certain land use activities in order to minimize the human, environmental, and financial costs of floods and flood cleanup programs.

In Bancroft Township, the P-FP subdistrict is proposed in areas identified as being within the 100 year flood plain, based on information about soils from the National Cooperative Soil Survey (US



Department of Agriculture Soil Conservation Service Southern Aroostook County Soil Survey). Specifically, P-FP subdistricts would include soils identified in the survey as “Mixed Alluvial Lands”. There are no FEMA Flood Insurance Rate Map (FIRM) zones for Bancroft Twp. There is no known Base Flood Elevation (BFE). In a few locations, where mapped “Mixed Alluvial Lands” overlap existing buildings, the boundaries of these “Mixed Alluvial Lands” have been adjusted based on data collection in the field and photo interpretation of likely “Made Lands”, which are commonly found in “built-up areas” according to the Aroostook County Soil Survey (USGS).

The proposed Flood Prone Areas Protection Subdistrict would conform to the P-FP subdistrict description in Chapter 10 Land Use Subdistricts and Standards, Section 10.23,C,2.

*Great Pond Protection Subdistrict (P-GP).* The Purpose of the Great Pond Protection Subdistrict is to regulate residential and recreational development on Great Ponds to protect water quality, recreation potential, fishery habitat, and scenic character.

The P-GP subdistrict is proposed within 250 feet of the northern portion of Lower Hot Brook Lake, which is 713 acres and is characterized by the Wildlands Lake Assessment as resource Class 3, inaccessible, and undeveloped. The proposed Great Pond Protection Subdistrict would conform to the P-GP subdistrict description in Chapter 10 Land Use Subdistricts and Standards, Section 10.23,E,2.

*Shoreland Protection Subdistricts (P-SL1 and P-SL2).* The purpose of the Shoreland Protection Subdistrict is to regulate certain land use activities in certain shoreland areas in order to maintain water quality, plant, fish and wildlife habitat, and in order to protect and enhance scenic and recreational opportunities.

The P-SL1 subdistrict is proposed in areas within 250 feet of the normal high water mark of flowing waters that drain more than 50 square miles. The P-SL2 subdistrict is proposed in areas within 75 feet of the normal high water mark of flowing waters that drain 50 square miles or less; and around standing bodies of water 10 acres in size or less that are fed or drained by flowing waters. The proposed Shoreland Protection Subdistrict would conform to the P-SL subdistrict description in Chapter 10 Land Use Subdistricts and Standards, Section 10.23,L,2.

*Wetland Protection Subdistricts (P-WL1, P-WL2, and P-WL3).* The purpose of the Wetland Protection Subdistrict is to conserve coastal and freshwater wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

P-WL subdistricts are proposed around resources identified in the National Wetlands Inventory (NWI). In a few instances mapped wetlands overlapped existing structural development. In these locations, P-WL boundaries were further refined to exclude existing buildings in consultation with property owners. The proposed, refined, boundaries of wetland protection subdistricts reflect data collected in the field by Commission Staff, data collected through formal

wetland delineation by consultants Boyle Associates, and additional information collected in consultation with property owners.

Proposed wetland protection subdistricts would include: significant wetlands protection (P-WL1); scrub-shrub wetlands protection (P-WL2); and forested wetlands protection (P-WL3). The proposed Wetland Protection Subdistricts would conform to the P-WL subdistrict descriptions in Chapter 10 Land Use Subdistricts and Standards, Section 10.23,N,2.

**5. Acreage:**

See completed Zoning Petition document

**6. Site Conditions:**

See project description

**7. Current Uses of Property (In Township):**

See Exhibit O, Item 2

**8. Existing Structures and Development:**

See Exhibit O, Item 2

**9. Petitions to Rezone to a Management or Protection Subdistrict:**

Bancroft does not currently have protection or management zones other than state mandated shoreland zoning. Establishing protection and management subdistricts around natural resources in the new township would: 1) extend greater protection to existing natural resources than is currently in place; and 2) establish a baseline against which future rezoning proposals can be measured to determine if proposed changes in use would create undue adverse impacts on existing uses or resources.

**10. Question 10: Flood Area Zoning:**

See Exhibit E, & Exhibit G, Item 3

**11. Public and Community Services:**

See Exhibit L

**12. Access to Site:**

See Exhibit O, Item 2

**13. Surrounding Uses:**

See Project Description

#### **14. Anticipated Impacts:**

This proposal is to extend zoning to an entire township that has recently deorganized and who's land use planning and permitting functions are now within the jurisdiction of the LUPC. The proposal is not for a specific development project and therefore it is difficult to attempt to quantify anticipated impacts. New zoning alone, without some actual development based on the new zoning, is not likely to have any impact, either positive or negative, on the surrounding land, resources, and uses in the community or area.

Nevertheless, the proposed development subdistricts reflect historical development patterns and growth centers identified in consultation with residents and property owners and should over time result in an overall positive impact on the community. The zoning will serve to direct development to the areas identified as being the most appropriate for those types of development. The zoning also provides greater predictability for anyone interested in developing and therefore may facilitate some economic development in the community.

The zoning also serves to discourage development in places that are not appropriate due to the characteristics of the land, resources, and uses in the area. Potential future negative impacts from development would be minimized by establishing protection subdistricts in the new township where there was no prior protection in place for significant natural resources. Establishment of protection subdistricts would create a baseline from which future potential impacts from specific development proposals could be measured.

#### **15. Consistency with the Commission's Comprehensive Land Use Plan (CLUP)**

The CLUP contains several overarching goals and polices that are met by this proposal to extend Development, Management, and Protection zoning districts to Bancroft Township. Specific goals and objectives described in the CLUP that relate to location of development and are met by this proposal include:

- A. *Broad Goals of the Commission (CLUP, pg. 5). "Support and promote the management of all the resources, based on the principles of sound planning and multiple use, to enhance the living and working conditions of the people of Maine and property owners and residents of the unorganized and deorganized townships, to ensure the separation of incompatible uses and to ensure the continued availability of outstanding quality water, air, forest, wildlife and other natural resource values of the jurisdiction."*
- B. *Location of Development Goal (CLUP, pg. 6). "Guide the location of new development in order to protect and conserve forest, recreational, plant or animal habitat and other natural resources, to ensure the compatibility of land uses with one another and to allow for a reasonable range of development opportunities important to the people of Maine, including property owners and residents of the unorganized and deorganized townships."*

- C. *Location of Development on a Jurisdiction-wide level, Policy # 1 (CLUP, pg. 6). "Provide for a sustainable pattern of development, consistent with historical patterns, which directs development to suitable areas and retains the principal values of the jurisdiction, which includes a working forest, integrity of natural resources, and remoteness."*
- D. *Location of Development on a Community or regional level, Policy # 5 (CLUP, pg. 6). "Undertake prospective zoning within certain areas of the jurisdiction where there is a need to achieve balance between expected development pressures and high resources values in order to provide greater regulatory predictability."*

Discussion:

Upon its deorganization, Bancroft became part of the jurisdiction of the Land Use Planning Commission. State law requires that the Commission develop a land use guidance map for Bancroft within one year of deorganization [30-A M.R.S. § 7205(5)].

Prior to deorganization, Bancroft did not have any zoning beyond state mandated shoreland zoning (38 M.R.S. § 435). Extension of the principles of sound planning and management for multiple uses through the Commission's regulatory framework will ensure existing natural resources and historical development patterns are supported and promoted by separating incompatible uses, and maintaining outstanding quality water, air, forest, wildlife, and other natural resources.

The proposal includes Development Subdistricts that reflect historical development patterns and focus development near existing similar uses. The majority of Bancroft Township would be within the General Management Subdistrict (M-GN), which encourages land management activities such as forestry and agriculture. Proposed development and management subdistricts would exclude natural resources otherwise eligible for inclusion in a protection subdistrict.

The CLUP includes a discussion of prospective zoning, by which the Commission "uses information on existing development patterns, natural resources constraints and recent trends to identify and zone areas appropriate for future growth" (CLUP, pg. 63). The CLUP goes on to describe several communities that have deorganized and been prospectively zoned. In each MCD the Commission "developed and adopted zoning maps which included development zones that have sufficient undeveloped land to accommodate future growth" (CLUP, pg. 64).

The Draft Land Use Guidance Map for Bancroft Township proposed in this petition was developed in a similar manner to past efforts to prospectively zone deorganized municipalities, as described in the CLUP (CLUP, pg. 64).

While protection subdistricts were based on existing natural resources identified during the land use survey, development subdistricts took into account historical development patterns, existing densities, and landowner intent. As a result they include undeveloped areas to accommodate future growth. During the two public meetings and subsequently as the map was

developed, the Commission, with input from residents and property owners, identified two areas as being appropriate future growth centers (See Exhibit O, Item 3). Both proposed D-GNs either currently have, or have previously had, non-residential uses. Both are proximate to other existing residential development and public roads, and were identified as community focal points by participants in the public informational meetings.

Other goals and policies described in the CLUP that relate to protection of existing natural resources include:

- A. Water Resources Goal (CLUP, pg. 18). *“Preserve, protect and enhance the quality and quantity of surface waters and groundwater.”*
- B. Water Resources Policy # 8 (CLUP, pg. 18). *“Control land uses on identified aquifers and their recharge areas in order to prevent adverse effects on water quality or quantity.”*
- C. Wetland Resources Goal (CLUP, pg. 19). *“Conserve and protect the ecological functions and social and economic values of wetland resources.”*

**Discussion:**

The proposal is at least as protective of water-based resources in Bancroft Township as the municipality’s state mandated shoreland zoning ordinance. Through the Natural Resources Protection Act (NRPA) shoreland zoning provides protection to a list of designated resources. All of these resources also fall within protection subdistricts in the Commission’s Jurisdiction. In some situations, the Commission’s regulatory framework would provide more protection for designated resources. For example, shoreland zoning would provide some level of protection for non-forested wetlands over 10 acres in size, while P-WL subdistricts provide additional protection to forested and other wetlands under 10 acres in size.

The proposal specifically proposes P-AR subdistricts around identified aquifer resources. Prior to deorganization, Bancroft did not have any ordinances in place to provide specific protections for existing aquifer resources.

The proposal includes wetland protection subdistricts to protect wetland resources within the township including emergent, scrub-shrub, and forested wetlands.

**Question 16: Shore land Development**

See project description

**Question 17: Subdivision or Development Zoning Proposal**

See Project Description

**Question 18: Natural and Historical Features**

See Project Description and Exhibit G, Item 2

**Question 19: Recreational Resources**

See Project Description

**Question 20: Prospectively Zoned Areas**

N/A

**Question 21: Planned Development of Planned Recreation Facility Development Subdistricts**

N/A

**Question 22: Additional Information**

The municipality provided Commission Staff with contact information for property owners and available information about past permitting and subdivision activity in the town. Members of the Select Board and Deorganization Committee were available to staff during development of the map and provided additional information as needed.

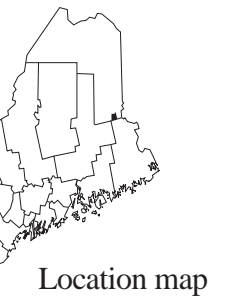
## Question 23: Required Fees, Exhibits and Supplements

### Exhibits:

- A. *Proposed Bancroft Township Land Use Guidance Map*
- B. *Property Owners (contains contact information used for notice)*
- C. *Photos of Bancroft*
- D. *N/A*
- E. *Soils Resources Map*
- F. *Notice of Filing Form*
- G. *Water, Wetlands, and Habitat resources:*
  - 1. *Water Resources Map*
  - 2. *Other Special Natural Resources Map*
  - 3. *Wetland Delineation Report*
- H. *N/A*
- I. *N/A*
- J. *N/A*
- K. *N/A*
- L. *Deorganization Procedure*
- M. *N/A*
- N. *N/A*
- O. *Other information:*
  - 1. *List of Sources*
  - 2. *Existing Development*
  - 3. *Public Meeting Agendas and Summary*
  - 4. *Public Law 2013, Chapter 390*
  - 5. *Commission Meeting Minutes*
  - 6. *Maine Rivers Study Excerpts*

# Bancroft Twp.

Aroostook County



## Land Use Guidance Map

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

### Legend

#### DEVELOPMENT SUBDISTRICTS

- D- GN General
- D- RS Residential

#### PROTECTION SUBDISTRICTS

- P- AR Aquifer Recharge
- P- FP Flood Prone
- P- GP Great Pond
- P- SL1 250' Shorelands
- P- SL2 75' Shorelands
- P- WL1 Wetlands of Special Significance
- P- WL2 Scrub- shrub Wetlands
- P- WL3 Forested Wetlands

#### MANAGEMENT SUBDISTRICTS

- M- GN General

Zone boundaries are shown as a solid line (—) where possible. When one protection subdistrict overlaps another protection subdistrict, a dashed line (---) may be used. For complete descriptions of these areas included within the various subdistricts, and regulations pertaining thereto, refer to the Land Use Districts and Standards for the Plantations and Unorganized Townships of the State of Maine, Maine Land Use Planning Commission, Department of Agriculture, Conservation and Forestry. Where any inconsistencies exist between the district boundaries, as shown on this map, and those described by the Commission's Land Use Districts and Standards the latter shall govern.

WQLL Water Quality Limiting Lake - Refer to Section 10.23.E.3.J of the Commission's Land Use Districts and Standards.

MC1 - MC6 Lake Management Classes - Refer to Section 10.02 (Definitions) of the Commission's Land Use Districts and Standards.

For simplicity, this map does not show the Wetland Protection Subdistricts for areas identified pursuant to Section 10.23.N.2 such as the beds of rivers, lakes, and other water bodies, and freshwater wetlands within 25 feet of stream channels, which areas are nevertheless within P- WL Subdistricts. Also, this map does not show the Shoreland Protection Subdistricts along stream channels flowing through wetlands, which areas are nevertheless within P- SL2 Protection Subdistricts.

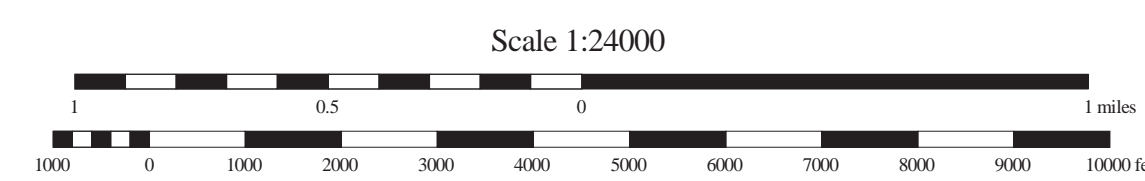
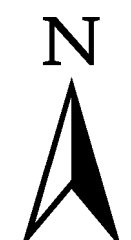
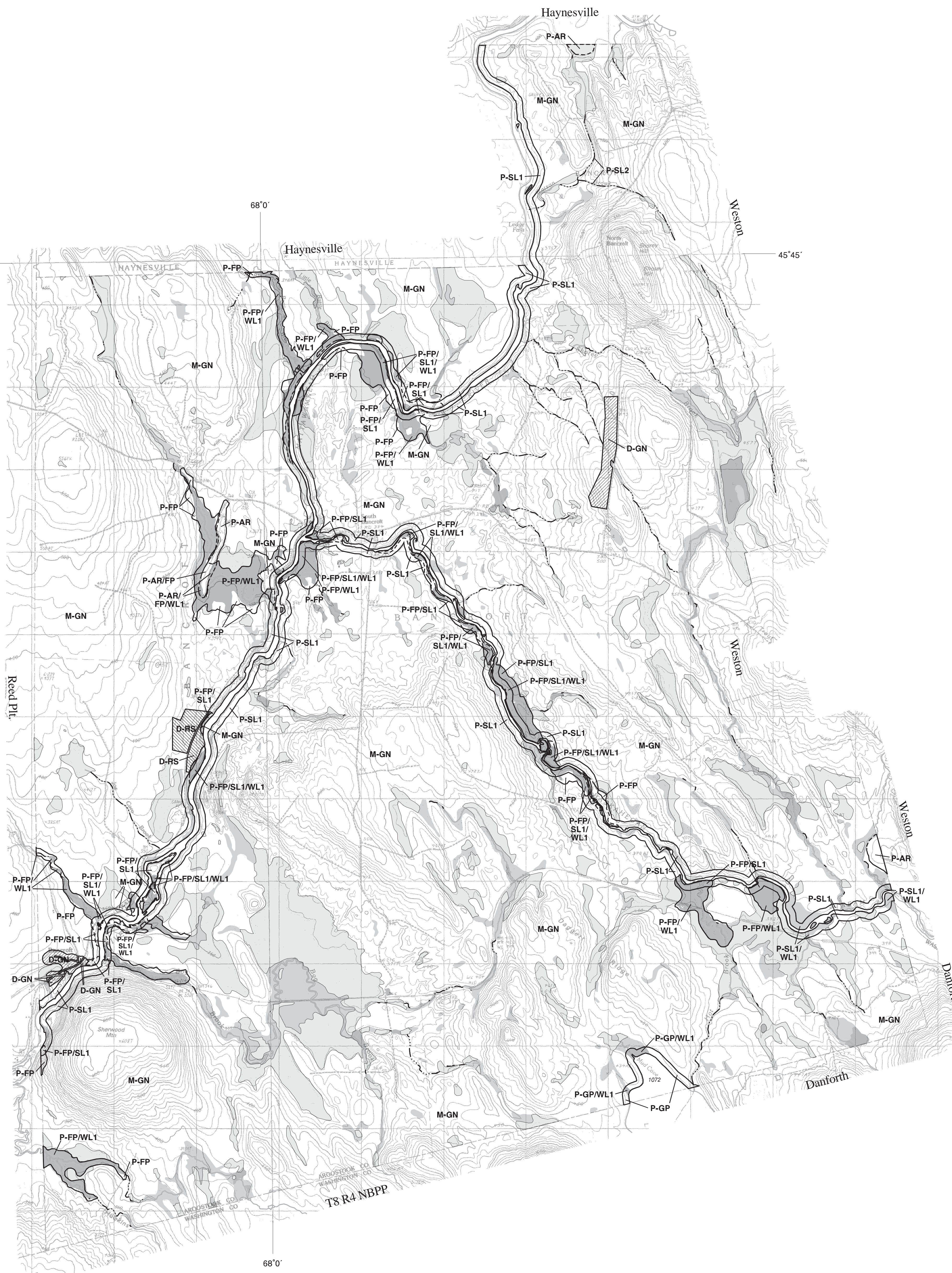
If the locations of flowing waters or bodies of standing water existing on the ground are at variance with those shown on the map, then pursuant to 12 M.R.S.A., §685- A(2)(G), P- GP, P- RR, P- SL, P- WL, and other subdistrict boundaries which are based upon the location of such waters shall, as appropriate, be deemed to follow the flowing water or body of standing water existing on the ground.

