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EXECUTIVE DIRECTOR

## Memorandum

**To:** LUPC Commissioners  
**CC:** Stacie R. Beyer, Executive Director  
**From:** Ben Godsoe, Planning Manager  
Stacy Benjamin, Acting Chief Planner  
Tim Beaucage, Senior Planner  
**Date:** February 1, 2023  
**Re:** Rangeley Plan Draft 2022 Outreach Summary Report

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In May 2022, the Land Use Planning Commission (LUPC or the Commission) staff presented a status report on the Rangeley Region Prospective Zoning Plan. These reports are completed approximately every five years, and last year's report assessed development occurring over the 22 years since the Plan was adopted by the Land Use Regulation Commission in 2000. The status report and other information about the Rangeley Plan is available on the [Commission's website](#).

The Plan originally intended to accommodate ~20 years of growth. However, the 2022 status report indicated that development subdistricts in the region, and those originally designated by the Plan, still have a significant amount of undeveloped area. As directed by the Commission, staff conducted outreach in the region over the course of the summer and fall of last year and spoke with local officials, landowners, non-profits, and other stakeholders about what should happen next with the Rangeley Plan given these findings. Simultaneously, a written comment period on the status report remained open over the summer and fall.

Attached to this memo is a draft written report that summarizes the results of the outreach and presents recommendations regarding next steps in the region. At the February Commission Meeting, the staff will present a summary of the draft report and its recommendations.



*Draft Report*



**THE PROSPECTIVE ZONING PLAN FOR  
THE RANGELEY LAKES REGION:  
  
SUMMARY OF 2022 OUTREACH  
AND  
RECOMMENDATIONS FOR NEXT STEPS**

February 1, 2023

*Prepared by Land Use Planning Commission Staff*



## CONTENTS

<b>EXECUTIVE SUMMARY</b> .....	1
<b>I. INTRODUCTION AND BACKGROUND</b> .....	3
<b>II. SUMMARY OF COMMUNITY OUTREACH</b> .....	4
<b>Tier I</b> .....	4
<b>Tier II</b> .....	5
<b>Tier III</b> .....	5
<b>Public Comments</b> .....	5
<b>III. SUMMARY OF COMMUNITY FEEDBACK</b> .....	6
<b>A. Feedback Regarding the Functioning of the Plan – Has It Achieved Its Goals?</b> ....	6
<b>B. Feedback Regarding Specific Provisions of the Rangeley PZP</b> .....	6
<b>C. Feedback Regarding Timing of and Process for a Plan Update</b> .....	7
<b>D. Other Feedback – Broader Regional Issues</b> .....	7
<b>IV. STAFF RECOMMENDATIONS</b> .....	9
<b>Future Plan Update</b> .....	9
<b>Interim Adjustments to the Plan Provisions</b> .....	10
<b>General Recommendations (not related to the Prospective Zoning Plan)</b> .....	10
<b>APPENDIX A – WRITTEN COMMENTS SUBMITTED</b> .....	A1
<b>APPENDIX B - WHEN THE PLAN IS UPDATED</b> .....	B1
<b>Plan [Vision]</b> .....	B1
<b>Prospectively Zoned Areas</b> .....	B1
<b>Rangeley PZP Specific Rule Provisions</b> .....	B1
<b>Possible Integration or Consideration of Other LUPC Rule Provisions</b> .....	B3
<b>Other Zoning Map Edits and General Guidance</b> .....	B3

# EXECUTIVE SUMMARY

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## *Background*

The Prospective Zoning Plan for the Rangeley Lakes Region (PZP or the Plan), and companion rules, were adopted by the Land Use Planning Commission (LUPC or the Commission) in 2000. The Plan originally intended to accommodate  $\pm 20$  years of growth and commits the Commission to periodic review of its effectiveness. The 2022 Evaluation and Progress Report indicated that development subdistricts in the region still have a significant amount of undeveloped area. However, recent data indicate a significant increase in the pace of development in the region. Given these findings, the Commission directed staff to conduct community outreach over the course of the summer and fall of 2022 to determine what should happen next with the Rangeley Plan.

## *Outreach*

LUPC staff developed a tiered approach to its outreach efforts, focusing on municipal leaders, business leaders, landowners with significant holdings, and regional planning, economic, and conservation organizations. Staff met with officials from Dallas Plantation, Sandy River Plantation, Lincoln Plantation, the Town of Rangeley, Franklin, and Oxford counties, as well as the Rangeley Lakes Heritage Trust, Saddleback, Seven Islands Land Company, and one local realtor. During the posted public comment period, the Commission received seven written comments, including from some of the organizations listed above (see Appendix A).

## *Feedback*

While there were calls to update specific provisions of the plan, community leaders did not request a large-scale update of the Rangeley PZP<sup>1</sup>. Nor did any community leaders volunteer to lead such a planning process. However, most agree that the recent increase in development bears close watching, and an overall update will likely be warranted in 3-5 years (2025-2027 range). Specific recommendations to update or refine the plan are included in Section III.B below.

The strongest messages from municipal leaders were unrelated to updating the Plan and included: 1) the need for more consistent enforcement of existing LUPC rules and permit conditions; and 2) the need for improved and more efficient communications between municipal leaders in the region and LUPC staff. Other issues identified included the lack of affordable/attainable housing in the region and the impacts of short-term rentals on both the availability of residential rental housing and to the quality of life for nearby property owners.

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<sup>1</sup> NOTE: Unless otherwise specified, all reference to ‘revision or update’ of the PZP is presumed to include the full spectrum of options or characterizations (e.g., revise, update, repeal, replace, minor edits, substantial changes, or addition of new provisions).

## *Recommendations*

Staff recommends the following steps to lay the groundwork for a future plan update:

1. Planning staff will continue with regular (at least annual) communications with plantation officials and other community leaders with updates on permitting and development trends and data regarding DPs, SPs, and new dwellings.
2. Over the next few years, Planning staff will facilitate conversations between municipal officials and potential partners such as the Androscoggin Valley Council of Governments, the Greater Franklin Development Corporation, and the Maine Department of Economic and Community Development to explore funding and staffing options for the future community-led planning process.
3. Staff will maintain the list of specific changes suggested by commenters as part of this outreach process and incorporate any additional items identified before an official planning process is initiated.
4. When community leaders determine the time has come for the update and have identified funding and technical assistance, staff will actively participate in and support the process to ensure an updated plan can work within the Commission's regulatory framework.

Staff recommends the following steps to address the other concerns raised:

### 1. Enforcement Issues

- The Permitting and Compliance Manager, with assistance from the Enforcement Coordinator, will regularly communicate with plantation officials and other community leaders with updates on the status of compliance and enforcement in the region;
- LUPC leadership will explore the feasibility of compliance staff periodically working in the Rangeley region to increase staff presence; and
- LUPC staff will explore ways to better communicate and coordinate with municipal and county officials and staff from the Forest Service, Bureau of Parks and Land, DIFW, MaineDOT, and the State Police regarding activities that cross jurisdictional boundaries, such as ATV use, junkyards, or overuse of recreational resources.

### 2. Short-term Rentals/Affordable/Attainable Housing Needs

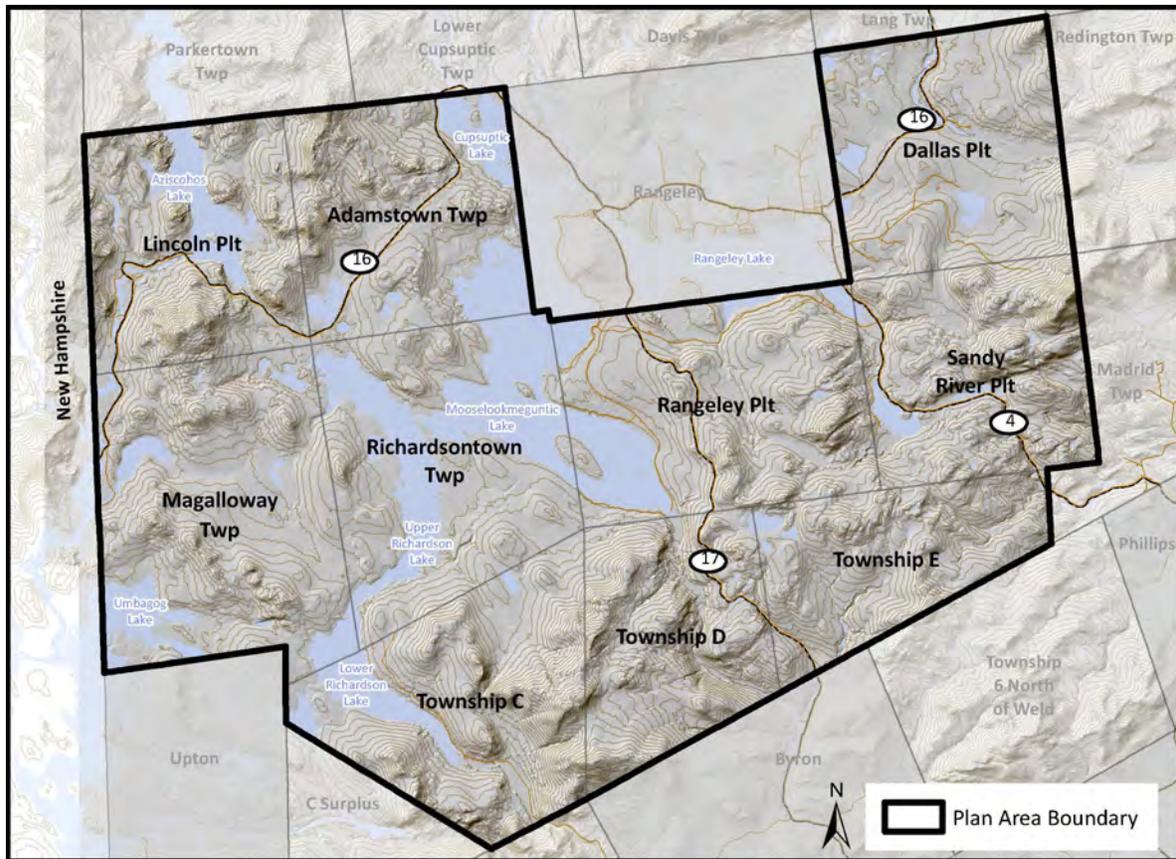
In 2023, staff is researching implications and developing strategies to address these issues throughout the Commission's service area. Any change in rule or policy will include a public participation component and notice will be provided through the GovDelivery system.

# I. INTRODUCTION AND BACKGROUND

The Land Use Planning Commission (LUPC or the Commission) completed in 2000 a five-year planning effort to prospectively zone land in ten minor civil divisions surrounding the Town of Rangeley (Figure 1). That process resulted in adoption of the Prospective Zoning Plan for the Rangeley Lakes Region (Rangeley PZP or the Plan), and companion rules, which became effective January 1, 2001. To this day, the Rangeley PZP serves as the first and only example of such an intensive community process and comprehensive package of region-specific regulations in the Commission’s fifty-year history.

The Plan originally intended to accommodate  $\pm 20$  years of growth and commits the Commission to periodic review of its effectiveness. These evaluation reports have been completed approximately every five years since the Plan was adopted. In May 2022, LUPC staff presented to the Commission the Rangeley PZP 2022 Evaluation and Progress Report that assessed new development over the 22 years since the Plan’s adoption. The Rangeley Plan and Report are available on the [Commission’s website](#), along with other information about the Rangeley PZP.

**Figure 1. Map of the Prospective Zoning Plan Region**



The 2022 report indicated that development subdistricts in the region, and those originally designated by the Plan, still include large areas that have not been developed. However, recent data indicate a significant increase in the pace of development in the region. Given these findings, the Commission directed staff to conduct community outreach in the region over the course of the summer and fall of 2022 to determine what should happen next with the Rangeley Plan. Staff spoke with local officials, landowners, non-profits, and other stakeholders as part of this outreach effort. Simultaneously, a written public comment period on the status report remained open over the summer and fall.

**This report provides a summary of the outreach conducted and feedback received and presents staff recommendations for next steps regarding the Prospective Zoning Plan for the Rangeley Lakes Region.**

## II. SUMMARY OF COMMUNITY OUTREACH

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The goals of this process were to gather feedback on the Plan status report, and to explore an eventual community-led process to update the Rangeley Plan. Individuals and organizations identified as stakeholders were grouped into three tiers:

- Tier I: municipal leaders in the region;
- Tier II: other governmental agencies, regional planning organizations, organizations having a direct involvement in the region, and real estate agencies because of their local knowledge of development trends; and
- Tier III: individuals and organizations likely to have interacted with the PZP or otherwise possess firsthand experience with the region's residential markets, economy, or other key factors influencing development trends (past and future).

A summary of contacts, the approaches used, and outcomes is provided for each Tier below.

### **Tier I**

*Municipalities:* Dallas Plantation, Sandy River Plantation, Rangeley Plantation, Lincoln Plantation, and the Town of Rangeley

*Approach:* Initial outreach packet (cover memo, list of key questions, overview map of plan area and map of 'focus plantations') mailed, with request for in-person meeting.

*Outcomes:* Staff met individually with officials from Dallas Plantation, Sandy River Plantation, Lincoln Plantation, and the Town of Rangeley. In addition, staff attended a quarterly regional meeting with representatives from the municipalities in the region. No response to inquiries was received from Rangeley Plantation.

## Tier II

*Agencies/Organizations:* County government officials, realtors, Saddleback, local/regional groups (e.g., Androscoggin Valley Council of Governments (AVCOG), the Greater Franklin Development Corporation, and the Rangeley Lakes Heritage Trust), and the Maine Office of Tourism

*Approach:* Initial outreach packet with list of key questions sent by mail or email including an invitation for a phone call or virtual meeting with the organization.

*Outcomes:* Staff met with officials from Franklin and Oxford counties, Rangeley Lakes Heritage Trust, Saddleback, and one realtor (Earl Bowen of Noyes Realty). Emailed responses were received from AVCOG and Maine Office of Tourism officials.

## Tier III

*Agencies/Organizations:* Large landowners in the region, developers, development consultants, recreation-related businesses (e.g., rec. equipment rental and sales, recreational lodging facilities, etc.)

*Approach:* LUPC staff mailed or emailed letters to 18 contacts; Letters included the project background and key questions and offered to talk by phone or meet virtually or in person; Staff followed up with multiple contacts via phone call or email.