This Land Use Guidance Map was adopted by the Maine Land Use Planning Commission on \_\_\_\_\_, and became effective on \_\_\_\_\_. This map is certified to be a true and accurate copy of the official Land Use Guidance Map of the Maine Land Use Planning Commission.

By: \_\_\_\_\_, Director, Maine Land Use Planning Commission

#### Amendments

Location #	Zoning permit	Effective date	Remarks



Base map compiled from USGS 7.5- minute quadrangle series

USGS topographic quadrangle index	
1	2
3	4
1 = Alder Brook 2 = Haynesville 3 = Wytopitlock 4 = Jimmy Mtn	



Point at which a river drains 25 square miles upstream (12 MRSA Sec. 682-B(4))

9999

MIDAS number: Unique number assigned to each standing body of water in Maine.



**Exhibit B – Property Owners, Bancroft Township**

<b>Property Owner</b>	<b>Street Address</b>	<b>Mailing Address</b>	<b>Town</b>	<b>State</b>	<b>Zip</b>	<b>Map/Lot</b>	
A.E. Howell Conservation Center, Inc.	101 Lycette Rd.		Amity	ME	04471	6	11
A.E. Howell Wildlife Conservation Center, Inc.	101 Lycette Rd		Ammity	ME	04471	6	10-1
Ahern Hinch Timberlands	c/o Prentis & Carlisle Mgmt Co	P.O. Box 637	Bangor	ME	04402-0637	5	5
Ahern Hinch Timberlands	c/o Prentis & Carlisle Mgmt Co	P.O. Box 637	Bangor	ME	04402-0637	5	3-1
Allen, Stephen A. & Paula J.	36 Parkview Terrace		Augusta	ME	04330	4	1-1
Atkins, Joseph Heirs of	c/o Heidi Reilly	405 Southmoor Circle	Stockbridge	GA	30281	1	13
Bailey, Donna	2330 Bancroft Rd		Bancroft	ME	04497	1	28-2
Ballanger, Gary	739 Kelly Rd		Bancroft	ME	04497	5	8
Ballanger, Gary	739 Kelly Rd		Bancroft	ME	04497	5	7-2
Bartlett, Phillip & Ida	15 Randall Rd		Berlin	MA	01503	6	4-0
Baskahegan Company	RR 1		Brookton	ME	04413	98	1-1
Baskahegan Company	RR 1		Brookton	ME	04413	98	1-0
Baskahegan Dam Company			Brookton	ME	04413	4	13
Battle Brook Farm Church	c/o Ricky Brooks	16 Laase Ave.	Lewiston	ME	04240	3	14
Beckett, Wilma J.	1 White Rd		Bancroft	ME	04497	5	7-4
Beckett, Wilma J.	1 White Road		Bancroft	ME	04497	5	9-0
Beckett, Wilma Jean	1 White Rd		Bancroft	ME	04497	5	7-6
Belanger, Mary	PO Box 85		Manchester	ME	04351	1	12-0
Bennett Family Trust of 2002	228 Mallorca Way		San Francisco	CA	1515	5	14,15-0
Benson, Joseph M.	PO Box 629		Durham	CT	06422	7	6-4
Benson, Patricia A.	c/o Richard M. Benson	12257 Heronsford Lane	Jacksonville	FL	32258	7	6-6
Benson, Richard M.	12257 Heronsford Lane		Jacksonville	FL	32258	7	6-5
Benson, Richard M.	12257 Heronsford Lane		Jacksonville	FL	32258	7	6-0
Bidoudane, Radouane & Angela	461 Summer St		Lynn	MA	01905	5	10-1-3
Bissonette, Robert and Linda	76 Paige Hill Rd		Goffstown	NH	03045	1	25-1
Boudreau, Michelle	10 Lola Dr.		South China	ME	04358	3	6-0
Braley, James	Braley, Scott B.	366 Hunnewell Ave.	Pittsfield	ME	04967	3	2-0
Brewer, Joann, Jerome & Jerard	2752 Bancroft Rd.		Bancroft	ME	04497	1	5-0
Brooks, Ricky	16 Laase Ave		Lewiston	ME	04240	2	6-4
Brown, Cary & Ardis B	PO Box 243		Danforth	ME	04424	4	7-0

Source: Town of Bancroft

**Exhibit B – Property Owners, Bancroft Township**

Burch, Susan	259 Coe Ave		East Haven	CT	06572	1	23-0
Capuano, Lawrence A.	66 Henry St.		East Haven	CT	06512	5	7-13
Caron, Alice, Devisees of	c/o Joseph Stevens	63 Evergreen Ave	Old Orchard Beach	ME	04064	1	4-0
Caron, Alice, Devisees of	c/o Joseph Stevens	63 Evergreen Ave	Old Orchard Beach	ME	04064	1	7-0
Collelo, Sara	226 Lisbon Rd.		Canterbury	CT	06331	5	7-8
Collier, Russell E.	313 Main St.		Pittsfield	ME	04967	3	9-0
Collier, Russell E.	313 Main St.		Pittsfield	ME	04967	3	5-0
Crawford, Carolyn	2787 Bancroft Rd.		Bancroft	ME	04497	1	2-0
Crawford, Robin Jr.	PO Box 279		Lincoln	ME	04457	98	1-4
Cronkite, Maber & Janet	374 Dixmont		Etna	ME	04434	2	6-1
Cronkite, Thomas Lee	c/o Maber Cronkite	374 Dixmont Rd.	Etna	ME	04434	2	7-0
Currier, Colleen A.	30 Sweet St.		Danville	NH	03079	7	3-0
Danyew, John P.	PO Box 394		Danforth	ME	04424	2	1-2
Davis, Carl & Patricia	PO Box 96		Danforth	ME	04424	6	9-0-2
Davis, Carl & Patricia	PO Box 96		Danforth	ME	04424	6	9-0-3
Davis, Carl & Patricia	PO Box 96		Danforth	ME	04424	6	9-1-2
Davis, Carl & Patricia	PO Box 96		Danforth	ME	04424	6	9-1-3
Davis, Carl & Patricia; Davis, Joseph & Renee	PO Box 189		Danforth	ME	04424	7	5-0
Davis, Carl L. & Patricia E.	PO Box 189		Danforth	ME	04424	98	1-2
Davis, Jeff & Nancy	34 Crabapple Drive		Sanbornville	NH	03872	98	1-3
Deering, Ronald W. & Carole A.	503 Winthrop Center Rd.		Winthrop	ME	04364	2	1-3
Dougherty, Paul E.	6 Bay Terrace		Plymouth	MA	02360	1	25-5
Doughty, Warren	35 Parker Head Rd.		Phippsburg	ME	04562	1	27-0
Downing, Forrest	456 Mountain Rd.		Concord	NH	03301	5	16-3-1
Downing, Forrest & Tsalapatas, Nick	456 Mountain Rd.		Concord	NH	03301	5	16-3-0
Eastern Maine Electric Coop	PO Box 425		Calais	ME	04619	99	1-0
Ellingwood, Mary Devisees of	c/o Michael Ellingwood	142 Seventh St.	Auburn	ME	04210	1	33-0
Ellingwood, Michael S.	& Steeves, Mary Lou	142 Seventh St.	Auburn	ME	04210	1	20-0
Elliott, Harry J.	2315 Bancroft Rd		Bancroft	ME	04497	1	29-0
Ellis, Robert D.	40 Court St.		Houlton	ME	04730	5	1-0
Emin, Blair & Diane	10 Highwoods W.T.		Vineyard Haven	MA	02568	5	16-1
Faulkner, Joe	12 Notch Rd. Ext		Bolton	CT	06043	5	4-0
Faulkner, Joe	12 Notch Rd. Ext.		Bolton	CT	06043	5	6-0
Faulkner, Joe	12 Notch Rd. Ext.		Bolton	CT	06043	5	6-1

Source: Town of Bancroft

**Exhibit B – Property Owners, Bancroft Township**

Field, Lisa F.	194 Vankirk Rd.		Newfield	NY	14867	2	1-1
Fitzpatrick Forest Mngt Trust	c/o David Fitzpatrick	506 Kelly Rd.	Bancroft	ME	04497	7	10-1
Fitzpatrick, Adam & Tyler	c/o Adam Fitzpatrick	87 Crescent St.	Skowhegan	ME	04976	4	2-3
Fitzpatrick, David	506 Kelly Rd.		Bancroft	ME	04497	6	13-0
Fitzpatrick, David	506 Kelly Rd.		Bancroft	ME	04497	6	12-0
Fitzpatrick, Peter	PO Box 155		Danforth	ME	04424	4	2-2
Gard, James E.	744 Arbutus St		Middletown	CT	06457	7	6-3
Gardiner, Josephine	184 Old Park Ave. #14		Lexington	KY	40502	1	29-5
Gilpatrick, c/o Richard E. & Cheryl D.	PO Box 664		Parsonfield	ME	04047	6	6-0
Gobeil, Robert W.	127 Shaker Rd.		Gray	ME	04039	5	7-12
Gooley, Heather L.	690 Hudson Rd		Corinth	ME	04427	1	14-0
Graham, Robert L.	& White, Rebecca J.	171 Main St.	Warren	ME	04864	4	4-1
Gregor, Mary B., Trustee of Meadows & Mountains Trust	1235 Estabrook Rd.		Amity	ME	04471	5	17-0
					19940-		
Gregory, James E. & William O.	P.O. Box 455		Delmar	MD	0455	6	8-1
Grivalsky, Faye Elizabeth	48 Daffolil Lane		Meridin	CT	06450	7	6-1
Haes, William Estate of	c/o Thomas Haes	61 Old Church Rd	Egg Harbor City	NJ	08215	5	7-5
Hanington Brothers	HC 62 Box 770		Kingman	ME	04451	3	7-0
Hanington Timberlands	PO Box 90		Wytopitlock	ME	04497	1	27-3
Hanington Timberlands	PO Box 90		Wytopitlock	ME	04497	3	15-0
Hanington Timberlands	PO Box 90		Wytopitlock	ME	04497	3	7-1
Hanington, Carrie	PO Box 333		Danforth	ME	04424	1	29-1
Hanington, Douglas	PO Box 23		Wytopitlock	ME	04497	1	24-0
Hanington, Harvey	PO Box 424		Danforth	ME	04424	1	17
Hanington, Harvey	PO Box 424		Danforth	ME	04424	1	9
Hanington, Harvey	PO Box 424		Danforth	ME	04424	1	11
Hanington, Irma	184 Lee Rd		Lincoln	ME	04457	3	13-0
Hanington, Raymond	Fedewa; Tim	PO Box 157	Bradley	ME	04411	4	10-0
Hanington, Raymond	Fedewa; Tim	PO Box 157	Bradley	ME	04411	4	11-0
Hanington, Raymond	Fedewa; Tim	PO Box 157	Bradley	ME	04411	4	12-0
Hanington, Raymond	PO Box 157		Bradley	ME	04411	6	9-0-1
Hanington, Raymond	PO Box 157		Bradley	ME	04411	6	9-1-1
Hanington, Raymond & Janice	PO Box 157		Bradley	ME	04411	4	9-0
Hanington, Raymond & Janice	PO Box 157		Bradley	ME	04411	4	3-1
Hanington, Willard S. Jr.	52 Medway Rd		Mattawamkeag	ME	04459	3	4-0
Hannington, Raymond	PO Box 157		Bradley	ME	04411	4	9-2

**Exhibit B – Property Owners, Bancroft Township**

Hannington, Raymond	PO Box 157		Bradley	ME	04411	4	9-1
Hardmon-Everette, Jewel	32 Leroy St		Attleboro	MA	02073	5	7-10
Hardmon-Everette, Jewel	32 Leroy St.		Attleboro	MA	02073	5	7-11
Harnois, Mary C.	104E North Turnpike Rd.		Wallingford	CT	06492	7	6-2
Haskins, Juana	48 Pinewood Dr		Topsham	ME	04086	1	27-2
Hawkes, Gary & Susan	22 Harbor Heights		Harpwell	ME	04079	6	10-0
Hayes, Carrie S. & Snow, Randal R.	286 Old Brunswick Rd.		West Bath	ME	04530	4	2-6
Heirs of John Ryan	1665 Bancroft Rd.		Bancroft	ME	04497	4	2-5
Hunters Group Realty Trust	c/o David Rosati: Trustee	33 Cross St. Apt 2	Melford	MA	02155	6	5-3
Hydrograss Holdings, Inc.	PO Box 1		Pittsfield	ME	04967	3	12-1
Irish, Bennett L.	28203 Rippling Brook Lane		Fulshear	TX	77441	1	8-1
Irish, Brenda L.	Rogers; Peggy Et Al	317 Kennedy Rd.	San Dimas	CA	91773	1	8-2
Irish, Dennis	9 Bridge Rd.		Lincoln	ME	04457	1	22-0
Irish, Mary	17 Schoolhouse Rd.		Bancroft	ME	04497	1	19-0
Jones, Anne Marie Et Al	16 Hinch Rd.		Bancroft	ME	04497	4	2-0
Kelley, David	175 Old Brunswick Rd.		Gardiner	ME	04345	2	2-0
Kennedy, John D. & Victoria	53 Kennedy Ln		Bancroft	ME	04497	6	8-0
Kinney, Harry L. & Michael W.	PO Box 13		Danforth	ME	04424	8	1-0
Knights Jr., Roland	1378 Bancroft Rd.		Bancroft	ME	04497	7	1-0
Knights Sr., Roland	1374 Bancroft Rd		Bancroft	ME	04497	7	1-0
Koncewicz, Edwin	2279 Bancroft Rd.		Bancroft	ME	04497	1	29-2
					02538-		
Kozikowski, Miroslawa	16 Depot St.		East Wareham	MA	1339	5	7-9
Kozlowski, Tyrone	PO Box 1581		Washington	MO	63090	1	1-0
Lastname(1)	Address (1)	Address (2)	City	State	Zip	Map	Lot(s)
Leclair, Marlene & Lisa	686 Medway Rd.		Molunkus	ME	04459	4	8-0
Lee, Robert Et Al	235 Grove St.		Bangor	ME	04401	2	7-1
Lemieux, Lloyd E., Leon J. & Greg A.	306 Woodchuck Hollow Rd.		Washington	VT	05675	1	28-0
Lindsey, Gary & Sue	71 Mill Rd.		Bancroft	ME	04497	1	24-0
Lisheness. Frank	1371 Bancroft Rd.		Bancroft	ME	04497	7	2-0
Longo, Leonard, Jr. & Adrienne Noel	14730 Garson Loop		Springhill	FL	34610	5	7-7
MacDonald, Joseph & Sandra	248 Kelly Rd.		Bancroft	ME	04497	7	10-0
Mackey, Herbert	50 W. Myrtle St.		Orange	MA	01364	5	13-0
Madore, Mark & Rhonda	121 Congress St.		Millinocket	ME	04462	2	6-3
Martin, Cherry	79 Ghost Rd.		Springfield	ME	04487	3	8-0
Masker, Dean & Mary	307 Avenue C		Matamoras	PA	18336	5	10-1-4

**Exhibit B – Property Owners, Bancroft Township**

McCarty, Mark S.	1416 East Wallum Lake Rd.		Pascoaty	RI	02859	4	3-3
McCole, Paul & Donna	PO Box 673		Bath	ME	04530	1	25-6
McLaughlin, Douglas	2303 Bancroft Rd.		Bancroft	ME	04497	1	29-4
Meadows & Mountains, LLC	1235 Estabrook Rd.		Amity	ME	04471	4	3-0
Meadows & Mountains, LLC.	1235 Estabrook Rd.		Amity	ME	04471	5	10-1
Merry, Raye Lin	347 Simpson Rd.		Buxton	ME	04093	1	8,1
Molt, Lori M.	115 Sproul Hill Rd.		Bristol	ME	04539	4	3-5
Molt, Lori M.	115 Sproul Hill Rd.		Bristol	ME	04539	4	3-4
Morgan, Martin L. & Pamela L.	58 Lighthouse Lane		Rumford	ME	04276	3	11-0
Mori, Florence A.	13 Marlyn Terrace		Millville	NJ	08332	2	6-2
Nappi, Samuel J. & Charlene E.	276 Fowler Rd		Cape Elizabeth	ME	04107	2	3-2
Nason, Norma L Trust	12106 Wekiwa Circle		Dunellon	FL	34432	1	3-0
Ness, Charles & Strauss, Ann	78 North Main St.		Markeson	WI	53946	1	28-3
Ness, Charles & Strauss, Ann	78 North Main St.		Markeson	WI	53946	1	28-4
Ness, Charles & Strauss, Ann	78 North Main St.		Markeson	WI	53946	1	28-1
Nicholas, Rosmardo	18 Ridge Rd		Southampton	NJ	08088	1	27-1
Nolan, Juanita L.	34 Winding Ln.		Enfield	CT	06082	6	5-2
O'Brien, Onneke	576 Lakeview Dr		Smithfield	ME	04978	5	12-0
Orrall, George & Vale	9 Myra Ave.		Riverside	RI	02915	7	9-0
Potter, Dennis E. Et Al	c/o David Potter	PO Box 1324	Windham	ME	04062	3	10-0
Potter, Troy M. Et Al	38 Nash Rd.		Windham	ME	04062	3	3-0
Preston, Wade A.	Noyes, Trent B.	68 Nooks Hill Rd.	Cromwell	CT	06416	2	3-0
Proulx, Daniel & Adams, Theresa	1827 Bancroft Rd		Bancroft	ME	04497	4	1-0-1
Proulx, Daniel & Adams, Theresa	1827 Bancroft Rd.		Bancroft	ME	04497	4	1-0
Robertson, Herbert	1063 Bancroft Rd.		Weston	ME	04424	98	2-0
Rockwell, Nicholas	2007 Bancroft Rd.		Bancroft	ME	04497	2	8-0
Rouleau, Steven D.	20 Snag Wood Rd.		Foster	RI	02825	1	22-2
Rupp, Chuck & Linda	87A Rupp Rd.		Halifax	PA	17032	7	4-0
Russell, David & Cheryl	RR#3 Box 1434		Lincoln	ME	04457	3	13-0-1
Shain, Michael & Sandra	362 Kelly Rd.		Bancroft	ME	04497	6	2-0
Sherman, Kirk A. & Judy	PO Box 6363		China Village	ME	04926	8	2-0
Smith, William	PO Box 123		Orono	ME	04473	1	15-0
Snow, Randall & Jennifer	58 Jessica Lane		West Bath	ME	04530	4	2-7
Spaulding, Ernest R. & Lori R.	1073 Ferry Rd.		Bancroft	ME	04497	5	10-0
Staples, Ralph E. & Joan A.	90 Kelly Rd.		Bancroft	ME	04497	7	7-0
Staples, Ralph E. & Joan A.	90 Kelly Rd.		Bancroft	ME	04497	7	8-0

**Exhibit B – Property Owners, Bancroft Township**

Stevens, Philip Sr. & Philip Jr.	PO Box 224		Charlton	MA	01507	6	2-1
Stockwell, Charles & Wendy	15 Gurney Rd.		E. Freetown	MA	02717	2	6-0
Swenson, Genevieve	31 Schoolhouse Rd.		Bancroft	ME	04497	1	18-0
Taylor, Lawrence	40 Dyer St.		S. Portland	ME	04106	1	29-3
Tetreau, Paul	2555 Bancroft Rd.		Bancroft	ME	04497	1	26-0
Tetreau, Paul	2555 Bancroft Rd.		Bancroft	ME	04497	1	26-1
Thayer, Michael, Trustee & Whitner, Kay, Trustee	22 Lester Lane		Weymouth	MA	02188	2	4-0
Town of Bancroft	16 Mill Rd		Bancroft	ME	04497	1	16-0
Trafton, Eugene	814 Washington St.		Bath	ME	04530	4	6-0
Trafton, Michael B. & Vicki Jo	77 High St.		Bath	ME	04530	4	5-0
Trafton, Michael B. & Vicki Jo	77 High St.		Bath	ME	04530	4	5-2
Trafton, Michael B. & Vicki Jo	77 High St.		Bath	ME	04530	4	5-1
Tripp, Chester J.	972 Moody Mtn Rd.		Searsmont	ME	04973	4	4-0
Turner, Lee M. & Betty J.	1248 High St.		West Gardiner	ME	04345	6	7-0
Vidlocker, Seth	350 Kelly Rd		Bancroft	ME	04497	6	1-0
Wardwell, Steven	354 Kelly Rd		Bancroft	ME	04497	6	2-2
Watson, Robert & Christine; Dore, Martin; Watson, Rosemarie	222 Swan Rd		Hermon	ME	04401	5	16-2
Welch, Lawrence M. & Kellie C	P.O. Box 291		Danville	NH	03819	6	5-1
Williams, Roger & Marie	c/o Raymond Hanington	PO Box 157	Bradley	ME	04411	6	5-0
Witten, Earl	42 Schoolhouse Rd		Bancroft	ME	04497	1	10-1
Witten, Earl	42 Schoolhouse Rd.		Bancroft	ME	04497	1	21-0
Witten, Earl D.	42 Schoolhouse Rd		Bancroft	ME	04497	1	10-0
Worster, Ramona A.	138 Old Winthrop Rd. Apt 1		Augusta	ME	04330	1	6-0
Wright, Brian & Bruce	64 Englebrecht Rd		Edgecomb	ME	04556	4	3-2
Younger, Scott	2633 Bancroft Rd.		Wytovitlock	ME	04497	1	25-3
	93 Perkins St.		Bristol	CT	06010	3	12-0

# Exhibit C: Photographs

## Bancroft Township—Aroostook County



Bancroft Town Office



D-GN in SW Corner of Township



Mattawamkeag River, January



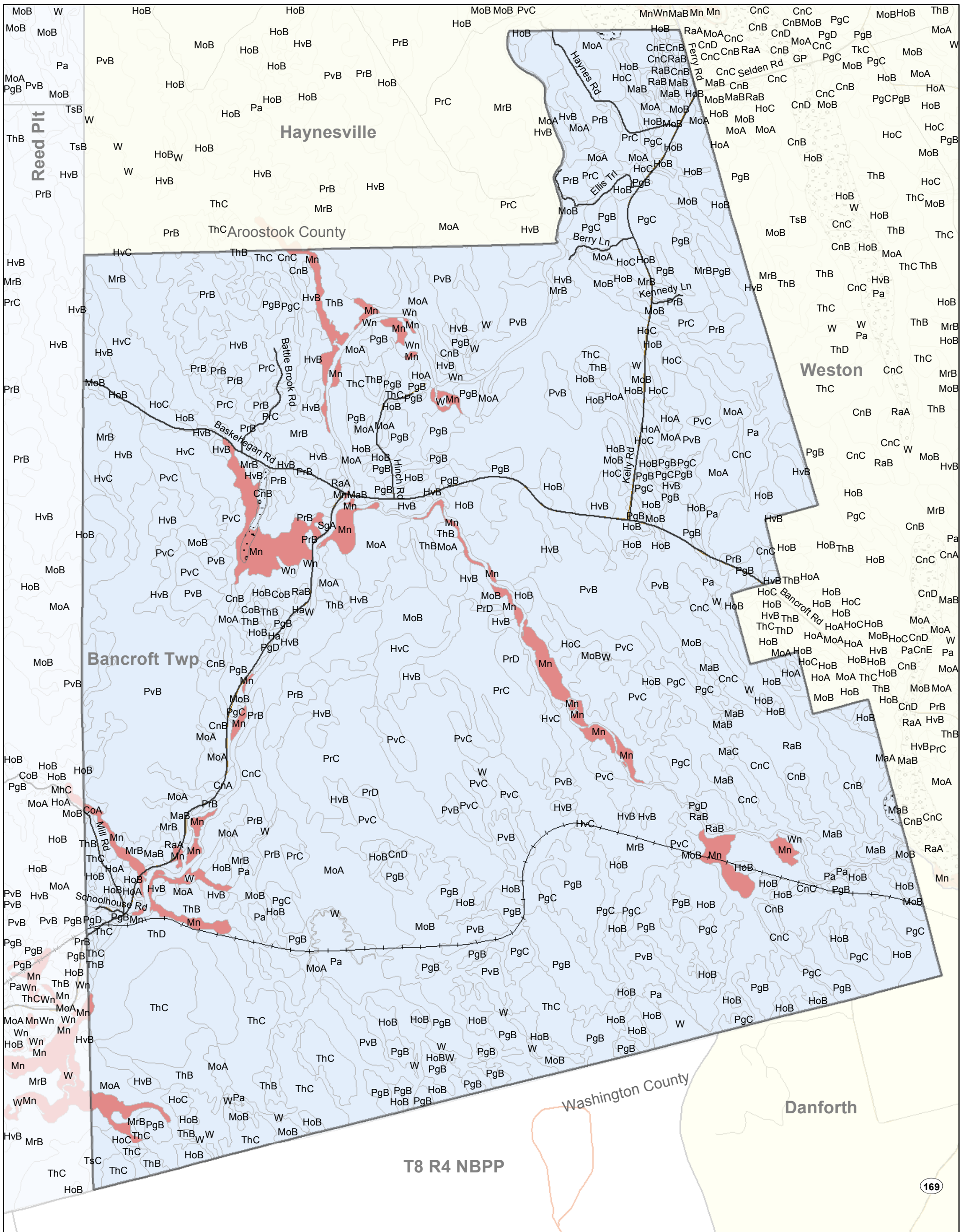
Existing Business, D-GN located on Kelly Rd.



Public Informational Meeting, March 19, 2015



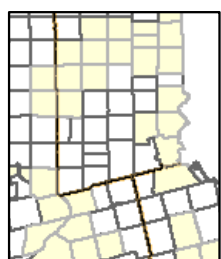
Public Notice posted for Informational Meetings



# Soil Resources Bancroft Twp. Aroostook County

Sources:  
USGS 24K topo quads  
Final National Wetland Inventory  
Maine Geological Survey

For planning purposes only, 3/12/2015



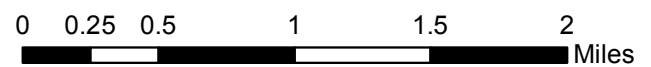
- LUPC
- Organized
- E911 Roads
- State Routes
- Other Public Roads

### Aquifers

- 10-50 gal/minute
- <all other values>

### NCSS Map Unit System

- Mn (Mixed Alluvial Lands)





**NOTICE OF FILING OF ZONING PETITION  
WITH THE MAINE LAND USE PLANNING COMMISSION**

At the time a zoning petition is filed with the Maine Land Use Planning Commission, the petitioner must send by certified mail a completed copy of this notice to: all persons owning or leasing property abutting or within 1,000 feet of the property to be rezoned (as shown on the records of the Maine Revenue Service or plantation or town tax assessors); plantation assessors or town selectboard; and county commissioners. Note: if the number of persons owning or leasing land within 1,000 feet of the affected land is more than 50, notice may instead be by publication in a newspaper(s) of general circulation in the area affected by the petition as determined by the LUPC staff.

This is to notify you that the Land Use Planning Commission, at 22 State House Station in Augusta Maine, 04333,  
(name and address of petitioner)

has filed a zoning petition, pursuant to provisions of 12 M.R.S. Section 685-A(7-A), to rezone the entire township of Bancroft located in Aroostook County.

(name of town, township or plantation, and county)

from its present (No Zoning) designation

(name(s) of the existing zoning subdistricts)

To: General Management Subdistrict (M-GN); General Development Subidstrict (D-GN); Residential Development Subdistrict (D-RS); Aquifer Protection Subdistrict (P-AR); Flood Prone Areas Protection Subdistrict (P-FP); Great Pond Protection Subdistrict (P-GP); Shorland Protection Subdistricts (P-SL1, P-SL2); and Wetland Protection Subdistricts (P-WL1, P-WL2, P-WL3)

(name(s) of the proposed zoning subdistricts)

for purposes of extending principles of sound planning, zoning, and development to the new township of Bancroft in conformance with 12 M.R.S. § 685-A; Chapter 10 Land Use Districts and Standards; and with the Comprehensive Land Use Plan. Bancroft deorganized July 1<sup>st</sup> 2015 and joined the jurisdiction of the Land Use Planning Commission in conformance with 30-A, M.R.S. § 7205, Section 5.

The petition will be filed for public inspection at the Maine Land Use Planning Commission office circled below (circle the appropriate office) on November 2, 2015.

<b>AUGUSTA OFFICE</b>	<b>ASHLAND OFFICE</b>
18 Elkins Lane - Harlow Bldg.      Tel. (207) 287-2631 22 State House Station      FAX (207) 287-7439 Augusta, ME 04333-0022	<i>Serving most of Aroostook County, and portions of northern Penobscot and Piscataquis Counties</i> 45 Radar Road      Tel. (207) 435-7963 Ashland, ME 04732-3600      FAX (207) 435-7184
<b>BANGOR OFFICE</b>	<b>EAST MILLINOCKET OFFICE</b>
<i>Serving Hancock, Kennebec, Knox, Lincoln, Sagadahoc, and Waldo Counties; most of Washington County; and all coastal islands in the LUPC service area</i> 106 Hogan Rd, Suite 8      Tel. (207) 941-4052 Bangor, ME 04401      FAX (207) 941-4222	<i>Serving southern Penobscot and Aroostook Counties, and portions of Piscataquis and northern Washington Counties</i> 191 Main Street      Tel. (207) 746-2244 East Millinocket, ME 04430      Tel. (207) 731-4398 FAX (207) 746-2243
<b>GREENVILLE OFFICE</b>	<b>WEST FARMINGTON OFFICE</b>
<i>Serving Somerset County and most of Piscataquis County</i> 43 Lakeview Street      Tel. (207) 695-2466 P.O. Box 1107      FAX (207) 695-2380 Greenville, ME 04441	<i>Serving Franklin and Oxford Counties</i> 133 Fyfe Rd      Tel. (207) 670-7492 OX P.O. Box 307      Tel. (207) 670-7493 FR West Farmington, ME 04992

Written comments from interested persons should be sent to the Maine Land Use Planning Commission address circled above and **must be received by the Commission in a timely manner.**

Requests for a public hearing must be submitted in writing and **must be received by the Commission in a timely manner.** Requests for a public hearing must clearly state the reasons for why a public hearing is warranted on this project.

For information on how to request a public hearing or for additional information, contact the Maine Land Use Planning Commission staff at the office highlighted above.



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
LAND USE PLANNING COMMISSION

22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0022

PAUL R. LEPAGE  
GOVERNOR

WALTER E. WHITCOMB  
COMMISSIONER

NICHOLAS D. LIVESAY  
EXECUTIVE DIRECTOR

10/30/2015

**RE: Proposed Land Use Guidance Map for Bancroft Township**

Dear Bancroft Residents and Landowners,

Having deorganized on July 1, 2015, the Town of Bancroft has officially changed its status from town to township. This represents a major shift for the community and requires new ways of handling former town functions, some of which will be handled by Aroostook County and others by the State. Effective July 1, 2015, the residents of Bancroft are now served by the Maine Land Use Planning Commission for all land use activities.

Over the last few months, Commission staff gathered available data and mapped existing development and existing natural resources in Bancroft in order to determine appropriate locations for Development, Management, and Protection subdistricts within the township and to develop a Land Use Guidance Map (also referred to as a zoning map). The Commission held public meetings in Bancroft on March 19, 2015, and May 7, 2015 as part of this process. Input from participants at both meetings, and from individual property owners over the course of the project, was taken into account in developing this final draft of the map. Thanks to all who participated in the process.

State law (30-A M.R.S § 7205) requires the Commission to adopt a zoning map for Bancroft within one year of deorganization. The Commission has initiated a zoning petition process pursuant to 12 M.R.S § 685-A,(7-A), and will hold a 30 day public comment period, within which anyone may submit written comments or request that the Commission hold a public hearing. The public comment period will begin on November 2, 2015, and extend until December 2, 2015. The Commission will consider whether or not to adopt the zoning map at its regularly scheduled public meeting on December 9, 2015 at the Edmunds Conference Center, Northern Maine Community College, at 33 Edgemont Drive in Presque Isle.

The draft Bancroft Township Land Use Guidance Map and the zoning petition (ZP # 756), which is a document describing the basis for the new zones, have been posted on the Commission's website: [http://www.maine.gov/dacf/lupc/projects/deorganization/bancroft\\_deorg.html](http://www.maine.gov/dacf/lupc/projects/deorganization/bancroft_deorg.html). Additionally, the draft map and zoning petition are available at the Commission's office at 191 Main Street in East Millinocket. Notice of the zoning petition has been mailed to all property owners in Bancroft, and posted as a legal notice in the Bangor Daily News. To assist during the public comment period, I have designated Ben Godsoe of the Commission's staff to be our principal contact for Bancroft. If you have questions or comments about the zoning petition or draft Bancroft Township Land Use Guidance Map, would like to request a copy of the map, or to request a public hearing, please feel free to contact Ben at any time. He may be reached by telephone: (207) 287-2619, by e-mail: [Benjamin.Godsoe@maine.gov](mailto:Benjamin.Godsoe@maine.gov), or by writing to the letterhead address.

18 ELKINS LANE, HARLOW BUILDING  
[www.maine.gov/acf](http://www.maine.gov/acf)

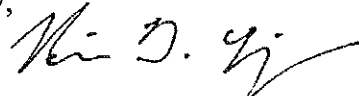
PHONE: 207-287-2631

FAX: 207-287-7439

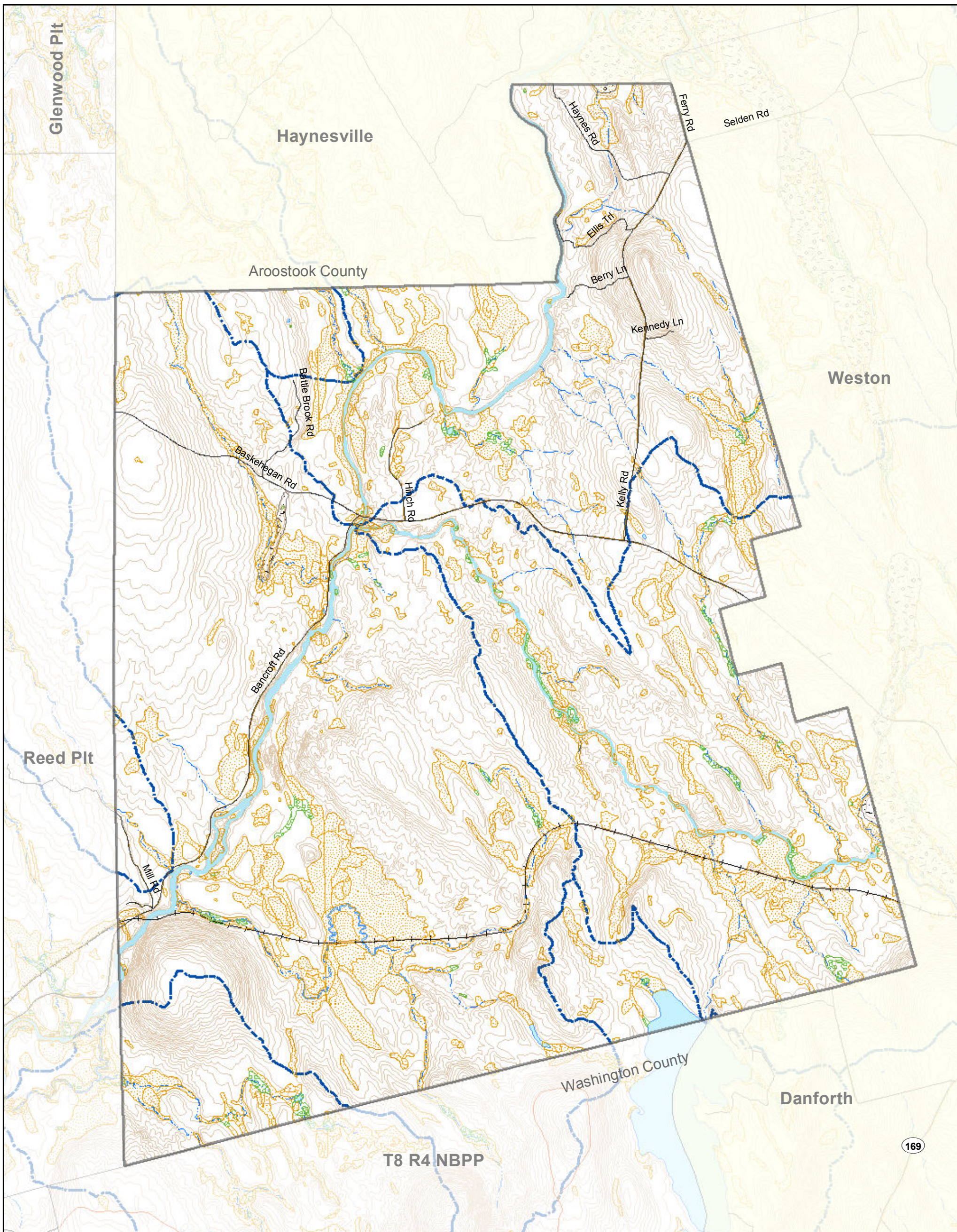
We look forward to working with you and providing prompt, professional and equitable service and assistance to landowners and residents of Bancroft. Commission staff members Marc Russell and Debra Kaczowski are located in our East Millinocket office. As regional representatives, they are primarily responsible for site inspections, on-site assistance, complaint investigations and enforcement matters. They can assist you in completing permit applications and providing general information. Marc may be reached by telephone at 746-2244, or by e-mail at [Marcus.Russell@maine.gov](mailto:Marcus.Russell@maine.gov). Debra may be reached by telephone at 731-4398, or by e-mail at [Debra.Kaczowski@maine.gov](mailto:Debra.Kaczowski@maine.gov). The office is located at 191 Main Street, East Millinocket. If you have any questions or concerns, please do not hesitate to contact Ben, Marc, or Debra for assistance.