*Outcomes:* Staff met with individually with representatives from Seven Islands Land Company and has a meeting scheduled with one other landowner with significant holdings (*weather delays and other scheduling issues have delayed this meeting several times*). Other than these meetings, no comments or responses were received from the other Tier III contacts.

## Public Comments

In addition to the targeted outreach, a request for public comment (informal) was posted on the Commission's website, and two GovDelivery notices were sent soliciting comments. The first notice was sent to 454 recipients and the second to 661. The public comment period was extended through October to allow more time for commenters. The Commission received seven written comments during the course of the 2022 outreach process (See Appendix A). Four of these were in response to targeted outreach efforts. Three members of the public at large submitted written comments.

### Outreach Timeline

#### *June and July:*

- Notice of public comment opportunity
- Development of outreach materials and resources (e.g., maps, key questions, etc.)
- Initial outreach to Tier I organizations
- Scheduled or met with Tier I organizations

#### *August:*

- Continued to conduct meetings with Tier I organizations
- Extended public comment deadline

#### *September and October:*

- Initial outreach to Tier II organizations
- Initial outreach to Tier III organizations

#### *November and December:*

- Followed up with Tier II and Tier III contacts

### III. SUMMARY OF COMMUNITY FEEDBACK

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The following summarizes comments captured during the LUPC staff initial outreach to examine the Rangeley Prospective Zoning Plan (Rangeley PZP). The comments provided by individuals and organizations have been extremely valuable, and staff has attempted to accurately characterize and organize our understanding of the feedback received. However, comments made by individuals may not represent the views of all members of any given organization. If the Community decides to initiate a Plan update in the future, any process undertaken will include additional opportunities to comment or participate.

#### **A. Feedback Regarding the Functioning of the Plan – Has It Achieved Its Goals?**

- Density proposed in development subdistricts is appropriate
- Primary benefit in the Rangeley PZP is the decrease in rezonings since the Plan was adopted
- PZP placed “too high a bar” for rezoning and landowners are discouraged from even trying
- No issues with current zoning
- Development subdistricts are doing a good job of containing development
- Expand zoning to allow more residential and commercial development and designate new areas for affordable housing
- PZP has done a good job protecting lakes
- The amount of land conserved in the region has increased significantly over the last 20 years

#### **B. Feedback Regarding Specific Provisions of the Rangeley PZP**

- Eliminate the first rezoning criterion<sup>2</sup>
- Subdivisions should be allowed in the M-GN to encourage creation of affordable lots
- Reduce dimensional requirements and allow multi-family dwellings
- Place 100-ft no-cut buffers on streams and waterways
- Update lighting standards to better protect dark skies, particularly along Route 4 and in residential areas
- Allow permanent foundations in the P-GP2 subdistrict to match allowances on other portions of the same lakes
  - Increase the service drop distance in the P-GP2 to one mile

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<sup>2</sup> The PZP created additional approval criteria under which any petition for rezoning a subdistrict would be reviewed (see pg. 31 of the [PZP](#)). These criteria were established to best achieve one of the PZP’s guiding principles: “Stick to the plan – make it difficult to rezone areas outside of designated development zones, unless extenuating circumstances emerge.” These additional criteria required that a petition for amendment to a development subdistrict boundary must not be approved unless the applicant demonstrates, among other criteria: 1) Unforeseen Circumstances – “The requested change is needed due to circumstances that did not exist or were not anticipated during the prospective zoning process.”

- Perhaps expand development subdistricts near the Saddleback Mountain Road in Dallas Plantation
- Update plan data on residential and recreational dwellings
- Evaluate P-FW zones to see if still appropriately located
- Reduce the size of a D-GN3 subdistrict in Lincoln Plantation that was never developed

### **C. Feedback Regarding Timing of and Process for a Plan Update**

- Plan is outdated, especially the data on population and housing – need a comprehensive plan that reflects current residential and recreational activity levels
- “I hope the LUPC will consider updating the plan”
- How about an annual questionnaire from LUPC – send plantations data and ask for responses – what are issues? Is it time to revisit the Prospective Zoning Plan? Some form of annual communication whereby the Plantations could report issues and trends in a timely manner.
- LUPC should use resources for enforcing current rules and not for a large-scale planning process
- “LUPC will likely have to lead the process”

Ultimately, most of the people contacted expressed interest in participating in a process if and when it happens.

### **D. Other Feedback – Broader Regional Issues**

The meetings with municipal and county officials in the region provided an opportunity for general dialog regarding broader regional issues and priorities, and the working relationship these entities have with the LUPC. The following comments were noted during these conversations.

#### **1. Issues related to LUPC Permitting and Enforcement**

- LUPC enforcement of current provisions is needed / there is less confidence in LUPC enforcement
- There is a common misconception that people can do what they want with little enforcement (this issue seems to span or implicate numerous agencies/sectors (*e.g.*, law enforcement, land use regulations, ATVs, etc.).
- LUPC has a role in protecting resources – once they are gone you cannot get them back
- Violations have increased in last two years and are more blatant – wastewater issues, junk yards, campers rented on lots with no septic
- Junk yards are growing and enforcement jurisdiction is not clear
- Permit by standards makes it hard for assessors to track development

- Plantation staff used to get emails with permit information and updates and the new web-based table makes it harder for them to track permitting
- Local officials would like to have LUPC staff presence in the region again
- Do not allow segmentation of the forest
- Emphasize the importance of conservation in the region
- Water quality protection should be a top priority for the LUPC and any planning process

## 2. Issues Related to Housing and Development

- The lack of affordable/attainable housing is a regional crisis
- Community character is important and the scenic byway is a gateway to the region that should be protected
- Do not let the access road to Saddleback become like the Sunday River access road
- People move to the plantations for lower taxes and the rural lifestyle but cost of providing services and education dramatically impacts local budgets
- Short term rentals are exacerbating the availability of affordable year-round rentals and generating an increase in complaints
- Short-term rentals cause issues or impacts in the local community: units currently unchecked as to duration and occupancy; sometimes guests are loud or create other issues for neighbors/property owners; septic tanks can be overburdened; guests are unaware of local laws; and owners who are absent are misinformed or misrepresenting the property without regard to existing laws.
- Consider a transit system to Saddleback
- Adopt best practices for solar farms
- Exclude Lincoln Plantation, Sandy River Plantation, and Adamstown from expedited wind permitting
- Incentivize permanent snowmobile trails

## 3. Issues Related to Public Safety

- The number of ATV incidents and accidents is rising
- ATVs are now a real problem – they travel on the roads (*short-term rental properties such as AirBnB's advertise trail access*) and cross streams and vernal pools which is impacting resources; Environmental issues as well as safety issues are paramount. The region is known for its pristine lakes and streams as well as heritage sports – do not wish to compromise its heritage or environmental quality of life.
- There is capacity in the emergency response system for fire protection
- There are long response times for police services in places in the region
- Vehicle volume, speeding, and lack of enforcement are issues on local roads
- Speeding logging trucks and illegal ATV use on roads are increasingly problematic

## IV. STAFF RECOMMENDATIONS

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### **Future Plan Update**

While there were calls to update specific provisions of the plan, staff did not hear community leaders request the initiation of a large-scale update of the Rangeley PZP. Nor did any community leaders volunteer to lead such a planning process. However, most agree that the recent increase in development bears close watching, and an overall update will likely be warranted in 3-5 years (2025-2027 range). Current activities in the region, such as expanding high-speed internet access and improvements in cellular communications coverage, may impact the pace of development. Whenever it occurs, the update should be a locally driven process with LUPC staff and other state and regional stakeholders providing support as needed.