I wish the community of Bancroft much success in its new status and look forward to assisting you in the years ahead.

Sincerely,

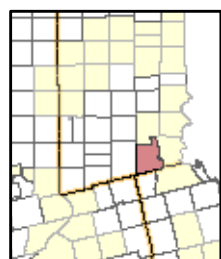
A handwritten signature in black ink, appearing to read "Nicholas D. Livesay". The signature is fluid and cursive, with a long horizontal stroke at the end.














Nicholas D. Livesay, Executive Director  
Maine Land Use Planning Commission



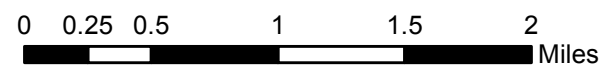
**Water Resources**  
**Bancroft Twp.**  
**Aroostook County**

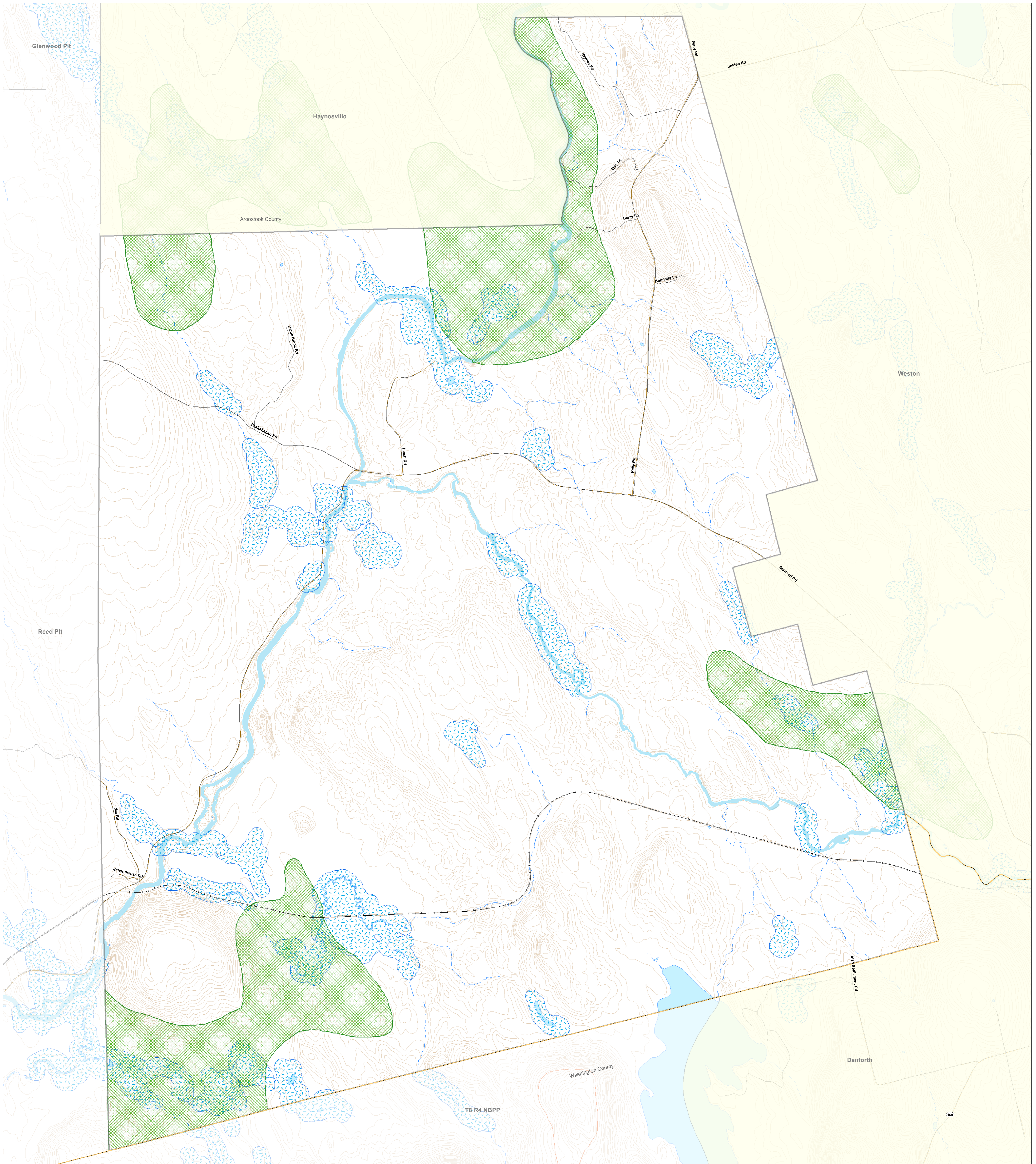
Sources:  
 USGS 24K topo quads  
 Final National Wetland Inventory  
 Maine Geological Survey



-  LUPC
-  Organized
-  Contours
-  E911 Roads
-  State Routes
-  Other Public Roads
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Watershed
-  **Aquifers**  
10-50 gal/minute
-  Streams
-  Ponds/lakes
-  Rivers

For planning purposes only, 3/12/2015





**Other Special Natural Resources**

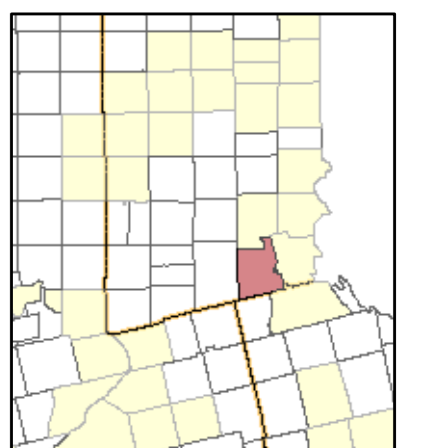
**Bancroft Twp.  
Aroostook County**

Sources:

USGS 24K topo quads  
Final National Wetland Inventory  
Maine Geological Survey

For planning purposes only, 3/17/2015

- |              |                    |             |  |
|--------------|--------------------|-------------|--|
| County Lines | E911 Roads         | Streams     | Inland Waterfowl and Wading Bird Habitat |
| LUPC         | State Routes       | Ponds/lakes | Deer Wintering Areas                     |
| Organized    | Other Public Roads | Rivers      |  |
| Contours     |                    |             |  |



JUL 13 2012

July 11, 2012

Ms. Marcia C. McInnis  
Fiscal Administrator of the Unorganized Territory  
Maine Department of Audit  
66 State House Station  
Augusta, Maine 04333-0066

Dear Ms. McInnis:

I am submitting to you the deorganization procedure for the Town of Bancroft. This document is due 90 days after a majority of resident voters cast ballots in favor of pursuing deorganization at a special town meeting. Bancroft's town meeting was held on May 3, 2012, and all eleven (11) municipal voters at the meeting voted in favor of developing a deorganization procedure. The final due date for Bancroft's deorganization procedure is August 1, 2012.

This deorganization procedure is required by Title 30-A MRS Section 7205 for Maine municipalities that are pursuing deorganization and it must contain the following information as required by state statute:

1. Effective date of the deorganization
2. Provision of educational services
3. Distribution of financial liabilities and assets
4. Distribution of tangible assets and liabilities
5. Information about the municipality
6. A Fiscal Impact Statement

Sincerely,



Mary Ballanger  
Chairman of Bancroft's Local Deorganization Committee

**Deorganization Procedure for Town of Bancroft  
July 10, 2012**

**Section 1:**

**The Proposed effective date of Deorganization is July 1, 2014**

**Section 2:**

**THE PROVISION OF EDUCATIONAL SERVICES TO RESIDENT PUPILS IN THE UNORGANIZED TERRITORY OF BANCROFT TOWNSHIP.**

Education in the Unorganized Territory of Bancroft Township shall be provided under the direction of the Commissioner as described in Title 20-A, Chapter 119, and shall meet the general standards for elementary and secondary schooling and special education established pursuant to this Title. The provisions described below will be implemented at the time of de-organization, and are subject to future modification in response to changes in educational conditions.

A. Elementary pupils (PK-5) whose parent(s)/ legal guardian(s) is a legal resident of the unorganized territory of Bancroft Township shall be provided educational services at school facilities located in Kingman Township, Maine. Transportation services to and from the designated school will be provided under the direction of the Division of State Schools - EUT.

B. Pupils in grades 6-12 whose parent(s)/legal guardian(s) is a legal resident of the unorganized territory of Bancroft Township shall be provided educational services at a school located within Maine School Administrative District # 30 for grades 6-8, and at Lee Academy for grades 9-12. Transportation services to and from these schools will be provided under the direction of the Division of State Schools - EUT.

C. Tuition to schools other than those identified in section B may be provided on behalf of resident pupils with the prior approval of the Director of State Schools - EUT. Tuition shall not exceed statutory limits, and transportation shall be the responsibility of the parent(s)/ legal guardian(s). The school must be approved by the Commissioner of Education for the purpose of tuition.

D. Special education services will be provided to identified resident pupils as required by federal and state statutes and regulations. Special education services are administered under the direction of the Director of Special Education for the Division of State Schools - EUT.

### **Section 3:**

#### **Distribution of Financial Liabilities and Assets**

At the time of deorganization (July 1, 2014), all financial obligations to Region II & AOS #48 will be paid. At the time of deorganization, the Town of Bancroft will no longer be a member of Vocational Region II or AOS #48.

Also any contract with PERC will be terminated, there is no financial obligation attached to this termination.

The town will give deorganization notice to all vendors, ending any services provided by these vendors on June 30, 2014.

Any unpaid property taxes will be turned over to the State of Maine, Property tax division.

### **Section 4:**

#### **Distribution of Tangible Assets & Liabilities**

The Town of Bancroft currently owns 3 parcels of land, town office, and the contents.

If the vote to deorganize is affirmative, the parcels of land will be offered for sale. In addition, the Town Office & contents will be offered for sale. Proceeds will be deposited in the town's general fund. If these are not sold prior to the date of deorganization (July 1, 2014), the land, building and contents will become property of the



County of Aroostook or State of Maine and will be sold in accordance with the law or be held in trust for the unorganized territory.

Sand/Salt Pile - If there is any remaining sand/salt at the end of the snow removal season (as of May, 2014), it will be turned over to the contractor.

**SECTION 5:**

**Comprehensive Land Use Planning and Zoning**

A zoning map of the township of Bancroft will be prepared by the Land Use Regulation Commission within one year of the date of de-organization. The town will work closely with the Land Use Regulation Commission (LURC) to gather the necessary data to develop an acceptable zoning map. Once the Commission has approved the zoning map, it will become the basis for the application of the Commission’s land use regulations. It is estimated that the cost of producing the plan will be \$20,000. Prior to deorganization the Town of Bancroft will set aside this amount of money to ensure payment for these services.

**SECTION 6:**

**Information about the Municipality:**

<b>A. Roads</b>	<b>Length</b>	<b>Repair</b>	<b>Plow</b>	<b>Gravel/Paved/Condition</b>
Bancroft	7.8 mi	MDOT	Bancroft	Paved/Good
Kelly	3.6 mi	MDOT	Bancroft	Paved/Good
Ferry	.2 mi	MDOT	Weston	Paved/Good
Hinch	1.1 mi	Bancroft	Bancroft	Gravel/Fair
Mill	.9 mi	Bancroft	Bancroft	.5 mi Paved/Good .4 mi Gravel/Fair
Schoolhouse	.4 mi	Bancroft	Bancroft	.2 mi Paved/Good .2 mi Gravel/Fair

During the fiscal year July 1, 2011 to June 30, 2012, the Town of Bancroft spent \$52,100.00 for the snow removal and maintenance of the 13.8 miles. An additional \$10,000.00 was spent for salt.

**B. Population Information:**

As of the April 2010 U.S. Census, the Town of Bancroft had a population of 68 men, women and children. A May 2012 town survey shows a population of 60 men, women and children.

2010 Census Survey		2012 Town Survey
Population	68	60
Age <5	6	5
5 to 19	8	10
20 to 25	1	5
26 to 59	23	18
60+	30	22
Households	34	27

**C. Personal Income:**

Information obtained from the State of Maine Economics & Demographics Data indicates that the median household income for the Town of Bancroft as of April, 2000, was \$16,250.00. The median household income as of April, 2010, was \$20,000.00.

**D. Property Tax Assessments:**

As of April, 2011

The Town of Bancroft currently has a property tax valuation of:

Land	\$4,591,277.00
Buildings	\$2,122,800.00
Personal Property (Bancroft does not assess personal property taxes)	
Total Valuation	\$6,714,077.00
Homestead tax assessment	\$251,520.00

There are 29 parcels of land in the tree growth program, total valuation is \$2,777,667.00.

Softwood acreage	4339 @ \$123.00/acre
Mixed wood acreage	7958 @ \$123.00/acre
Hardwood acreage	9345 @ \$128.00/acre
Total forestland acreage	21642

Total value of all property exempted by law \$56,530.00

**The undesignated fund balance (surplus):**

Any undesignated fund balance (surplus) that we now have will be applied to the 2012 and 2013 tax commitment.

**E. Current Services and the Impact of De-organization on These Services:**

**Cemetery:**

The Town of Bancroft currently follows rules and regulations for the cemeteries. Everything goes through the Selectmen.

Upon deorganization, ownership of the Trout Brook Cemetery, located on the Bancroft Road in Weston, will be transferred to the Town of Weston. The Webber Cemetery funds will be turned over to the Town of Weston to help with the costs of maintaining this cemetery

The Bean Falls Cemetery located on the Bancroft Road in Bancroft will be maintained by the Aroostook County Commissioners. The Town of Bancroft has contacted Baskehegan Company to obtain a deed for the property that the cemetery is located on.

**Education:** Refer to Section 2

**Roads:**

The Town of Bancroft currently provides maintenance to the Hinch Road, School House Road and Mill Road. Snow plowing/sanding services for these roads in addition to 3.6 miles of the Kelly Road and 7.8 miles of the Bancroft Road is also provided. During the year 2011, a total of \$62,100.00 was expended on maintaining town roads. The Aroostook County Commissioners will contract for maintenance and repair of roads as well as snow plowing/ sanding services.

**Dumps:**

The Town of Bancroft currently has a contract with PERC for the use of its transfer station. The Aroostook County Commissioners will contract for these services. The Town will terminate this contract prior to deorganization in accordance with the contract.

**Sludge Disposal:**

The Town of Bancroft currently is part owner in sludge disposal located in Haynesville. We pay a percentage of this. As of June 2012, Bancroft had paid \$415.76. Our cost is pro rated by houses compared to Haynesville. Bancroft will terminate any and all agreements with the owners of the sludge disposal site prior to de-organization. The Aroostook County Commissioners will contract for these services

**Fire Protection:**

The Town of Bancroft currently contracts with Reed Plantation. Upon deorganization, the Aroostook County Commissioners will contract for the service of providing structural fire protection.

**Forest Fire:**

The Division of Fire Control within the Maine Department of Conservation will be responsible for fighting forest fires. The unorganized territory taxpayers reimburse the State for this service.

**Ambulance:**

Currently, The Town of Bancroft is contracted with Northern Washington Southern Aroostook Ambulance Service. The Aroostook County Commissioners will contract to provide ambulance service if said service is logistically available.

**General Assistance:**

The Maine Department of Human Services will appoint an agent to provide these services to the citizens of Bancroft Township.

**Voting:**

Residents currently vote at the Bancroft Town office. Upon deorganization, residents will have their choice as to where to vote.

**Excise Tax:**

Excise taxes are currently collected by the Town. Upon de-organization, the State Tax Assessor will assign a town where residents will pay excise tax.

**Animal Control:**

Animal control is currently provided by Sherry Ryan. An Animal Control officer will be designated by the Aroostook County Commissioners.

**Plumbing Inspector:**

The services of the Plumbing Inspector are currently provided by Michael Noble. Upon Bancroft becoming Bancroft Township and part of the unorganized territory, the Maine Department of Human Services will designate a plumbing inspector.

**E-911:**

E-911 naming and numbering of the town roads has been completed; the Aroostook County Sheriffs office will answer emergency calls. All paperwork regarding the E-911 system will be turned over to the Aroostook County Unorganized Territories.

**Taxes:**

Upon deorganization, the taxpayers of the town will be responsible for the operation of the town from January 1<sup>st</sup>, 2014 until June 30, 2014. They also will be responsible for the payment of six months county tax for the year. These funds will come from the undesignated surplus and property taxes if necessary. The Town will give deorganization notification to all vendors; ensure payment of all vendors, payment of all taxes (such as employees withholding and related W-2 forms) and reporting of taxes. In addition, continued maintenance of tax records (property record cards, lien process and map updates) will be performed right up to July 1, 2014.

The Town of Bancroft has contracted with James Sewall Company for the digitizing of the town tax maps. Money has been set aside for this and it will be completed before the date of deorganization.

**Audit:**

Upon deorganization, the selectmen of Bancroft will be responsible for arranging for and payment of any and all audits of the books prior to the actual deorganization date of July 1, 2014.

**Vital Records:**

Upon deorganization, all vital records (birth certificates, death certificates, marriage licenses, etc.) will be obtained from the Maine Department of Human Services in Augusta. In some instances, records can be accessed through the internet.

**Town Records:**

All records associated with the Town of Bancroft are to be turned over to the State Tax Assessor once the town has deorganized. Once the State Tax Assessor no longer has any need for the records, they will be forwarded to the State Archives.

**Veteran's Monument:**

The care & maintenance of the Veteran's Monument will be turned over to the Aroostook County Commissioners along with the Veteran's CD.

**F. Information about the Municipality / Status of Leadership**

Following is a list of the Municipal officers and Officials as of June 30, 2012

Selectman, Ralph Staples  
Selectman, Gary Ballanger  
Town Clerk, Treasurer, Tax Collector,  
Mary Irish  
Animal Control Officer, Sherry Ryan  
Plumbing Inspector, Code Enforcement  
Officer & Tax Assessor, Mike Noble  
Representative to the Legislature State  
Senator, Roger Sherman  
House of Representatives, Ricky Long

Should the Town of Bancroft become an unorganized township, the current elected and appointed municipal positions and their associated duties would cease to exist and all duties would instead be administered by the State of Maine Unorganized Territory and the Aroostook County Commissioners.

## **SECTION 7:**

### **Fiscal Impact Assessment:**

A. The principal reasons the inhabitants of the Town of Bancroft wish to deorganize are:

(1) There is a lack of qualified people interested in holding public office.

(2) 85% of the Town of Bancroft's taxable acreage is in Tree Growth, putting the burden on the homeowners.

(3) The rising costs of tuition and special education.

B. For an assessment of local government services, refer back to section 6 E.

C. For an inventory of the municipality owned assets and a complete accounting of the municipality's debt and financial plan for retiring that debt, refer back to section 4, Distribution of Tangible Assets & Liabilities.

D. At the time of deorganization there will be 8 elementary & secondary age children who would be attending East Grand School in Danforth. Therefore there would be an impact on the budgets of the towns in SAD#14.

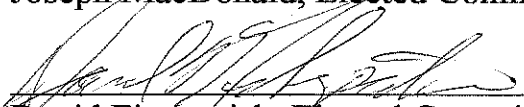
E. If the Town of Bancroft deorganizes and joins the Unorganized Territory Tax District, the additional cost for education in Fiscal Year 2014/2015 is projected to be \$110,500.00 plus special education costs. There will also be additional costs for municipal type services and county taxes associated with the de-organization. Property taxes are expected to increase for the taxpayers of the Unorganized Territory Tax District.

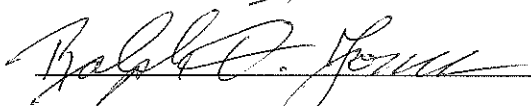
F. We looked into contracting services with Reed Plantation & Danforth, but this would be no financial benefit to us.

  
\_\_\_\_\_  
Ralph Staples, Selectman

  
\_\_\_\_\_  
Mary Ballanger, School Board Member

  
\_\_\_\_\_  
Joseph MacDonald, Elected Committee Member

  
\_\_\_\_\_  
David Fitzpatrick, Elected Committee Member

  
\_\_\_\_\_  
Ralph Jones, Elected Committee Member



## Exhibit O, Item 1: Bancroft Township Draft Land Use Guidance Map – List of Sources and Metadata

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### 1. Hydrographic and Hydrologic Resources:

- a. Aquifer Data: The aquifer polygons data file contains significant sand and gravel aquifers (glacial deposits that are a significant ground water resource) for Maine mapped at a scale of 1:24,000. Aquifer boundaries were delineated and digitized by the Maine Geological Survey from data compiled on USGS 7.5' quadrangle bases. Aquifer polygons are coded by yield expected from a properly constructed well (ATYPE = 1 10-50 gallons-per-minute; ATYPE = 2 greater than 50 gallons-per-minute; ATYPE = 3 island of non-aquifer material within an area mapped as aquifer).
  - i. Significant Sand and gravel aquifers in the Haynesville quadrangle, Jimney Mountain quadrangle, and Wytopotlock quadrangle (2001, Maine Geological Survey, Open-file Maps 01-90; 01-104; and 01-278);
  - ii. Three AType = 1 occurrences in Bancroft.
  
- b. Hydrography Data: The National Hydrology Dataset (NHD) and Watershed Boundary Dataset (WBD). The NHD represents the drainage network with features such as rivers, streams, canals, lakes, ponds, coastline, dams, and streamgages. The WBD represents drainage basins as enclosed areas in eight different size categories.
  - i. Bancroft includes the Mattawamkeag River and Baskehegan Stream and all of their tributaries.
  
- c. National Wetlands Inventory: *Originator*: U.S. Fish and Wildlife Service; *Publication\_Date*: September 26, 2011; *Title*: CONUS\_wet\_poly; *Geospatial\_Data\_Presentation\_Form*: vector digital data; *Series\_Name*: Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service, Washington, DC. FWS/OBS-79/31; U.S. Fish and Wildlife Service, Division of Habitat and Resource Conservation
  - i. This data set represents the extent, approximate location and type of wetlands and deepwater habitats in the conterminous United States. These data delineate the areal extent of wetlands and surface waters as defined by Cowardin et al. (1979).
  - ii. On Water Resources map, data is symbolized by Wetland Classification Type.
  
- d. Maine Rivers Study
  - i. Maine Department of Conservation, US Department of the Interior, National Park Service Mid-Atlantic Office, May 1982
  
- e. Maine Wildlands Lakes Assessment Findings
  - i. Chapter 10 Land Use Subdistricts and Standards, Appendix C

## 2. Geology Resources:

- a. Soil Survey: USDA NRCS (current)
  - i. Soil Survey Staff, US Department of Agriculture, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at <http://websoilsurvey.nrcs.usda.gov>.
- b. Soil Survey, Aroostook County, Maine, Southern Part, USDA Soil Conservation Service in cooperation with University of Maine Agricultural Experiment Station, 1964, Washington D.C.

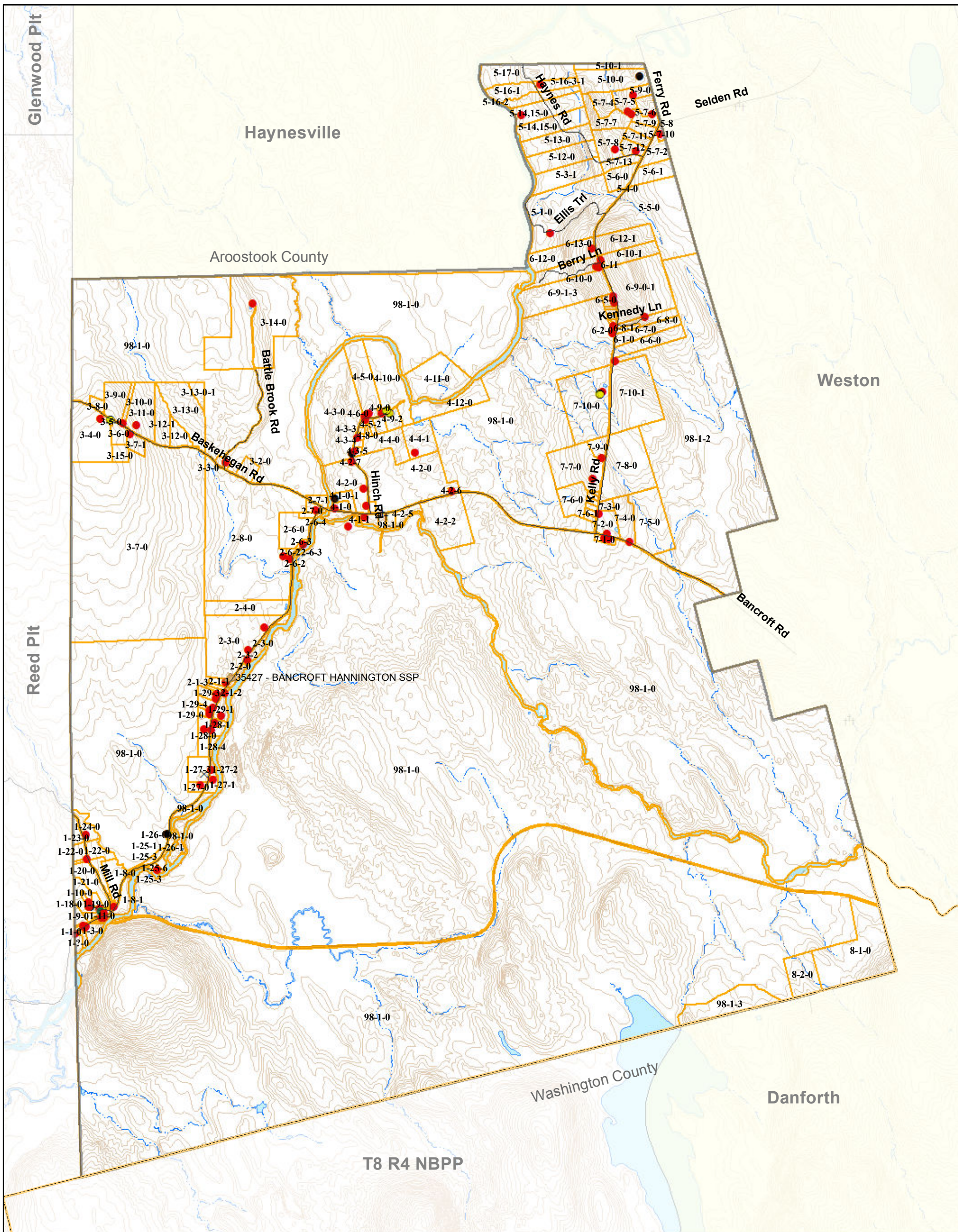
## 3. Existing Development:

- a. Parcel Data:
  - i. Prepared by James W. Sewall Company on behalf of the town of Bancroft, 10/10/2012
  - ii. Amended by LUPC, 6/25/2015 (added parcel that was not included in the original dataset)
- b. Past permits and subdivision plats on file at the Bancroft Town Office
- c. Windshield Survey:
  - i. Conducted January 22, 2015 – January 23, 2015 by staff member Ben Godsoe
- d. Aerial Imagery:
  - i. Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community. World Imagery provides one meter or better satellite and aerial imagery in many parts of the world and lower resolution satellite imagery worldwide. The map includes NASA Blue Marble: Next Generation 500m resolution imagery at small scales (above 1:1,000,000), i-cubed 15m eSAT imagery at medium-to-large scales (down to 1:70,000) for the world, and USGS 15m Landsat imagery for Antarctica. The map features 0.3m resolution imagery in the continental United States and 0.6m resolution imagery in parts of Western Europe from Digital Globe. In other parts of the world, 1 meter resolution imagery is available from GeoEye IKONOS, i-cubed Nationwide Prime, Getmapping, AeroGRID, IGN Spain, and IGP Portugal. Additionally, imagery at different resolutions has been contributed by the GIS User Community. For more information on this map, including the terms of use, visit us online at [http://goto.arcgisonline.com/maps/World\\_Imagery](http://goto.arcgisonline.com/maps/World_Imagery)

- e. Roads:
  - i. Maine Department of Transportation (MDOT) Maine Public Roads digital data set (MEPUBRD). Contains public road centerlines for Maine at 1:24000 scale, using MEDOT's basemap line work.

**4. Habitat Resources:**

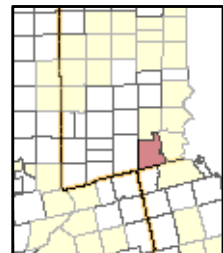
- a. Deer Wintering Areas:
  - i. Maine Department of Inland Fisheries and Wildlife Deer Wintering Areas digital dataset. This data set was developed in accordance with Maine's Natural Resources Protection Act, which designates the Maine Department of Inland Fisheries and Wildlife (MDIFW) as the authority for determining Significant Wildlife Habitats. For any Significant Wildlife Habitat, a field determination by the MDIFW Regional Biologist takes precedence over the mapped polygon.
  - ii. Deer Wintering Areas (DWAs) are forested areas used by deer when (a) snow gets more than 12 inches deep in the open and in hardwood stands, (b) the depth that deer sink into the snow exceeds 8 inches in the open and in hardwood stands, and (c) when mean daily temperature is below 32 degrees Fahrenheit.
  
- b. Inland Wading Bird and Waterfowl Habitat:
  - i. This layer represents Inland Waterfowl / Wading bird Habitat (IWWH), a Significant Wildlife Habitat defined under Maine's Natural Resources Protection Act, Maine Department of Inland Fisheries and Wildlife. Polygons contain a high or moderate rating indicating Inland Waterfowl / Wading bird Habitats (IWWHs).
  - ii. Polygons in Bancroft were re-mapped in 2008
  
- c. ETSC Data (Inland Fisheries and Wildlife):
  - i. Field observation data – observations of species of special concern or endangered species. A few locations in Bancroft, all of them within P-SL1 subdistricts.



# Existing Development

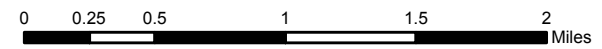
## Bancroft Twp. Aroostook County

Sources:  
 USGS 24K topo quads  
 Final National Wetland Inventory  
 Maine Geological Survey



- County Lines
- Contours
- Parcel
- LUPC
- Organized
- ▲ Sand/Salt Storage
- No building?
- Residential
- Commercial
- Municipal
- X Gravel Pit
- † Cemetery
- Streams
- Ponds/lakes
- Rivers

For planning purposes only, 3/17/2015



**Exhibit O, Item 3: Meeting Agendas and Summary**

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# MAINE LAND USE PLANNING COMMISSION

## BANCROFT INFORMATIONAL MEETING

Thursday May 7<sup>th</sup>, 2015

### AGENDA

Presented by the Land Use Planning Commission, from 3 p.m. – 5 p.m. at the Bancroft Town Office, at 18 Schoolhouse Road.

Welcome!

Topics for the evening will include:

- Review of Draft Zoning Map for the Town of Bancroft
- General information about services provided by Maine Revenue Services.

We hope to discuss land use issues that will be of particular interest to Bancroft residents.

3:00 p.m.

#### Introductions

3:05 p.m.

#### Review of Draft Zoning Map

Ben Godsoe, Senior Planner

3:30 p.m.

#### Discussion about Proposed Zoning in Bancroft

Ben Godsoe & Marc Russell, Environmental Specialist III, East Millinocket Regional Office

4:30 p.m.

#### Maine Revenue Services Questions and Answers

Lisa Whynot, Supervisor, Unorganized Territory

5:00 p.m.

#### Extended Session for Discussion and Questions

For further assistance, or to obtain permit applications, copies of the Commission's *Land Use Districts and Standards* or other documents, please contact the Commission at 287-2631.

For additional information about the Commission's services and activities, please:

- find us on the web: [www.maine.gov/dacf/lupc](http://www.maine.gov/dacf/lupc)
- Write, or e-mail us (contact info below); or
- Drop in during regular business hours.

To reach staff at our regional office at 191 Main Street, East Millinocket, please contact:

Marc Russell (207) 746-2244,

[Marc.Russell@maine.gov](mailto:Marc.Russell@maine.gov), or

Debra Kaczowski (207) 731-4398,

[Debra.Kaczowski@maine.gov](mailto:Debra.Kaczowski@maine.gov).

## **Bancroft Informational Meeting Summary**

Bancroft Town Office, 18 Schoolhouse Road,  
3-5 p.m., 3/19/2015

**Residents and property owners in attendance: 18**

**Attending for the Land Use Planning Commission:** Samantha Horn Olsen, Marc Russell, and Ben Godsoe

### **Meeting Summary:**

The meeting started with brief introductions. Samantha Horn Olsen talked about the overall structure of the agency and described the statutory authority under which it operates. Marc Russell described the permitting and compliances services provided by the Commission.

Marc and Samantha answered questions from people in attendance. Some topics discussed in more detail included:

- The Commission's Home Occupation standards;
- Wetland delineation, and the rules and standards that would apply to alterations of certain wetlands (e.g., creation of a man-made pond);
- The application process for getting a building or development permit;
- How accessory structures are treated in the Commission's rules and standards; and
- A few other topics of interest.

Ben Godsoe presented draft land use inventory maps currently being developed for Bancroft. The maps displayed water resources, habitat and other natural resources, as well as existing development. The group discussed the different management, development, and protection subdistricts that may be appropriate for Bancroft given the existing resources in town.

The group discussed a few areas in town where it may be appropriate to plan ahead for future growth. The Commission's General Development subdistrict would allow small-scale commercial activity that is compatible with residential development. A good example of this would be a small neighborhood store. Several locations in town were discussed as potentially being suitable for this kind of development. Some examples include: Spring Valley Farm, on the Kelly Road and the downtown area near the town office.

At the next meeting, Commission staff will present a draft zoning map based on information gathered during the land use inventory and feedback from residents and property owners in Bancroft. If you could not make the meeting but would like to ask a question or provide a comment, please contact us.

# MAINE LAND USE PLANNING COMMISSION

## BANCROFT INFORMATIONAL MEETING

Thursday March 19<sup>th</sup>, 2015

### AGENDA

Presented by the Land Use Planning Commission, from 3 p.m. – 5 p.m. at the Bancroft Town Office, at 18 Schoolhouse Road.

Welcome!

Topics for the evening will include:

- Services provided by the Land Use Planning Commission;
- Recent land use inventory and mapping efforts for Bancroft; and
- General information about Maine Revenue Services.

We hope to discuss land use issues that will be of particular interest to Bancroft residents.

3:00 p.m.

#### Introductions

3:05 p.m.

#### Overview of Land Use Planning Commission Services and Activities

Samantha Horn Olsen, Planning Manager

3:20 p.m.

#### Permitting and Compliance Services

Marc Russell, Environmental Specialist III, East Millinocket Regional Office

3:35 p.m.

#### Questions and Answers

3:50 p.m.

#### Land Use Inventory Mapping Discussion

Ben Godsoe, Senior Planner

4:35 p.m.

#### Maine Revenue Services Questions and Answers

Lisa Whynot, Supervisor, Unorganized Territory, MRS

5:00 p.m.

#### Extended Session for Discussion and Questions

For further assistance, or to obtain permit applications, copies of the Commission's *Land Use Districts and Standards* or other documents, please contact the Commission at 287-2631.

For additional information about the Commission's services and activities, please:

- find us on the web: [www.maine.gov/diacf/lupc](http://www.maine.gov/diacf/lupc)
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- Drop in during regular business hours.

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Debra Kaczowski (207) 731-4398,  
[Debra.Kaczowski@maine.gov](mailto:Debra.Kaczowski@maine.gov).