There is some risk in delaying an update to the Rangeley PZP until further development has occurred because the region continues to see proposals for types of development not contemplated by the Plan when it was created 22 years ago. For example, solar farms, marijuana businesses, and large-scale recreational lodging facilities are all new types of uses in the Commission's service area and are not specifically addressed by the Rangeley PZP. Additionally, the ownership and development plans for Saddleback Ski Area have changed within the last two years. Plans for the resort will likely continue to evolve in the near-term and could potentially conflict with the zoning and Plan in place today. In the absence of a comprehensive Plan update, the Commission may need to approach any proposal for a new use/development, or potential changes to the Saddleback D-PD on a case-by-case basis.

Staff recommends the following steps to lay the groundwork for a future update:

1. Planning staff will continue with regular (at least annual) communications with plantation officials and other community leaders with updates on permitting and development trends and data in terms of DPs, SPs, and new dwellings.
2. Over the next few years, Planning staff will facilitate conversations between municipal officials and potential partners such as the Androscoggin Valley Council of Governments, the Greater Franklin Development Corporation, and the Maine Department of Economic and Community Development to explore funding and staffing options for the future community-led planning process.
3. Staff will maintain the list of specific provisions that commenters suggested as part of this outreach process, as well as staff-identified considerations for future discussion, and will incorporate any additional items identified up until an official planning process starts (see Appendix B).
4. When community leaders determine the time has come for the update and funding and technical assistance have been identified, staff will actively participate in and

support the process to ensure an updated plan can work within the Commission's regulatory framework.

### **Interim Adjustments to the Plan Provisions**

Certain stakeholders recommended changes to specific elements of the Rangeley PZP (see Section III.B above). However, we believe any of these proposed changes should be included in a comprehensive regional planning process and therefore are not recommending any modifications to the Plan at this time.

### **General Recommendations (not related to the Prospective Zoning Plan)**

#### **1. Communications and Enforcement**

The strongest messages heard from municipal leaders were: i) the need for more consistent enforcement of existing LUPC rules and permit conditions; and ii) the need for improved and more efficient communications between municipal leaders in the region and LUPC staff. Therefore, staff recommend the following steps to address these concerns:

- The Permitting and Compliance Manager, with assistance from the Enforcement Coordinator, will regularly communicate with plantation officials and other community leaders with updates on the status of compliance and enforcement in the region;
- LUPC leadership will explore the feasibility of compliance staff periodically working in the Rangeley region to increase staff presence; and
- LUPC staff will explore ways to better communicate and coordinate with municipal and county officials and staff from the Forest Service, Bureau of Parks and Land, DIFW, MaineDOT, and the State Police regarding activities that cross jurisdictional boundaries, such as ATV use, junkyards, or overuse of recreational resources.

#### **2. Short-term Rentals**

Concerns about the impacts of short-term rentals (STRs) on the quality of life and natural resources are being expressed throughout the Commission's service area. Staff is researching the implications and developing strategies to address or mitigate these impacts. Staff will share information with municipal officials as progress is made and will solicit input as appropriate.

#### **3. Affordable/Attainable Housing Needs**

As with STRs, the lack of affordable housing in the Rangeley region is not unique in the LUPC service area. Staff is working with other communities to identify meaningful strategies to encourage the construction of attainable housing units, including evaluating current LUPC standards to see if there are opportunities for refinements that will make affordable housing more practicable.

## **APPENDIX A – WRITTEN COMMENTS SUBMITTED**

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The Commission received seven written comments during the course of the 2022 outreach process. Four of the seven written comments were in response to targeted outreach efforts. Three members of the public at large submitted written comments.

July 15, 2022

300 Charles Street  
Reading, MA 01867

Ms. Stacie R. Beyer  
LUPC  
22 State House Station  
18 Elkins Lane  
Augusta, Maine 04333

Ms. Beyer:

I'm contacting you on behalf of a number of property owners in Rangeley Plantation. We are seeking an opinion from LUPC concerning the establishment of an ATV trail on a public road in Rangeley Plantation. Shelton Trail runs for about 3 miles along the western shoreline of Mooselookmeguntic Lake, through an area that is zoned Residential Recreation (D-RS3). Nearly all of the property owners on Shelton Trail, roughly 67 of 70 people, are non-resident taxpayers.

Until five years ago this was a private road, and the road association was able to limit ATV access. The road was then taken over by the Plantation, and Cary Keep made a decision to open the road to ATVs - with no restrictions. This topic was never brought before the voters in Rangeley Plantation. Input was never sought from the property owners along the road.

The Oquossoc ATV Club now acts as if they own the road, posting trail signs and speed limit signs along the road. For the past five years, the Club has published trail maps that show Shelton Trail as part of the regional trail system. I have enclosed a copy of their current map.

The volume of ATV traffic has increased rapidly over the past few years. We know from monitoring the parking areas for trucks and trailers that many of the riders are coming from other states and other parts of Maine. (According to IF&W, as of 7.11.22, there are only 21 ATVs registered in the Plantation.) There is zero enforcement of State regulations for operating ATVs on public roads, and virtually all of the operators are violating the rules for operating an ATV on an "access route." The noise and dust created by ATVs are rapidly destroying what many of the property owners came here to enjoy. Approaching ATVs can be heard from miles away along the shoreline – literally. Residents on the west side of Toothaker Island are impacted by the noise. A number of homes are less than 100 feet from the road, and these get the worst of the noise and dust.

We believe that a busy ATV trail, on a public road, is wholly incompatible with the zoning plan described in the November 2000 Prospective Zoning Plan for the Rangeley Lakes Region: *the need for a residential recreation zone is to conserve the tranquility of high value resources area...the purpose of residential recreation subdistrict is to allow seasonal and year-around residents development in high value resource area without compromising scenic and other aesthetic values. The district has a more restricted range of allowed uses than other districts in order to limit impacts such as noise and visual impacts.*

In 2021, an informal survey was conducted among the property owners on Shelton Trail to better understand people's views on the ATV situation, and on possible restrictions. The options considered include no restrictions, Shelton Trail property owners only, Plantation residents only, and complete closure. As I'm sure you can imagine, there is a wide range in both interests and opinions. Property owners understand that some degree of change is inevitable, but the majority believe that the current situation has become unbearable, and are in favor of imposing some level of restrictions. But as non-resident property owners, we have no leverage for accomplishing this.

Several Shelton Trail property owners approached Cary Keep last year to discuss the situation. Mr. Keep refused to discuss the matter with them. Several other public roads in the Plantation have been closed to public ATV traffic in recent years after complaints from property owners, and we were hoping for a similar outcome in this case.

One Plantation municipal officer has made a unilateral decision to impose an ATV trail on the non-resident property owners who pay a large share of the taxes in the Plantation, and who don't have a voice or a vote in the matter.

All of this seems to boil down to one question: Given how this area is zoned, do Mr. Keep and the Oquossoc ATV Club have the right to establish a public ATV trail on Shelton Trail?

We feel that we have exhausted other possible avenues for addressing this problem and we know that ATV traffic is only going to increase with time. We are aware of the recent LUPC decision on the marijuana facility on the Herbie Welch Trail, and are hoping that LUPC can intervene in some way to enforce the zoning regulations associated with Residential Recreation (D-RS3).

Thank you for your consideration of this matter. I will follow up with you in a few weeks.

Sincerely,

Peter Axelson

Email: [peter@garnetconsulting.com](mailto:peter@garnetconsulting.com)

Cell: 781-956-4886

Cc: Brookelyn Gingras, Wilton LUPC office

**From:** [Amy Landry](#)  
**To:** [Benjamin, Stacy](#)  
**Cc:** [Godsoe, Benjamin](#); [Beaucage, Timothy](#); [Ethan Vinson](#)  
**Subject:** RE: Maine Land Use Planning Commission Outreach Regarding the Rangeley Prospective Zoning Plan  
**Date:** Monday, August 29, 2022 12:25:29 PM

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Stacy,

Thanks for your message. We are unfortunately short staffed with our planner division here at AVCOG. I'm happy to review the previous plan at some point and have cc'd our Economic Development Specialist. We can offer some general feedback based on our knowledge of the region/Rangeley area and our work on the regional comprehensive economic development strategy, but we won't have the prospective of our former planning staff. Is there a deadline for providing feedback?

**Amy M. Landry**

Executive Director

Androscoggin Valley Council of Governments

125 Manley Rd, Auburn, ME 04210

Ph: 207-783-9186 Ext. 210

[www.avcog.org](http://www.avcog.org)

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**From:** Benjamin, Stacy <Stacy.Benjamin@maine.gov>

**Sent:** Thursday, August 25, 2022 1:02 PM

**To:** Amy Landry <ALandry@avcog.org>

**Cc:** Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Beaucage, Timothy <Timothy.Beaucage@maine.gov>

**Subject:** Maine Land Use Planning Commission Outreach Regarding the Rangeley Prospective Zoning Plan

Dear Amy,

The Land Use Planning Commission (Commission or the LUPC; formerly LURC) provides planning, permitting, zoning, and code enforcement services for the unorganized territories in Maine. As part of this work, the Commission administers a regional Prospective Zoning Plan for the Rangeley Lakes Region, encompassing ten townships and plantations surrounding the Town of Rangeley. The Commission's staff is contacting community leaders and stakeholders in the region this summer and fall to discuss what should happen next with the 22-year-old Plan. **We are reaching out to you now as an important stakeholder in the region and hope to get your input on the status of the Rangeley Plan.**

As background, the Rangeley Prospective Zoning Plan (PZP or the Plan) became effective in 2001 and was intended to accommodate approximately 20 years' worth of development in the region. The Plan identifies areas where the communities in the region sought to focus new development, and the zoning was customized accordingly to accommodate the types of development desired by the community (e.g., commercial business, home-based businesses, or residential subdivision). The planning process resulted in approximately 1,550 acres of land being zoned to one of five new or two existing development subdistricts. The Plan also includes additional criteria for rezoning other

lands within the region, as well as additional development standards related to screening, parking, lighting, and building height. The current Plan can be found on the LUPC website: [https://www.maine.gov/dacf/lupc/plans\\_maps\\_data/rangeleyplan/rangeleyplan.pdf](https://www.maine.gov/dacf/lupc/plans_maps_data/rangeleyplan/rangeleyplan.pdf)

Since the Plan was adopted, the Commission has reviewed the status of the Plan periodically (about every five years). The fourth periodic review was completed earlier this year and covered the last 22 years since the Plan was adopted. A copy of the full report, entitled *2022 Evaluation and Progress Report to the Commission – Rangeley Prospective Zoning Plan*, along with a two-page summary, can be found on the [project website](#). Though the amount of development permitted has been less than anticipated, external factors such as the reopening of Saddleback and the COVID-19 Pandemic seem to be increasing demand for housing in the region.

The Rangeley PZP may be at a point where it would be appropriate for the community to update or revise it. Determining when and how to go about updating the Plan will depend on what the plantations and townships in the region want to do, and on available resources to complete such a project. As part of this process, input and participation by community leaders and vested stakeholders is important, and LUPC staff is seeking your feedback on the Report and your input on potential next steps. Specifically, we would like to know:

**Do you have a sense of how well the Prospective Zoning Plan has worked?**

- What have you observed about development that has occurred in the past 20 years in the areas covered under the Plan? (*where it located, what types were built, what didn't happen that may have been expected or desired*)
- Are the pace of development and the location of development areas appropriate for the region?

**Should the Prospective Zoning Plan be updated?**

- If you think the plan needs updating, what should the focus be?
  - Is more development needed, and if so, what type(s) and where should it go? How should it be accomplished?
  - Are important natural resources adequately protected? Are special areas being lost to development? Is there a need for more land conservation?
  - Who should be involved in the plan update process?
- If not now, under what conditions might the Plan need revisiting?
- If there is to be a regional planning process, what is your organization's role in such a process?

**What would you like to see come out of this current pre-planning/initial outreach process?**

- Is additional research needed at this stage? If so, what information is needed?
- Who else should we talk to within your organization or professional sphere for feedback on the PZP and how well it has functioned?

Your feedback is important to us and we hope you will take the time to respond to these questions and share any other thoughts you have about the PZP or the information in the latest evaluation report either by phone or by email. My contact information is below. If you would like, my colleagues and I are happy to meet in person with you, or virtually via a Teams meeting, to discuss these questions and your thoughts about the PZP in more detail. Please contact me by phone or email if you would like to meet with us so we can find a time that works.

If you would like more information or have additional questions about the Plan or 2022 evaluation report before you are ready to comment, please let me know and I or one of my colleagues will be happy to get you the information you need.

Thank you for your time and consideration of this information and request. We look forward to

hearing from you soon.

Best regards,  
Stacy

*Stacy Benjamin*

Acting Chief Planner

Land Use Planning Commission

22 State House Station, Augusta, Maine 04333-0022

Phone (Direct): (207)441-3761

Email: [Stacy.Benjamin@maine.gov](mailto:Stacy.Benjamin@maine.gov)

**From:** [Ouellette, Carolann](#)  
**To:** [Benjamin, Stacy](#)  
**Cc:** [Godsoe, Benjamin](#); [Beaucage, Timothy](#)  
**Subject:** RE: Maine Land Use Planning Commission Outreach Regarding the Rangeley Prospective Zoning Plan  
**Date:** Monday, August 29, 2022 10:03:21 AM

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Hi Stacy,

Thank you for contacting me about the Rangeley PZP. I did participate in [Rangeley Region's Community Destination Academy](#) that was led by the Office of Tourism in partnership with the Northern Forest Center and have been involved in a few meetings with Saddleback. I also connect, on occasion, with David Miller at Rangeley Lakes Heritage Trust, but I'm not sure I'm familiar enough with the area to provide feedback on the questions below. Although I will note that the one thing I have heard most frequently is the need for workforce/affordable housing.

With regards to my organization's role in a regional planning process (the Office of Outdoor Recreation is just a single person), I would be interested in participating, but primarily as a resource to the community. I could provide information about outdoor recreation trends and other information about the broader outdoor recreation economy as well as make connections to additional resources as needed.