## Bancroft Public Meeting, March 19, 2015

*Note: This document briefly describes some Subdistricts that may be appropriate in Bancroft, given the existing pattern of development and presence of natural resources. The table below is only meant to be a summary. To find out more about each subdistrict, and others not listed here, please see Chapter 10: Land Use Districts and Standards.*

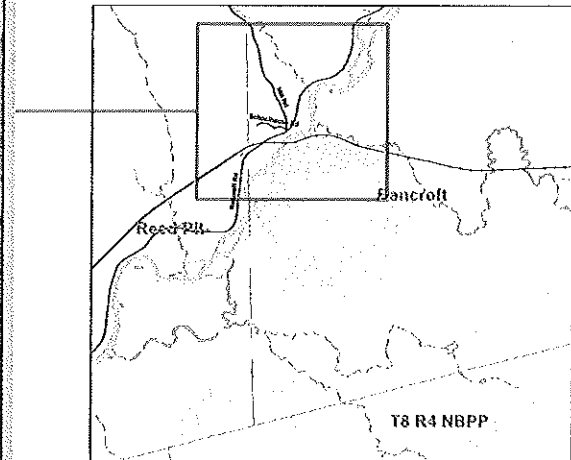
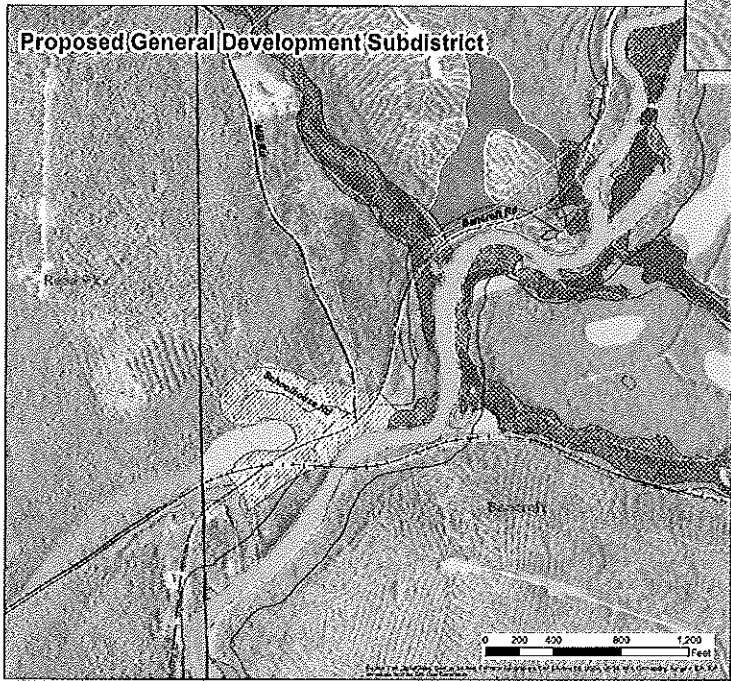
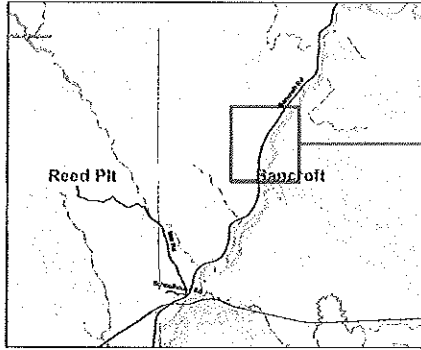
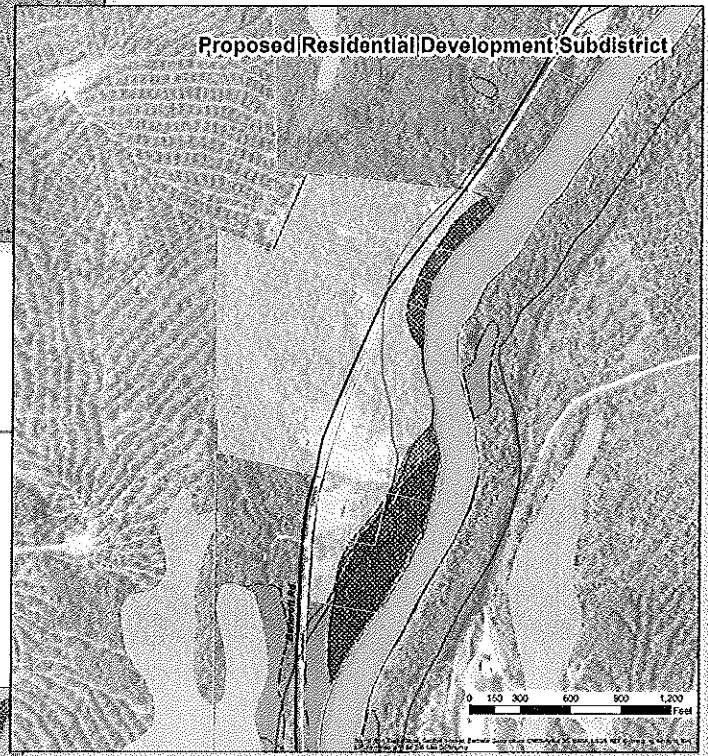
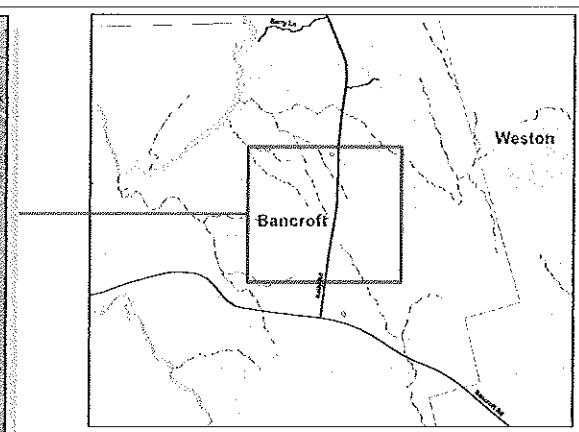
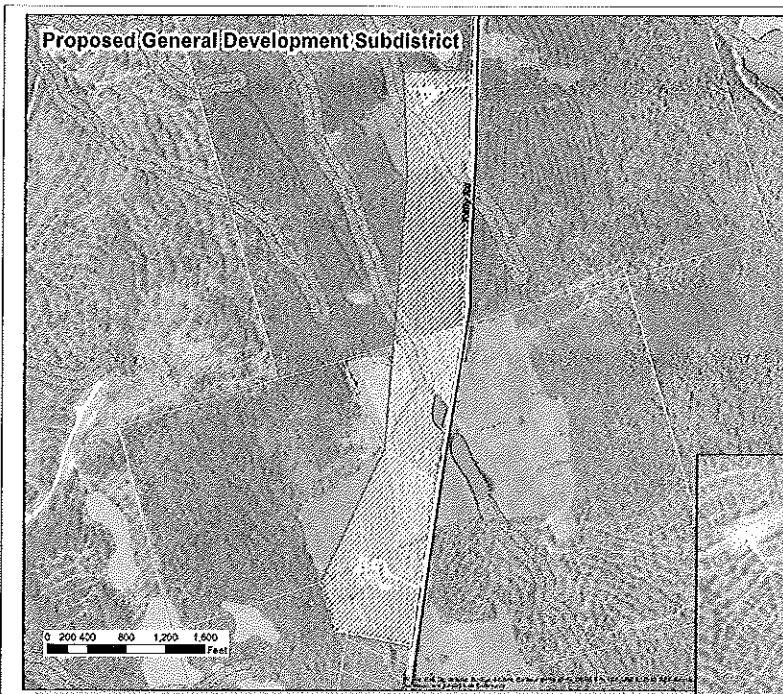
<u>Subdistrict Description</u>	<u>Purpose</u>	<u>Considerations</u>
<b>General Management (M-GN)</b>		
Covers areas appropriate for commercial forestry and agriculture activities. Such uses are allowed and encouraged without significant restriction.	To permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that resource protection afforded by protection subdistricts is not required.	<ul style="list-style-type: none"> <li>• The General Management subdistrict will contain all areas in Bancroft not included in a protection or development subdistrict.</li> <li>• Single family and two family dwellings can be built in this subdistrict.</li> <li>• Home occupations are allowed in conformance with certain standards.</li> <li>• No commercial or industrial uses, except for those associated with natural resource-based businesses like forestry, mineral extraction (e.g., gravel mining for land management roads), and agricultural management activities.</li> </ul>

<u>Subdistrict Description</u>	<u>Purpose</u>	<u>Considerations</u>
<b>General Development (D-GN)</b>		
Areas of Mixed-use development that are compatible with residential development. For example, a small neighborhood store would be allowed in this subdistrict.	To recognize existing patterns of development in appropriate areas and encourage further patterns of compatible development therein, and adjacent thereto.	<ul style="list-style-type: none"> <li>• Single family, two family, and multi-family homes can be built in this subdistrict.</li> <li>• Large and small subdivisions are allowed.</li> <li>• Small-scale, commercial or industrial facilities that are compatible with residential uses are allowed for example, a small store could be permitted in this subdistrict).</li> <li>• May contain additional areas around existing development to accommodate future growth.</li> </ul>
<b>Residential Development (D-RS)</b>		
Areas of relatively dense residential development. For example, a neighborhood with 4 or more residences within a 500 ft. radius.	To set aside certain areas for residential and other appropriate uses so as to provide for residential activities apart from areas of commercial development.	<ul style="list-style-type: none"> <li>• Intended to encourage the concentration of residential development.</li> <li>• No commercial or industrial uses.</li> <li>• Allows single and two family dwellings by permit, and multi-family dwellings by special exception.</li> </ul>

## Bancroft Public Meeting, March 19, 2015

*Note: This document briefly describes some subdistricts that may be appropriate in Bancroft, given the existing pattern of development and natural resources. The table below is meant to be a summary. To find out more about each subdistrict, and others not listed here, please see Chapter 10; Land Use Districts and Standards.*

<u>Subdistrict Description</u>	<u>Purpose</u>	<u>Considerations</u>
<b>Aquifer Protection (P-AR)</b>		
Areas with highly permeable soils that are connected to the ground water supply, or aquifer recharge areas.	To protect the quantity and quality of groundwater supply used or potentially available for human or industrial consumption.	<ul style="list-style-type: none"> <li>• Special care must be taken to ensure sewage from single family homes is disposed of in a way that does not contaminate the aquifer.</li> <li>• Permits are required for the application of fertilizers for agricultural or forest management.</li> </ul>
<b>Flood Prone Area Protection (P-FP)</b>		
Areas within the 100 year flood plain, and other locations identified by state and federal agencies as flood prone.	To regulate certain activities in all flood-prone areas in order to minimize the human, environmental, and financial costs of floods and flood cleanup programs.	<ul style="list-style-type: none"> <li>• Generally, residential development is not encouraged in a P-FP. However, if no reasonable alternative exists, single family homes can be permitted by special exception.</li> </ul>
<b>Great Pond Protection (P-GP)</b>		
Areas within 250 feet of the normal high water mark of bodies of standing water 10 acres or greater in size.	To regulate residential and recreational development on Great Ponds to protect water quality, recreation potential, fishery habitat, and scenic character.	<ul style="list-style-type: none"> <li>• Single-family homes are allowed so long as they meet applicable standards and dimensional requirements. For example, buildings must be 100 feet from the shore.</li> <li>• Subdivisions are not allowed.</li> </ul>
<b>Shoreland Protection (P-SL)</b>		
<p><u>P-SL1:</u> Areas within 250 feet of rivers draining more than 50 square miles.</p> <p><u>P-SL2:</u> Areas within 75 feet of ponds smaller than 10 acres, along streams, and around wetlands.</p>	To regulate certain land use activities in shoreland areas in order to maintain water quality, plant and wildlife habitat, and in order to protect and enhance scenic and recreational opportunities.	<ul style="list-style-type: none"> <li>• In P-SL1 zones, residences must be setback 100 feet from the water.</li> <li>• In P-SL2 zones, residences must be setback 75 feet from the water.</li> </ul>
<b>Wetland Protection (P-WL)</b>		
<p><u>P-WL1:</u> Includes wetlands of special significance. For example: large wetlands containing 20,000 square feet of open water, vegetation or significant wildlife habitat. These wetlands are within the 100 year floodplain, 250 feet of a large pond or lake, or within 25 feet of a stream.</p> <p><u>P-WL2:</u> Scrub Shrub and non-forested wetlands</p> <p><u>P-WL3:</u> Forested Freshwater Wetlands (everything not included in P-WL1 &amp; P-WL2)</p>	To conserve coastal and freshwater wetlands in essentially their natural state because of the indispensable biologic, hydrologic, and environmental functions which they perform.	<ul style="list-style-type: none"> <li>• Residences are not permitted in wetland protection zones.</li> <li>• Constructed ponds or alterations of wetlands less than 4,300 square feet in P-WL2 and P-WL3 zones is allowed in accordance with standards. A permit is required for a proposal to alter a larger wetland, or one of special significance.</li> </ul>



**Preliminary Zoning Map**  
**Bancroft Twp.**  
**Aroostook County**

Sources:  
 USGS 34K topo quads  
 Final National Wetland Inventory  
 Maine Geological Survey  
 For planning purposes only, 4/22/2015

<ul style="list-style-type: none"> <li>— Towns</li> <li>— Parcels</li> <li>— Rail Roads</li> <li>— E911 Roads</li> <li>— Interstate</li> <li>— U.S. Routes</li> <li>— State Routes</li> <li>— Other Public Roads</li> </ul>	<ul style="list-style-type: none"> <li>— Streams</li> <li>— Ponds/Lakes</li> <li>— Rivers</li> </ul>	<ul style="list-style-type: none"> <li>Proposed D-GN</li> <li>Proposed D-RS</li> </ul>	<ul style="list-style-type: none"> <li>Proposed P-FP</li> <li>Proposed P-GP</li> <li>Proposed P-SL1</li> <li>Proposed P-SL2</li> </ul>	<ul style="list-style-type: none"> <li>Proposed P-WL1</li> <li>Proposed P-WL2</li> <li>Proposed P-WL3</li> </ul>
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Contact Information: Ben Godsoe (207) 287-3619 Benjamin.Godsoe@maine.gov  
[http://www.maine.gov/dact/lupo/projects/georganization/bancroft\\_deorg.html](http://www.maine.gov/dact/lupo/projects/georganization/bancroft_deorg.html)

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2013**

State determines has violated any condition or restriction of license reinstatement. The periods of license suspension are:

- A. For a person reinstated pursuant to section 2412-A, subsection 7, one year; and
- B. For a person reinstated pursuant to this section, one year if the person has one OUI offense, 2 years if the person has 2 OUI offenses, 4 years if the person has 3 OUI offenses or is reinstated pursuant to subsection 1, paragraph D and 6 years if the person has 4 or more OUI offenses.

A person whose license is suspended as a result of a conviction or adjudication pursuant to this subsection is not entitled to the issuance of any type of license until the suspension period has expired.

**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077**

Initiative: Provides funding for one Office Associate II position and related costs to process additional requests for ignition interlock devices.

HIGHWAY FUND	2013-14	2014-15
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$56,400	\$60,130
All Other	\$7,549	\$3,223
<b>HIGHWAY FUND TOTAL</b>	<b>\$63,949</b>	<b>\$63,353</b>

**Sec. 7. Effective date.** Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, section 2411, subsection 5, paragraph A and section 2508, subsection 1 take effect on December 1, 2013.

See title page for effective date, unless otherwise indicated.

**CHAPTER 390  
S.P. 442 - L.D. 1280**

**An Act Authorizing the  
Deorganization of the Town of  
Bancroft**

**Be it enacted by the People of the State of  
Maine as follows:**

**PART A**

**Sec. A-1. 20-A MRSA §8451, sub-§2, ¶B,** as repealed and replaced by PL 2011, c. 679, §17, is amended to read:

B. Region 2. SOUTHERN AROOSTOOK COUNTY. Units located in this region include:

- (1) ~~Bancroft;~~
- (2) Benedicta Township;
- (3) Orient;
- (4) Regional School Unit No. 29 doing business as School Administrative District No. 29 (Hammond, Houlton, Littleton and Monticello);
- (5) Regional School Unit No. 50 (Crystal, Dyer Brook, Hersey, Island Falls, Merrill, Moro Plantation, Mount Chase, Oakfield, Patten, Sherman, Smyrna and Stacyville);
- (6) Regional School Unit No. 70 doing business as School Administrative District No. 70 (Amity, Cary Plantation, Haynesville and Hodgdon) and Linneus, Ludlow and New Limerick; and
- (7) Regional School Unit No. 84 doing business as School Administrative District No. 14 (Danforth and Weston).

**Sec. A-2. Effective date.** This Part takes effect July 1, 2015 if the deorganization of the Town of Bancroft is approved pursuant to Part B, section 5.

**PART B**

**Sec. B-1. Deorganization of Town of Bancroft.** Notwithstanding any contrary requirement of the Maine Revised Statutes, Title 30-A, chapter 302, if in accordance with Title 30-A, section 7207 a majority of the voters in the Town of Bancroft approve the deorganization procedure developed in accordance with Title 30-A, section 7205 and if the deorganization is approved by the voters of the Town of Bancroft pursuant to section 5 of this Part, the Town of Bancroft in Aroostook County is deorganized, except that the corporate existence, powers, duties and liabilities of the town survive for the purposes of prosecuting and defending all pending suits to which the town is, or may be, a party and all needful process arising out of any suits, including provisions for the payment of all or any judgments or debts that may be rendered against the town or exist in favor of any creditor.

**Sec. B-2. Unexpended school funds.** The treasurer of the town or any other person who has custody of the funds of the town shall pay the Treasurer of State all unexpended school funds that, together with the credits due the town for school purposes, are to be used by the State Tax Assessor to settle any school obligations contracted by the town before deor-

ganization. Any unexpended school funds remaining with the Treasurer of State after all the obligations have been met must be added to the Unorganized Territory Education and Services Fund, as established in the Maine Revised Statutes, Title 36, chapter 115.

**Sec. B-3. Provision of education services.** Notwithstanding any other law, this section entitles all prekindergarten to grade 5 pupils in the Town of Bancroft to attend school in Kingman Township, all grade 6 to grade 8 pupils to attend a school within Maine School Administrative District 30, all grade 9 to grade 12 pupils to attend Lee Academy and all pupils requiring special education services to obtain special education services under the direction of the Director of Special Education for the Division of State Schools - Education in Unorganized Territory. Pupils must be provided transportation at state expense to those schools. Prior approval by the Director of State Schools - Education in Unorganized Territory and the approval of tuition by the Commissioner of Education are required for a pupil to attend a school other than one listed in this section. Tuition may not exceed statutory limits. Transportation of a student who attends another school is the responsibility of the parent or legal guardian. The provisions in this section are subject to modification in response to educational conditions.

**Sec. B-4. Assessment of taxes.** The State Tax Assessor shall assess the real and personal property taxes in the Town of Bancroft as of April 1, 2015, as provided in the Maine Revised Statutes, Title 36, chapter 115.

**Sec. B-5. Referendum; certificate to Secretary of State.** This Part takes effect 90 days after its approval only for the purpose of permitting its submission by the municipal officers to the legal voters of the Town of Bancroft by ballot at the next statewide election to be held in November. This election must be called, advertised and conducted according to the Maine Revised Statutes, Title 30-A, sections 2528 and 2532. The town clerk shall prepare the required ballots on which the clerk shall reduce the subject matter of this Part to the following question:

"Shall the Town of Bancroft be deorganized?"

The voters shall indicate their opinion on this question by a cross or check mark placed against the word "Yes" or "No." Before becoming effective, this Part must be approved by at least 2/3 of the legal voters voting at the election, and the total number of votes cast for and against the acceptance of this Part at the election must equal or exceed 50% of the total number of votes cast in the town for Governor at the last gubernatorial election.

The municipal officers of the Town of Bancroft shall declare the result of the vote. The town clerk

shall file a certificate of the election result with the Secretary of State within 10 days from the date of the election.

**Sec. B-6. Effective date.** Sections 1 to 4 of this Part take effect on July 1, 2015 if deorganization is approved by the voters of the Town of Bancroft pursuant to section 5 of this Part.

Effective July 1, 2015 pending referendum.

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## CHAPTER 391

### H.P. 1034 - L.D. 1440

#### An Act To Amend the Retirement Laws Pertaining to Participating Local Districts

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §18301, sub-§5** is enacted to read:

**5. Member contributions to Participating Local District Consolidated Retirement Plan.** The board may establish by rule the rate at which members who participate in the consolidated plan described in chapter 427 contribute to that plan. Rules established pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

**Sec. 2. 5 MRSA §18309, sub-§1**, as amended by PL 2007, c. 491, §221, is further amended to read:

**1. Contribution rate.** Except as provided in ~~subsection~~ subsections 2 and 3, each firefighter, including the chief of a fire department, employed by a participating local district that provides a special retirement benefit under section 18453, subsection 4 or 5, shall contribute to the Participating Local District Retirement Program or have pick-up contributions made by the employer at a rate of 8% of earnable compensation as long as employed as a firefighter.