I hope this is helpful, and again, thank you for including me!

Best, Carolann

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**From:** Benjamin, Stacy <Stacy.Benjamin@maine.gov>  
**Sent:** Thursday, August 25, 2022 1:02 PM  
**To:** Ouellette, Carolann <Carolann.Ouellette@maine.gov>  
**Cc:** Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Beaucage, Timothy <Timothy.Beaucage@maine.gov>  
**Subject:** Maine Land Use Planning Commission Outreach Regarding the Rangeley Prospective Zoning Plan

Dear Carolann,

The Land Use Planning Commission (Commission or the LUPC; formerly LURC) provides planning, permitting, zoning, and code enforcement services for the unorganized territories in Maine. As part of this work, the Commission administers a regional Prospective Zoning Plan for the Rangeley Lakes Region, encompassing ten townships and plantations surrounding the Town of Rangeley. The Commission's staff is contacting community leaders and stakeholders in the region this summer and fall to discuss what should happen next with the 22-year-old Plan. **We are reaching out to you now as an important stakeholder in the region and hope to get your input on the status of the Rangeley Plan.**

As background, the Rangeley Prospective Zoning Plan (PZP or the Plan) became effective in 2001 and was intended to accommodate approximately 20 years' worth of development in the region. The Plan identifies areas where the communities in the region sought to focus new development, and the zoning was customized accordingly to accommodate the types of development desired by the community (e.g., commercial business, home-based businesses, or residential subdivision). The planning process resulted in approximately 1,550 acres of land being zoned to one of five new or

two existing development subdistricts. The Plan also includes additional criteria for rezoning other lands within the region, as well as additional development standards related to screening, parking, lighting, and building height. The current Plan can be found on the LUPC website: [https://www.maine.gov/dacf/lupc/plans\\_maps\\_data/rangeleyplan/rangeleyplan.pdf](https://www.maine.gov/dacf/lupc/plans_maps_data/rangeleyplan/rangeleyplan.pdf)

Since the Plan was adopted, the Commission has reviewed the status of the Plan periodically (about every five years). The fourth periodic review was completed earlier this year and covered the last 22 years since the Plan was adopted. A copy of the full report, entitled *2022 Evaluation and Progress Report to the Commission – Rangeley Prospective Zoning Plan*, along with a two-page summary, can be found on the [project website](#). Though the amount of development permitted has been less than anticipated, external factors such as the reopening of Saddleback and the COVID-19 Pandemic seem to be increasing demand for housing in the region.

The Rangeley PZP may be at a point where it would be appropriate for the community to update or revise it. Determining when and how to go about updating the Plan will depend on what the plantations and townships in the region want to do, and on available resources to complete such a project. As part of this process, input and participation by community leaders and vested stakeholders is important, and LUPC staff is seeking your feedback on the Report and your input on potential next steps. Specifically, we would like to know:

**Do you have a sense of how well the Prospective Zoning Plan has worked?**

- What have you observed about development that has occurred in the past 20 years in the areas covered under the Plan? (*where it located, what types were built, what didn't happen that may have been expected or desired*)
- Are the pace of development and the location of development areas appropriate for the region?

**Should the Prospective Zoning Plan be updated?**

- If you think the plan needs updating, what should the focus be?
  - Is more development needed, and if so, what type(s) and where should it go? How should it be accomplished?
  - Are important natural resources adequately protected? Are special areas being lost to development? Is there a need for more land conservation?
  - Who should be involved in the plan update process?
- If not now, under what conditions might the Plan need revisiting?
- If there is to be a regional planning process, what is your organization's role in such a process?

**What would you like to see come out of this current pre-planning/initial outreach process?**

- Is additional research needed at this stage? If so, what information is needed?
- Who else should we talk to within your organization or professional sphere for feedback on the PZP and how well it has functioned?

Your feedback is important to us and we hope you will take the time to respond to these questions and share any other thoughts you have about the PZP or the information in the latest evaluation report either by phone or by email. My contact information is below. If you would like, my colleagues and I are happy to meet in person with you, or virtually via a Teams meeting, to discuss these questions and your thoughts about the PZP in more detail. Please contact me by phone or email if you would like to meet with us so we can find a time that works.

If you would like more information or have additional questions about the Plan or 2022 evaluation report before you are ready to comment, please let me know and I or one of my colleagues will be happy to get you the information you need.

Thank you for your time and consideration of this information and request. We look forward to hearing from you soon.

Best regards,  
Stacy

*Stacy Benjamin*

Acting Chief Planner

Land Use Planning Commission

22 State House Station, Augusta, Maine 04333-0022

Phone (Direct): (207)441-3761

Email: [Stacy.Benjamin@maine.gov](mailto:Stacy.Benjamin@maine.gov)

Steven Hofmann  
Hofmann Realty Company, LLC  
20 Vista Lane  
Rangeley, ME 04970

August 30, 2022

Timothy Beuacage  
Land Use Planning Commission, Western Region  
932 US Route 2 East  
Wilton, ME 04294

Subject: Comments on review of 2001 Rangeley Region Prospective Zoning Plan

Dear Timothy,

I am writing in reference to the LUPC's ongoing review of the 2001 Rangeley Region Prospective Zoning Plan.

After reading the recent 20 Year Progress Report of how the area has developed over the ensuing 21 years since the plan's adoption and the conclusions on whether or not the plan is adequately supporting such development, I would like to submit comments specifically relating to the rezoning process and in support of the LUPC updating the Plan.

The report conclusions state that "the additional rezoning criteria introduced by the Plan seem to have been effective" since the number of approved rezonings decreased by approximately 70% to only 9 in the post plan period versus the pre plan period. Thus your belief that the Plan is working to focus development in designated development zones and that *there was not a need for rezoning to support further development.*

The body of the report provides more background on the rezoning as follows:

"It is reasonable to conclude that the additional zoning criteria have been successful. Specifically, they have deterred rezoning more land for residential development (i.e., the primary purpose of the PZP), yet flexible enough to account for circumstances that were not considered (e.g., the border patrol station).

Because of the small number of zoning petitions and their outcome and extensive public involvement in designating development subdistricts, the results indicate some amount of success in providing an adequate amount of area to accommodate development. While quantifiable data is not available, over the twenty years during which the PZP has been in effect, staff have received inquiries and had discussions with (likely several dozen) landowners interested in rezoning and subdividing their property. Because many of those sites would not have met the necessary requirements, those inquiries did not result in an application for a zone change."

I would bring attention to your acknowledgement that "Because many of those sites would not have met the necessary requirements, those inquiries did not result in an application for a zone change."

In this regard, the prospective zoning plan placed a high burden on obtaining approval to rezone a prospectively zoned parcel. The plan set the following additional criteria for an applicant to be granted approval to rezone a parcel:

1. The requested change is needed due to circumstances that did not exist or were not anticipated during the prospective zoning process;
2. the new development subdistrict is either contiguous to existing development subdistricts or within areas that are suitable as new growth centers; and
3. the change will better achieve the goals and policies of the Comprehensive Land Use Plan, including any associated prospective zoning plans

It is my belief that the first condition creates too high a bar for rational and reasonable rezoning to be approved, even in cases where a proposal for rezoning clearly meets the second and third criteria. I further believe that the land holders' inability to meet this requirement has prevented many from even discussing their desire for a zone change or their concepts with the LUPC staff, let alone pursuing a formal application. Even when a potential applicant, such as myself, held informal discussions with LUPC staff, they have been discouraged from filing a formal zone change application due to the difficulty to prove change in circumstances.