**Sec. 3. 5 MRSA §18309, sub-§3** is enacted to read:

**3. Member contributions to Participating Local District Consolidated Retirement Plan.** The board may establish by rule the rate at which firefighters who participate in the consolidated plan described in chapter 427 contribute to that plan. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

**Sec. 4. 5 MRSA §18310, sub-§1**, as amended by PL 2007, c. 491, §222, is further amended to read:

**1. Contribution rate.** Except as provided in ~~subsection~~ subsections 2 and 3, each police officer, including the chief of a police department, employed by a participating local district that provides a special

**MAINE LAND USE PLANNING COMMISSION**  
Department of Agriculture, Conservation & Forestry  
22 State House Station - Augusta, Maine 04333-0022  
TEL (207) 287-2631 FAX (207) 287-7439

**MINUTES**

**REGULAR MONTHLY MEETING**

Jeff's Catering, 15 Littlefield Way, Brewer  
June 10, 2015

**COMMISSIONERS PRESENT**

Gwen Hilton, Chair	Betsy Fitzgerald	Bill Gilmore	Paul Underwood
Everett Worcester, Vice-Chair	Robert Dunphy	Charles Pray	Durward Humphrey

**STAFF PRESENT**

Nicholas Livesay, Executive Director	Stacie Beyer, Senior Planner
Jean Flannery, Permitting and Compliance Manager	Ben Godsoe, Senior Planner
Hugh Coxe, Chief Planner	Eric Larsson, Senior Planner
Billie MacLean, Ashland Regional Representative	Mary York, LUPC Augusta

**OTHERS PRESENT**

Lauren Parker, Assistant Attorney General See attached Sign in Sheets

*Note: Commission votes are recorded in the following order:*

*number voting in favor of a motion – number voting against a motion – number abstaining – number absent*

**ADMINISTRATIVE MATTERS**

**Introductions**

Introductions were made by members of the Commission, its staff, and the audience.

**Minute Approvals**

May 13, 2015 Minutes

**Commissioner Dunphy motioned to approve the minutes; Commissioner Underwood seconded;  
Vote: 8-0-0-1 Unanimous (Commissioner Theriault was absent for the entire meeting.)**

**DIRECTOR'S REPORT**

Nick Livesay provided the director's report. He:

- Summarized the status of two key pieces of legislation, one related to metallic mineral mining (LD 750) and the other related to potential establishment of a process for removing areas from the expedited wind permitting area (LD 828);
- Noted there have been no new developments with regard to the proposed Fish River Lakes concept plan since meeting with Irving representatives several months ago;
- Summarized the process staff have developed and implemented for pre-construction site inspections to assist property owners proposing projects with foundations, as well as post-construction follow-up; and
- Discussed the anticipated calendar for the next scheduled meeting in August.

**RULEMAKING MATTERS**

**Chapter 10 Rulemaking**, regarding decision on NRPA consistency: consideration for adoption; Stacie Beyer



Stacie Beyer presented a request for the Commission to adopt proposed rule revisions for NRPA Consistency and Recreational Gold Prospecting. She provided an overview of the rule making process, a refresher on key changes, a summary of public comments, and staff's recommendation. The Commission posted the rule revisions to public comment on January 14, 2015. The public comment period closed on March 27, 2015 and the rebuttal comment period closed on April 3, 2015.

Stacie explained that the primary objective of the NRPA Consistency part of the rulemaking was to update the LUPC land use standards to provide a level of protection consistent with the goals of NRPA, the goals of LUPC statute, and the CLUP. Key changes that were covered in the presentation included: renaming and reorganizing Section 10.25,P, improving consistency of definitions with NRPA, incorporated the existing LUPC Wetland Compensation Guidelines into rule, revising the threshold for wetland compensation, and revising the standards for filling and grading relating to setbacks for wetlands and waterbodies.

Five written e-mails or letters were submitted on the NRPA Consistency rulemaking, but no rebuttal comments were filed. Stacie summarized each of the comments submitted, grouped under the major categories of NRPA Consistency, Definitions, Use of Terms, Freshwater Wetlands, Additional Comments, and Proposed Changes, and discussed the draft response to comments as provided in the proposed basis statement for the rulemaking. Commissioner Gilmore expressed surprise that there were only 5 commenters on the proposed rulemaking, and asked how we advertised this out across the UT such that people could respond. Stacie explained that the rulemaking followed the APA rulemaking requirements, so it was published in the Secretary of State's consolidated rulemaking notice. She also explained that the rulemaking was posted on the LUPC's website, and that notices were sent out to the NRPA stakeholder group through the GovDelivery system. Nick Livesay added that we have done a couple of things with this rulemaking. One, as for all rulemakings, we have an e-mail distribution list for anyone who has expressed interest in rulemaking; we send notices to them. With the NRPA rulemaking, he explained that we also made an effort to reach out to people that had expressed an interest in the topic knowing that it would come up. So, for instance, with the Maine Forest Products Council, we reached out to them so they could contact their members about this rulemaking. We reached out to some of the environmental organizations, too. They are probably on all the distribution lists, but we did try to get this out to people. Nick further explained that with the individual property owner, if they haven't requested to be on a list and they are not reading the consolidated notice, there isn't really a way to reach them. Commissioner Pray indicated that he had a couple of people stop and ask him what the rulemaking was about, on a couple of separate occasions, so somehow they had seen it.

Commissioner Underwood raised a question on how the debris line is used to define "normal" for the normal high water line of coastal wetlands in that an exceptionally high tide could leave a debris line that could last for a long time. Stacie explained that it was a concern of the commenters that the debris line can change. Where this could be a critical point on a project, she said we could use the surveying method. The benefit of having several criteria in the definition is that we can look at all the criteria. The most restrictive in the list is where we would likely define the boundary. Commissioner Underwood also asked how our definitions compare with DEP. Stacie replied that they are generally consistent. One exception is the DEP removed the debris line from their definition. She explained that we received comments on the preliminary draft that it was important for the UT to leave the debris line in the definition because there are so many rural properties and the landowners may not be able to afford to get a survey. Commissioner Fitzgerald explained that the DEP is pushing to have Towns adopt changes to their shoreland zoning ordinances to be consistent with Chapter 1000. She asked, if in referring to "DEP," do we mean both NRPA and Shoreland Zoning? Stacie answered that, generally speaking, in terms of natural resource definitions, the NRPA definitions and Shoreland Zoning definitions line up fairly well.

Commissioner Pray asked if it is our intent to leave the term "high mountain area" instead of using the term "fragile mountain area." Stacie replied that is correct. Commissioner Hilton asked if that is just a matter of semantics. The

way the resource is treated is still the way it was originally. Stacie said yes, all we did was change the term. The standards that we had in place for protection of that resource are the same. Commissioner Hilton then commented that someday someone is going to look at this and wonder why it happened. She recognized that the issue was that not all high mountain areas are necessarily fragile.

Commissioner Gilmore commented that it can be very expensive for a landowner to complete a wetland compensation project. He talked about a project where an acre of land cost the landowner \$68,000 to remove it from wetland compensation protection and build on the lot.

In terms of the DMR public hearing procedure for dredging projects, Commissioner Underwood asked if referencing the procedure is within our realm. Stacie explained that the specific procedures are in the NRPA statute, but language proposed in the rule allows DMR to have a public hearing on a dredging project and for the LUPC to consider DMR's recommendations based on the public hearing, without dictating the procedures in our rule. Commissioner Underwood commented on the importance of the input, but still questioned whether the procedures are in the realm of the LUPC's responsibilities. Nick clarified that the revisions, as they are proposed now, allow DMR to weigh in on dredging projects and to hold a proceeding as they see fit, but do not mandate the manner in which DMR has to operate. That is for DMR to determine. Commissioner Underwood indicated that he understood. He just wants to make sure that we don't try to incorporate too many things that aren't really our bailiwick. We need to stay focused on what we are supposed to do.

For recreational gold prospecting, Stacie explained the primary purpose was to update the LUPC rules to conform with recent legislative changes. The key changes discussed included: updating limits on equipment, adding a definition for motorized recreational gold prospecting, adding closed areas consistent with the legislation for certain Atlantic salmon habitats, certain Brook trout habitats, and class AA waters. She also mentioned that the rule revisions include an update on MCD names.

Six written e-mails or letters were submitted for the Recreational Gold Prospecting part of the rulemaking and no rebuttal comments were filed. Stacie explained that the comments generally expressed support for the proposed revisions or opposition for the regulation of gold prospecting. No specific recommendations for changes to the proposed rules were submitted.

Staff recommended that the Commission adopt the proposed rule revisions for NRPA Consistency and Recreational Gold Prospecting as presented.

Commissioner Hilton asked if Stacie had experience in permitting under NRPA with the DEP, and Stacie said yes. She followed with a question on whether Stacie is comfortable with what we are doing in the proposed rulemaking. Stacie replied that she is. Commissioner Fitzgerald asked for clarification on the comments received for recreational gold prospecting, particularly on the statement that the comments did not request any specific changes to the proposed rules. She asked, does that mean they commented either that they hated it or they liked it, end of story. Stacie agreed. Commissioner Worcester asked if DEP was going to look at these changes to see if we are in compliance. Stacie explained that the DEP has been involved in the process. They have had an opportunity to review both the preliminary draft and the proposed draft. We haven't received any comments from them. Commissioner Hilton asked about the involvement of the Army Corps of Engineers. Stacie replied that they also had an opportunity to comment. The only comment they submitted was an encouragement for the LUPC to look at the in lieu fee program for wetland compensation, which is something we would like to do. Commissioner Fitzgerald asked if Stacie was looking for a motion, and she said yes. The motion was made by Commissioner Fitzgerald to accept staff recommendation. Nick asked for clarification if the motion included adoption of both the proposed rule and accompanying basis statement, and Commissioner Fitzgerald said yes.

Commissioner Pray inquired what would happen if the Commission does not adopt the proposed rule. Stacie said that the current rules would remain in effect. Commissioner Hilton stated that the goal of making everything consistent makes it easier for the regulated community and people in general. She stated it was a good goal to have. The question does come up as to how there are differences between different parts of Maine. That is why we have some discomfort sometimes with these regulations. Commissioner Pray commented that this puts the DEP as the paramount agency; that we are adopting and following DEP standards. Nick replied that the directive that we have from statute is that the LUPC applies NRPA in the unorganized parts of the state and we have to do so consistent with the goals of NRPA; acknowledging that there could be differences between what DEP and LUPC does. To the extent that any of the proposed rule changes are following DEP rule as oppose to statute, then the answer is yes the DEP is playing a lead rule. He stated that he doesn't think the statute talks about being consistent with DEP rule. It is the statute. Stacie agreed. Commissioner Pray replied that it answers his question in part, but stated that the LUPC also has statutes that it is obligated to be consistent with and there are unique differences between the obligations of both. He would like to feel as though the Commission has the right to adopt rules that are pertinent to the statutes as they see best carries out the statutory obligations. Nick replied that he thinks they do have that right. For example, Nick said the Commission could look at the trigger number 20,000 versus 15,000 square feet and determine that 20,000 square feet is right for us, and 15,000 square feet might be right for the organized parts of the state. Lauren Parker stated that NRPA provides flexibility in that it states that LUPC standards have to be consistent with NRPA, and with LUPC statute and the CLUP. Commissioner Underwood explained that one of the complaints over time has been that there is a different set of rules for the DEP and a different set of rules for LURC. Consistency is good, but he is not sure it is always better in all instances. For the most part, he is in agreement, but he is not so sure with these rules. Commissioner Hilton asked, with this whole idea of having a different trigger, what are the implications of that. Stacie explained that it is a place where the Commission could make a distinction between the DEP jurisdiction and the LUPC. She further explained that for a project located wholly within the LUPC service area we would have the right to make the decision and only require compensation for impacts of 20,000 square feet or more, with the exception that the Army Corps of Engineers will also be involved. In a case where the Army Corps requires a permit and LUPC requires a permit, the Army Corps would also have the ability to require compensation and their trigger is 15,000 square feet. In that case, Stacie said the LUPC wouldn't have a role in the compensation. The Army Corps would be looking at what compensation would be required. Commissioner Hilton asked about what kinds of projects we are talking about where that might be the case. Stacie replied that it would be for any alteration of P-WL2 or P-WL3 wetlands whether it would be filling for a parking area or a housing development. The rules do allow for some driveway crossings, and other small alterations. We are talking about clearing, or filling and grading type projects. Commissioner Dunphy said that he believes that 15,000 square feet is consistent with what all the other towns use and didn't see any problem with that. It is going to cost you some money, but it just depends on what the value of that land is. Commissioner Underwood asked if the LUPC left the trigger of 20,000 square feet and someone comes in with a proposal for 15,000 square feet would the compensation be taken care of by the DEP? Stacie explained if the project was wholly located within the LUPC service area, the DEP wouldn't have a role. If our trigger is 20,000 square feet, we wouldn't be looking for a compensation project. However, the Army Corps does have jurisdiction over a good number of resources in the unorganized areas of the state. Compensation could be required in their process. Commissioner Underwood further asked, how many projects have we dealt with over the years with the 20,000 square foot trigger? Stacie replied not many. Anecdotally, staff could only remember a couple of projects, so it isn't something that we deal with on a regular basis in the UT. Commissioner Underwood asked if Stacie had checked with the Corps to see how many projects they reviewed over 15,000 square feet in the UT, and Stacie replied that she hadn't. Commissioner Hilton asked, for larger projects such as a Site Law subdivisions, the DEP wetland rules would apply, right? Stacie said yes. For smaller projects, Commissioner Hilton stated that most people would try to avoid the impacts to the extent that they can. Commissioner Dunphy indicated that you would think there would be enough land in the UT so that where someone owns they could build in another area and not have to build in a wetland. There is so much land up there. He asked, why do it if it is going to cost you money? If you have money, then you can do it. Commissioner Humphrey stated that it shouldn't be based on whether you have money or not.

After the vote, Nick informed the Commission, based on information from Mary York, that the e-mail distribution list for rule revisions has 670 e-mail addresses on it. The separate NRPA stakeholder distribution list has 102 e-mail addresses. He explained the GovDelivery system and how it works. Commissioner Hilton also asked one last question on the schedule for the next phase of the NRPA Consistency rulemaking. Stacie indicated that we are likely working into next year. Nick indicated that he doesn't see any planned phase two. The next step would be, if the Commission was interested and time allowed, is to look at how the Commission wants to address activity in other protected natural resources. There are lots of issues associated with it that may make it hard to do.

**Commissioner Fitzgerald motioned to approve staff recommendations; Commissioner Dunphy seconded; Vote: 6-2-0-1 Passed (Commissioners Humphrey and Underwood opposed.)**

**Chapter 10 Rulemaking**, regarding decision for storage on nonconforming lots and updated language in Ch. 10.11,E,3 and 4; Eric Larsson

Eric Larsson gave a presentation on the rulemaking process, summarizing the comments and introducing four suggested edits to the redline rule changes posted for public comment.

Commissioner Underwood asked if it was possible to use special exceptions rather than variances, since variances are almost never granted. Nick noted that the intent of the rule change to Section 10.11,E,3 removing the word waiver is to eliminate that term without altering the way the rule functions on the ground. Nick explained that special exceptions are a mechanism to allow for uses with a higher level of scrutiny where the applicant can meet a set of defined conditions and are generally not a tool used to allow deviations from dimensional standards such as setbacks. Nick also explained that waiver is a discretionary tool that is used for deviations from permitting standards such as those commonly found in site plan requirements, but again is not used for deviations from dimensional standards in a zoning ordinance.

Commissioner Underwood asked if it will be possible to maintain a self-contained camper or pop-up on a lot and construct a storage structure. Nick explained that there is a statutory definition of "campsite" and a separate definition of "residential campsite," and that it would be possible to construct a storage structure on a lot with a permitted "residential campsite." However, the rule change allows for the construction of a storage structure on lots that are too small to permit a residence or a "residential campsite."

**Commissioner Worcester motioned to approve staff recommendations; Commissioner Fitzgerald seconded; Vote: 8-0-0-1 Unanimous**

## **PLANNING MATTER**

**Subdivision Rule Review**, presentation by Stacie Beyer of the report regarding technical issues generated following workshops; discussion of possible rule amendments;

Stacie Beyer presented the Preliminary Technical Issues Report from the subdivision rule review process including an update on the technical issues, overview of possible rule revisions and proposed next steps. She also provided the Commission with background information on the development of the Masters Issues List, the separate discussions for the policy issues and technical issues, drafting the preliminary report and a follow-up conference call with stakeholders.

The subdivision technical issues have been divided into four topic areas: Soils investigation and mapping, maximum road grade, subdivision layout and design, and application process. The Technical Issues Report has

background information for each of these topic areas and proposed next steps. Stacie's presentation focused on the proposed next steps. She offered to answer any questions on the background information.

Commissioner Hilton asked that for subdivisions under DEP jurisdiction, those having greater than 14 lots where the LUPC provides a certification, are there some LUPC standards that DEP doesn't have that would apply still to those subdivisions? Stacie answered that it is similar to wind energy development. For a subdivision in the UT that needs a DEP Site law permit, we do need to issue a certification and, in accordance with our guidance document, we would review any LUPC standard that the DEP does not cover in their review. In follow-up, Commission Hilton asked if all the standards in the possible Technical Issues Rule revisions would be covered by the DEP for a Site law subdivision, such as road slope. Stacie replied that the DEP does have road standards, so for that example, the DEP standards would apply. Commissioner Dunphy asked how a phased development would be permitted if the first phase was designed to LUPC standards and the next phase triggered Site law. Stacie explained that once DEP jurisdiction is triggered, the DEP will review all the subdivision lots within their jurisdiction. She stated that she doesn't expect the standards to conflict enough to cause a significant issue. However, if there is a conflict, the applicant would have an opportunity to bring the subdivision into compliance with DEP standards or they may not be able to get a permit to expand the subdivision. Commissioner Worcester stated that when we are reviewing a phased development, we should make it clear to the applicant that they need to consider any possible design conflicts with DEP standards. Commissioner Dunphy responded by stating if a developer knows going in they will have a larger build out, they should plan for that in the first phase. Stacie agreed that they should.

Stacie presented possible rule revisions for soil investigation and mapping, and maximum road grade. Possible rule revisions were also presented for two subtopics under subdivision layout and design: steep slopes and phosphorus control.