Given that the prospective plan was formulated in 2001, it is virtually impossible for a landowner to know the circumstances that existed at the time the plan was enacted that lead to the determination of the zoning of a particular parcel. Furthermore, as evidenced by our recent discussions regarding Lot 04-07 in Adamstown Township, LUPC staff cannot provide any guidance as to the circumstances that the commission used to determine the zoning of the interior of this specific lot as M-GN and the shorefront of this lot as D-RS3. So, if neither LUPC staff nor land owners are able to establish a common baseline understanding for the circumstances that existed or were anticipated at the time a lot was zoned in a particular way, it is therefore impossible to prove that the current circumstances did not exist nor were they anticipated at the time the zoning was originally established in the plan.

I believe that the LUPC should eliminate this specific criteria for rezoning a parcel since it is virtually impossible to fulfill in any but the most extraordinary circumstances. The second & third criteria provide adequate control over rezoning, while ensuring that the overall goals of the Prospective Zoning Plan continue to be met. I hope that the LUPC will consider updating the plan.

I am available via email at [stevehofmann100@gmail.com](mailto:stevehofmann100@gmail.com) or by phone at 484-639-1560 should you wish to discuss this matter further. I would be happy to participate in future discussions regarding updating the Prospective Zoning Plan.

Sincerely yours,



Steven Hofmann  
Hofmann Realty Company, LLC

## View results

Respondent

2

Anonymous

32:20

Time to complete

### 1. Your Name \*

Richard Cosseboom - Garrick Properties LLC

### 2. Do your comments represent your own views, or that of an organization, business, or other entity? \*

- My own views
- An organization, business, or other entity

3. What is your sense of how successful the PZP has been over the past 20 years in guiding development to appropriate locations in the Rangeley Region? \*

- Extremely successful
- Somewhat successful
- Neutral
- Somewhat unsuccessful
- Extremely unsuccessful

4. Do you think the Rangeley Prospective Zoning Plan should be updated? \*

- Yes, now
- Not at this time
- Maybe in the future

5. In what ways should the PZP be updated?

I feel that it would be very beneficial for the region if Rangeley and Dallas Plantations zoning was expanded to allow more residential and commercial development. It seems to be that there is a fair amount of new construction in the area that's needed to support second homeowners that bring in lots of money to the area which helps local residents and businesses. However, even with all the new builds in the last 2 years, there remains a crucial housing shortage for locals and work force housing - so in addition to expanding residential development and reducing dimensional requirements, possibly allowing for more multi-family homes/buildings, even if there is a required tree buffer to protect the natural look in some area. For instance, I own 3 parcels of raw land in Rangeley Plantation, which totals a little over 60 acres and the current allowed uses are restricted even though it's so close to the Rangeley State Park and just a short drive to Saddleback Ski Resort, downtown Rangeley and Oquossoc village. Areas like this would make excellent housing or even some commercial uses to support the greater Rangeley economy. My parcels are on Rumford Road - Map 3, lots 7.2A, lot 7.2A1, and lot 7.6, which is literally just above the Herbie Welch Trail and South Shore Road crossing, but in a different LUPC zone than the parcels right at the intersection. But this is just my personal example, I feel like any areas that are so close to Rangeley should be rezoned to promote responsible development to help support the economy of the entire region.

6. Please submit any additional comments on the Rangeley Prospective Zoning Plan - 2022 Evaluation and Progress Report below.



2424 Main Street, ME 04970 | (207) 864-7311 | [info@rlht.org](mailto:info@rlht.org)

October 25, 2022

**To: Rangeley Prospective Zoning Plan Land Use Planning Commission**

**Attn: Tim Beaucage, [Timothy.Beaucage@maine.gov](mailto:Timothy.Beaucage@maine.gov)**

### **RLHT comments and suggestions re PZP Update**

The Prospective Zoning Plan has served the region well and we commend everyone involved in the creation of the original plan for their foresight and diligence. Now, twenty-two years on, the region finds itself facing obstacles and opportunities that should be addressed in the updated plan.

In the face of a changing climate and increased visitation, outdoor recreation, workforce and housing issues, we believe that a sustainable future for the regional community depends primarily on conserved lands, cold, clean waters, a working forest economy and affordable housing. The region contains some of the most important native, wild brook trout habitat in the U.S., and a large tract of dark sky. Our forestland is part of a vast, contiguous temperate forest that stretches from the Adirondacks to the tip of Nova Scotia and serves as a migration corridor for wildlife.

Our comments:

- The original PZP has done a good job protecting our lakes, though enforcement is a challenge. Similar emphasis should be placed on **streams, brooks, rivers, and ponds**
  - Define standards for stream crossings/culverts to allow for adequate fish passage and protection against extreme weather events
  - Enact 100 foot no-cut buffers along streams and waterways per ME IF&W standards: [https://www.maine.gov/ifw/docs/brook\\_trout\\_factsheet\\_forestry.pdf](https://www.maine.gov/ifw/docs/brook_trout_factsheet_forestry.pdf)
- Dark sky
  - Establish lighting ordinances to comply with the international dark sky [association: https://www.darksky.org/our-work/lighting/public-policy/mlo/](https://www.darksky.org/our-work/lighting/public-policy/mlo/)
- Connected forest
  - Don't allow the segmentation of contiguous forests in the area
- Solar farms
  - Adopt best practices for placement, design, and management of solar farms to mitigate impacts on the environment, e.g., planting native species beneath the panels, ensuring adequate run-off control.

## Wind Farms

- Exclude Lincoln Pltn. Adamstown, and Sandy River from the windfarm-expedited areas in the PZP. Windfarms pose threats to migratory birds and detract from the aesthetic and recreation-based economy vital to the region.

## Affordable housing:

- Designation of affordable housing areas to mitigate upfront costs for development.

## Snowmobile Trails:

- Incentivize landowners to grant long-term leases or easements to ensure stability of the trail system

## Overall:

- Emphasize the importance of conservation in the area. Highlight how conservation and land use protections address all of the needs and concerns in the various completed surveys.



## Seven Islands Land Company

October 28, 2022

Timothy Beaucage, Senior Planner  
Re: Rangeley Prospective Zoning Plan  
Land Use Planning Commission  
22 State House Station  
Augusta, Maine 04333

Dear Mr. Beaucage,

Seven Islands manages approximately 820,000 acres for the Pingree family ownership, including over 65,000 acres in four townships and plantations that are included in the Rangeley Region Prospective Zoning Plan. In Magalloway and Richardsontown, the working forest has been conserved by an easement held by The New England Forestry since 2001. No further development is allowed on those lands under this easement. Pingree-owned land in Lincoln Plantation and Township C were held out of the easement to preserve future development value on Aziscohos and Lower Richardson Lakes.