In regard to steep slopes, Commissioner Gilmore asked whether we have taken stormwater management into consideration with road design for subdivisions going forward. He stated that subdivisions and houses have a tendency to push water and, if we do not have some type of a guideline, somewhere down the line it is going to come back and haunt the developer and/or the road association. Stacie explained that, in the proposed changes for maximum road grade, there is language that allows the Commission to consider stormwater drainage and erosion in determining whether it is appropriate to allow a steeper slope, but we are not proposing any specific changes relating to stormwater management at this time. Commissioner Dunphy responded that the standard is good unless the developer cuts in a forested area at the top. In that case, when they do a watershed study, it is incomplete. He wasn't sure how you would do that, but indicated that we will talk about it.

For the topic area Application Process, Stacie reported that stakeholders are not recommending any changes at this time relating to pre-application meetings or the subdivision submission requirements. Once the subdivision review process is complete, there is a recommendation to update the subdivision application form. Stacie also reported that stakeholders participating in the rule review process generally support moving forward on the possible rule revisions for the technical issues. Based on the follow-up conference call, participating stakeholders are interested in providing additional comment on the possible rule revisions, prefer a separate rulemaking process for the technical issues, and recommend a separate path for large lots.

Staff recommended that the Commission direct staff to move forward as outlined below:

- Request comments from stakeholders on the preliminary technical report and proposed rule revisions,
- Finalize proposed rule revisions,
- Request the Commission post the rulemaking to public comment as part of a separate, standalone rule revision package, and
- Update the subdivision application form as soon as subdivision rule revisions are adopted.

Staff anticipates coming back to the Commission in August with a proposed Subdivision Technical Issues rulemaking package to post to public comment.

Commissioner Hilton asked, relating to steep slopes, whether or not there are currently standards in the LUPC rules. Stacie replied with an explanation of where current LUPC rules contain standards for steep slopes, including in the subdivision layout and design section for building envelopes, and in the Cluster Development section for unbuildable area. In terms of roads, the standards for slope are in a separate section of the rules.

**Commissioner Humphrey motioned to approve staff recommendations; Commissioner Dunphy seconded; Vote: 7-0-0-2 Unanimous (Commissioner Fitzgerald was absent during this vote.)**

## APPEAL

**Ouellette (BP 15320);** appeal of partial denial of building permit; T17 R3 WELS, Aroostook County; Billie MacLean

Billie MacLean gave a presentation on the Appeal of Staff's Approval in Part and Denial in Part of Building Permit BP 15320. Staff is asking the Commission to uphold their decision to approve after-the-fact reconstruction of a pre-Commission attached 8 foot by 32 foot deck and deny after-the-fact construction of a 19 foot by 25 foot detached wooden platform with 6 foot by 7 foot attached stairs. Staff concluded that the detached wooden platform with stairs did not meet the Commission's standards for nonconforming structures.

The appellant, Denis Ouellette, and his lawyer, William Smith, were present and gave a brief presentation consisting of a timeline of events and a handout with photos and a summary of the reasons for the appeal. Exhibit 3 of the handout was a presumed 1960s photo showing what existed for development at that time. Mr. Smith cited sections of the standards related to normal maintenance and repair and renovation of existing structures. He told the Commission that the detached wooden platform was a renovation of a brick patio installed in 2007 or 2008 and that the brick replaced pieces of wood and tarp placed on the ground by the prior owner. He concluded that the standards allowed for replacement in this situation without a permit.

Executive Director, Nicholas Livesay, and Assistant AG Lauren Parker explained that normal maintenance and repair is a defined term in rule and asked Mr. Smith to clarify how the new wooden platform was normal maintenance and repair. Mr. Smith answered that it was a renovation.

Commissioner Hilton asked how renovation was defined and Director Livesay cited the definition in Chapter 10.

Commissioner Underwood noted that this issue was similar to issues at campgrounds in Aroostook County where permanent structures were not allowed but tarps or mill cloth could be laid on the ground.

Commissioner Pray asked if a patio was a structure. Staff explained that patios have been historically treated as a structure which requires a permit if more than 50% of the structure is replaced.

Mr. Smith contended that the 50% standard did not apply under Section 10.11,B,5, Lauren Parker explains that although that section speaks to "renovations," the Commission must look to the definitions in Section 10.02 for the meaning of terms.

Commissioner Gilmore indicates that the environmental impact of the platform is minimal but asked the applicant how he knew that he did not need a permit. Mr. Ouellette explained that it was his understanding from talking with staff in 2004 that he did not need a permit to replace a structure.

Commissioner Worcester stated that he did not think pieces of wood and tarp laid on the ground was considered a structure. Commissioner Dunphy stated that even if the tarps were considered a structure, a permit was required to replace it with the brick patio and another was needed to construct the wooden platform on the brick.

Commissioner Hilton asked staff if the new information in the packet changed their position on the matter. Billie MacLean explained that it appeared any legally existing structures have been gone for at least 10 years so the two year window to obtain a permit to reconstruct had past.

Commissioners Dunphy and Humphrey asked for clarification about just replacing the stairs to the lake without the platform, which staff explained may be allowed with a permit because the previous stairs were not removed until 2014.

Staff commented that the brick patio would also need to be removed to bring the property into compliance, however, this would be done through enforcement and did not need to be incorporated into this action.

**Commissioner Worcester motioned to approve staff recommendations; Commissioner Dunphy seconded; Vote: 6-2-0-1 Passed (Commissioners Humphrey and Underwood opposed.)**

After the vote, Director Livesay recommended that staff revise the draft decision document to incorporate information and arguments presented by the applicant and his attorney during this meeting. The revised decision document would then be presented to the Commission for final approval.

**Commissioner Fitzgerald motioned to approve this recommendation; Commissioner Pray seconded; Vote: 8-0-0-1 Unanimous**

## **ZONING MATTER**

**AMC Maine Woods II, LLC**, consideration of zoning D-RF subdistrict for recreational lodging facility; T1 R12 WELS and TA R12 WELS, Piscataquis County; Hugh Coxe

Hugh Coxe presented the zoning petition. AMC proposes to rezone 38.2 acres of their property to Recreational Facility Development (D-RF). D-RF allows Level D Recreational Lodging Facilities and was added to Chapter 10 in 2013 as part of the recreational lodging rule revisions. This Zoning petition is the first for D-RF since the rules went into effect.

The project is located in T1R12 WELS and Shawtown Township (TA R12 WELS) and is part of AMC's 28,300 acre Roaches Ponds Tract. It is on Second Roach Pond and accessed from Smithtown Road – an unimproved privately owned land management road that provides multi-use access to the lands owned by AMC. The Site includes 2,100 feet on Second Roach Pond Shoreline and includes the existing Medawisla Sporting Camps. Existing uses are forestry and recreation and existing zoning is D-GN, M-GN and P-GP.

The recreational lodging rule revisions were designed to allow for more intensive recreational lodging development in more distant, but appropriate, locations. The rules base the regulation of recreational lodging on impacts rather than individual use listings and accommodate a range of recreational lodging. The rules categorize facilities into 5 categories based on level of use, scale, and compatibility with existing uses and resources (which approximate impacts), and determine appropriate locations for each category.

The D-RF zone allows fairly intensive recreational lodging development such as a level D facility in fairly remote locations but provides some assurances about appropriateness. Level D facility characteristics may include activities with some noise or odor such as team sports, paintball, rafting base, rental of motorized equipment, and airplane rides for overnight guests; up to 20,000 square feet of floor area, up to 90,000 square feet of clearing within 250 feet of shore (more if no additional visual impact), moderate size retail, dining, fuel sales, recreation activities and services, and as many as 250 overnight guests.

The D-RF is appropriate in locations that provide access to recreational opportunities, are not overly sensitive to increased public use, may be distant from other development, would not interfere with existing uses, such as forestry or recreation opportunities, would not increase the demand for public services, and are not suitable for other types of commercial development.

AMC's proposal is in a good location because it fits the criteria for D-RF. It provides a relatively remote and natural setting to attract customers, is accessible to visitors, and provides access to numerous recreational opportunities such as hiking, fishing, paddling, hunting, camping, snowmobiling, biking and skiing. By changing from D-GN, it commits the facility to recreational lodging.

Commissioner Gilmore asked whether this would set a precedent for rezoning existing recreational facilities. Nick Livesay indicated there are other D-RF rezonings likely to come forward.

Commissioner Underwood asked whether AMC owns the land and asked about their non-profit status.

Commissioner Pray asked about other landowners around Second Roach Pond, about the access road, and about the easement. He expressed a concern with allowing rezonings within an easement area.

Bryan Wentzall, AMC, responded about the other landowners, the road, the easement and their plans.

**Commissioner Underwood motioned to approve staff recommendations; Commissioner Dunphy seconded; Vote: 8-0-0-1 Unanimous**

## **ENFORCEMENT MATTER**

**Krause, Richard W. and Janice Pacht**, consideration of settlement agreement; T1 R9 WELS, Piscataquis County; Debra Kaczowski. Debra Kaczowski gave a brief presentation on Enforcement Cases EC 13-18.

Commissioner Fitzgerald inquired as to whether the terms of the Settlement Agreement in regard to "should 50% or more of the structures be removed," is that any of the structures that are left. That is correct.

Commissioner Dunphy asked if they didn't remove the structures by that time, does the penalty go up or down? Director Livesay replied that we would then be in an enforcement situation where we would be back before the Commission to recommend referral to the Attorney General's office. The penalty would most likely not go down at that point.

Jonathon Pottle, attorney with Eaton Peabody, stated they were hired by Mr. Krause. In addition, Dick Day from Plisga & Day Land Surveyors was hired to survey the property to figure out the dimensions of the structures. As a comment/remark, the discussions with Debbie & Marc Russell from the East Millinocket office have been very transparent & constructive. From my clients' perspective, the settlement agreement is acceptable.



**Commissioner Fitzgerald motioned to approve staff recommendations; Commissioner Dunphy seconded;  
Vote: 8-0-0-1 Unanimous**

## **PLANNING AND ZONING MATTERS**

**Bancroft, deorganization update and presentation of draft zoning map; Aroostook County; Ben Godsoe**

Ben Godsoe presented a preliminary draft of the land use guidance map for Bancroft, and updated the Commission about the zoning effort. The preliminary, draft map has been prepared in accordance with the Comprehensive Land Use Plan and Chapter 10, and is based on the known natural resources, development densities, and land uses identified in a land use inventory during the winter and spring of 2015, and on discussions with residents and property owners over the course of the project.

The current version of the map reflects all of the work that has gone into gathering information about natural resources and existing development, as well as public input received at one open house and two public meetings. However, the map is not yet ready to be posted for an official public comment period because some additional information is needed and may result in a few further refinements. There is one area where more information is necessary in order to finalize the draft map. The area is marked on the draft map and includes four sites where existing structural development lies within mapped wetlands. One of these sites also lies within a proposed flood plain protection subdistrict. In these areas staff will work with property owners and gather more information to ensure that the proposed zoning accurately reflects conditions on the ground.

The Commission discussed next steps for adoption of the zoning map for the town and decided to direct staff to initiate the map adoption process and collect public comments before the Commission formally reviews and decides whether to adopt the draft land use guidance map for Bancroft.

Commissioner Dunphy asked if any changes to the proposed subdistricts would be done during the public comment period? Staff will certainly respond to any public comments that come forward and bring them to the attention of the Commission when it makes the final decision about adoption of the land use guidance map.

Commissioner Hilton asked: what kinds of comments have come forward so far? Residents and property owners have had a lot of clarifying questions so far, mostly about how the Commission functions and specifically about the mechanics of getting permits. During the public meetings people had more specific questions about allowed uses and standards.

Commissioner Gilmore asked: does it take a legislative act to deorganize a municipality? What happens to any reserve funds? The town has to put together a plan, as part of the deorganization process, to disperse assets and address liabilities.

Commissioner Underwood added that it generally takes 2-3 years to go through the process. There is a state committee that deals expressly with deorganization (LUPC has a spot on the Committee). Most of the action happens around the schools and public roads.

Commissioner Pray asked if landowners, both fulltime and seasonal, had been notified and active throughout the process? Staff engaged with landowners that could not attend public meetings and were able to share meeting materials and drafts with them by e-mail and through the website.

Commissioner Humphrey asked: what proportions of people in town were in favor of deorganization? Did the large landowners object in any way? Large landowners asked a few clarifying questions and attended both public

meetings, but did not object. Commissioner Pray added that the process does not get to the legislature if local people are not in favor of deorganization. Commissioner Underwood added that it was a 3:1 vote in favor of deorganization in Bancroft.

**Commissioner Humphrey motioned for staff to initiate the map adoption process and collect public comment in advance of future final action by the Commission; Commissioner Fitzgerald seconded; Vote: 8-0-0-1 Unanimous**

**Community Guided Planning and Zoning**, Hugh Coxe discussed the update on the work done in various regions;

Hugh Coxe presented an overview of the typical CGPZ process and then described the status of each of the three regions that are currently involved in a CGPZ process.

Aroostook has been at work on CGPZ for a while and in the early winter focused on small business. The Aroostook committee has proposed a new subdistrict – the small business development subdistrict (D-SB). They held four public meetings in April which were well promoted by NMDC meetings but only about a dozen people attended. The committee is now putting more detail to the draft and staff is beginning to draft rule language to incorporate the D-SB concept into chapter 10. The Commission will likely see a product from Aroostook in the fall.

Western Maine differs because it has two separate coordinating agencies. They worked together to develop their process document and settled on a common theme for the two regions – land uses associated with outdoor recreation. For the planning phase each county has held separate meetings and took different approaches. In Franklin they have looked at a broad range of issues and have developed a document that allows them to assess the relevance and priority of those issues. In Somerset they have focused on outdoor recreation and the need for some support businesses closer to the recreational resources. Both regions are generating ideas for further planning and will develop a phase 1 report that includes a work plan for the more detailed land use planning and information gathering and assessment they will conduct in phase 2. The report will likely be developed in the fall for the Commission's consideration.

Washington County held their first facilitated meeting for developing a process document. They had good participation and have developed a detailed draft document. They anticipate the planning process will take about a year and a half. The process document will be presented to the Commission in late summer.

Commissioner Underwood indicated an appreciation on the part of Aroostook County.

Commissioner Hilton asked about funding for facilitation and whether there would be future funding for a facilitated process. She mentioned that other counties may come forward as the makeup of the LUPC commission changes. She commented that she thought that the CGPZ process would result in prospective zoning rather than topical considerations.

Commissioner Dunphy stated that counties expect the LUPC do the zoning with regional input.

Commissioner Hilton commented on trying to balance the desire for consistency throughout the jurisdiction with regional variations.

## OTHER MATTERS

**Commissioner Comments** – Commissioner Worcester thanked Commissioner Hilton for her work as Chair and stated he enjoyed working together. Other Commissioners similarly expressed their appreciation for Commissioner Hilton’s work on the Commission.

**ADJOURN**

Meeting adjourned at approximately 2:30pm.

# Land Use Planning Commission

## SIGN-IN SHEET

Please print clearly

Date: 6/10/15

NAME	AFFILIATION
Mr. York	LUPC - Augusta
Stace Beyer	LUPC - Bangor
Bryan Wentzell	AMC
William Smith	Deans Ovellette
Billie Maclean	LVPC - Ashland
John Simko	Town Manager - Greenville
Elgin H. Turner	H.C. Haynes, Inc.
Jan Poth	Edwin Peckedy
Eric Lambson	LUPC

**Exhibit O, Item 6: Maine Rivers Study Excerpts**

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River Name	Segment Description	County(s)	Length (in miles)	Unique/Significant River Resource Values							
				Geologic-Hydrologic	Critical/Ecologic	Undeveloped	Scenic	Anadromous Fishery	Inland Fishery	Whitewater Boating	Backcountry Excursion
<p><b>FINAL LIST</b></p> <p>Rivers and related corridors on the "B" list possess a composite natural and recreational resource value with outstanding statewide significance.</p> <p>X River or river segment with related resource values meeting a minimum standard of significance (which may be regional, statewide, or greater than statewide) in a given resource category.</p> <p>* River or river segment with related resource values which are some of the state's most significant in a given resource category. These resources may have greater than statewide or national significance.</p>											
"B" RIVERS											
Rocky Brook	Red River to headwaters	Aroostook	9	X		X					
Mosquito Brook	Fish River to headwaters	Aroostook	9	X	X	X					
Smith Brook	Fish River Lake to headwaters	Aroostook	6	X	X	X					
Fox Brook	Fish River to headwaters of North and South Branches	Aroostook	15	X		X					
<u>Grand Lake Stream</u>	Big Lake to West Grand Lake	Washington	4						X*	X	
<u>Kennebago River</u>	Cupsuptic Lake to Big Island Pond	Oxford Franklin	25			X	X		X*		
<u>Kennebec River (including)</u>	Madison to The Forks	Somerset	45	X	X		X		X		X
Austin Stream	Kennebec River to headwaters	Somerset	14	X		X					
Houston Brook	Wyman Lake to headwaters	Somerset	5	X	X	X					
<del>*Matawankeung River (including)</del>	Matawankeung to Hayesville	Penobscot Aroostook	46			X		X	X	X	
Matawankeung Stream	Matawankeung River to W. Branch headwaters	Penobscot	15			X		X			
Gott Brook	Matawankeung Stream to headwaters	Penobscot	4		X						

MAINE RIVERS STUDY

River Name	Segment Description	County(s)	Length (in miles)	Unique/Significant River Resource Values									
				Geologic-Hydrologic	Critical/Ecologic	Undeveloped	Scenic	Anadromous Fishery	Inland Fishery	Whitewater Boating	Backcountry Excursion	Canoe Touring	Historic
<p><b>"B" RIVERS</b></p> <p>X River or river segment with related resource values meeting a minimum standard of significance (which may be regional, statewide, or greater than statewide) in a given resource category.</p> <p>* River or river segment with related resource values which are some of the state's most significant in a given resource category. These resources may have greater than statewide or national significance.</p>													
<p><b>FINAL LIST</b></p> <p>Rivers and related corridors on the "B" list possess a composite natural and recreational resource value with outstanding statewide significance.</p>													
Mattagodus Stream	Mattawamkeag River to headwaters including West Branch	Penobscot	14		X	X							
Holunkus Stream	Mattawamkeag River to E. Branch headwaters	Penobscot Aroostook	36		X	X		X					
Macwahoc Stream	Holunkus Stream to headwaters	Penobscot Aroostook	27			X		X					
Wypopitlock Stream	Mattawamkeag River to headwaters	Aroostook	18			X		X					
<del>Baskehegan Stream</del>	South Bancroft to headwaters	Aroostook Washington	34			X						X	
East Branch Mattawamkeag River	Haynesville to headwaters	Aroostook	32			X		X		X			
West Branch Mattawamkeag River	Haynesville to headwaters	Aroostook	40		X	X		X		X			
Fish Stream	W. Branch Mattawamkeag River to Patten	Aroostook	17		X	X							X
North Branch Penobscot River	Seboomook Lake to headwaters	Somerset	25		X	X	X		X	X			
South Branch Penobscot River	Seboomook Lake to headwaters	Somerset	33	X		X				X	X		