When the PZP was adopted in 2000, six new zoning subdistricts were included in the plan, one of which is the Semi-Remote Lake Protection Subdistrict (P-GP2). To date, this subdistrict exists nowhere else in the state except for 500 horizontal feet from the normal high-water mark of Aziscohos lake within Lincoln Plt. and Lower Richardson Lake in Township C. The overwhelming majority of this zone, excepting slivers adjacent to Middle Dam and Aziscohos Dam and approximately 10,000 feet of frontage owned by the State on the southeastern shore of Aziscohos Lake, is owned by Pingree and managed by Seven Islands. Unlike the P-GP zone, the P-GP2 zone allows subdivision as a permitted use without need to rezone. The zone was created to allow for a more straightforward path to development on these lakes with provisions in place to limit subdivision rate and to retain desired semi-remote characteristics of the area.

As discussed in the 2022 Evaluation and Progress Report to the Commission, two subdivisions have been approved within the P-GP2 since the plan has been in place. Both included shore frontage on Aziscohos Lake in Lincoln Plantation. We were permit holders on both projects and completed one of them, save for one lot that was on a point of land not adjacent to the other lots. The ability to obtain subdivision permits without going through a rezoning application was helpful and we appreciated the time and cost savings there.

We are glad to have this opportunity to review the PZP and for stakeholders to determine best next steps, especially as we are the majority landowner in the P-GP2 zone and have now had experience with subdivision in this zone. Based on that experience, we would like to share some recommendations for your consideration.

**Permanent Foundations:**

The restriction on permanent foundations in the P-GP2 zone makes the benefit of not having to rezone harder to realize. Lots took longer to sell and sold at a lower price than if the restriction did not exist. We believe marketability was affected. In addition, in order to meet subdivision standards, there were higher costs associated with roads/driveways to access the lots versus what costs would have been to access non-subdivision lots. While that is expected, it took more lot sales to offset the road cost and we may have been better off utilizing the two in five rule, rather than subdivision. We understand the Commission's desire to limit the intensity of development and that permanent foundations are being used as a proxy for intensity, but the disparity of foundation restrictions on the southern half of Aziscohos in Lincoln Plt. versus no restriction in the P-GP on the northern half of the lake affects lot value to the point that it may not make monetary sense to pursue subdivision, considering road costs.

We did not ultimately pursue the second subdivision that was permitted on Aziscohos under SP 4096, and the ratio of road cost to potential lot value was a major reason.

It makes sense to permit permanent foundations to be consistent with the rest of the lake that lies outside of Lincoln Plantation. There remain density restrictions, percentage of shoreland conservation stipulations, and topographical considerations that greatly narrow the shore frontage realistically available for development and contribute to the conservation of the essential character of the lake.

**Service drops:**

Service drops are currently allowed within ½ mile of three-phase power in the P-GP2. Three-phase power exists along route 16 in Lincoln Plantation. An increase in this distance to 1 mile would affect a relatively small portion of the P-GP2 zone at the southern end of Aziscohos, greater than half of this portion being on a state-owned parcel. The topography of the shoreline already limits development in the ½ mile distance from three phase power in the P-GP2 zone.

In addition, the recently adopted adjacency rules consider the shoreline around management class three lakes (of which Aziscohos is one) a "primary location" for development. It would also seem to be consistent with these newly adopted rules to allow for a service drop within 1 mile of existing three phase power, which is also within 1 mile of a public road, in this case. Although land within the PZP is not eligible for inclusion in primary or secondary inclusion in Chapter 10, we feel there is an opportunity for consistency between the PZP and adopted adjacency criteria.

**Regional conservation efforts:**

As noted in the 2022 Evaluation and Progress Report, nearly 70,000 acres of land in the Plan Area is held under a conservation easement or owned by a conservation organization. Several other townships and portions thereof adjacent to the Plan Area have also been similarly conserved and cannot be developed.

As LUPC recognizes, it is important to look at the entire scope of the area when considering impacts of development decisions within the Plan Area. There have been great successes in conservation in the region and will continue to be in the future.

**Other considerations:**

As others in the Plan Area have noted, there is a great need for attainable housing in the Rangeley region in order to attract a robust workforce. The best route to achieve that goal is likely best left to municipalities in the Plan Area, but as a direct employer in an industry that also relies on multiple contracted services (timber harvesting, hauling, and road maintenance services) a good workforce is critical. A lack of attainable housing is not unique to the Rangeley region, but the draw of the area for vacationers and seasonal residents surely amplifies the issue.

We appreciate the opportunity to be a part of this initial outreach and research phase and look forward to being involved in the discussion as the process continues. Thank you for your consideration.

Sincerely,



Hannah E. Stevens  
Land Use Director  
Seven Islands Land Company

## APPENDIX B - WHEN THE PLAN IS UPDATED

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Since the Rangeley PZP was adopted in 2013, the Commission created a Community Guided Planning and Zoning program for regional and local planning initiatives. Any update to the Rangeley PZP would need to adhere to the Commission's principles for a CGPZ process:

- Ensure a locally-driven, locally-desired process;
- Encourage broad participation;
- Respect property owner equity;
- Balance regional uniqueness and statewide consistency for stakeholders; and
- Be consistent with statutory purpose and guiding principles.

Staff will work with community leaders to help customize a CGPZ planning process that meets the needs of the region while ensuring compatibility with the LUPC regulatory framework.

In addition, the following concepts have been identified by LUPC staff or by community leaders and stakeholders during the 2022 community outreach process and should be considered during any community planning process. Items are grouped by topic but are not listed in any order or priority or preference.

### **Plan [Vision]**

- Revisit the Plan's stated vision and update if desired by the community
- Update plan data on residential and recreational dwellings

### **Prospectively Zoned Areas**

- Explore reducing one of the D-GN3 subdistricts in Lincoln Plantation as suggested by municipal officers (see notes)
- Perhaps expand development subdistricts near the Saddleback Mountain Road in Dallas Plantation
- Consider expanding zoning to allow more residential and commercial development and designate new areas for affordable housing

### **Rangeley PZP Specific Rule Provisions**

1. Section 10.08,D – Additional Zoning Criteria
  - Evaluate and, if needed, update the criteria for rezoning to reflect current community preferences
2. Section 10.21 and 10.23 – Subdistricts (descriptions and uses)  
*D-ES (see Section 10.21,B)*

*D-GN2 (see Section 10.21,D)*

*D-GN3 (see Section 10.21,E)*

*D-RS2 (see Section 10.21,N)*

*D-RS3 (see Section 10.21,O)*

*P-GP2 (see Section 10.23,F)*

- Consider allowing permanent foundations in the P-GP2 subdistrict
- Consider increasing the service drop distance in the P-GP2 to one mile

*Home-based businesses (as listed in the M-GN, P-AL, P-AR, P-FW, P-GP, P-RT, P-SL, and P-WL for areas within the Plan area)*

*General*

- Address how changes to LUPC subdistricts made since 2000 may apply in the Plan Area (*see also Section D below*)

3. Section 10.25,A,3,c – Management Class 3 Lakes (P-GP2)

4. Section 10.25,B – Review Standards for Subdistricts in Prospectively Zoned Areas

- *Dimensional requirements*

- Road frontage requirements (see Section 10.26,C);
- Building setbacks from roads (see Section 10.26,D);
- Lot coverage requirements (see Section 10.26,E);
- Structure height (see Section 10.26,F).

- *Buffering standards*

- *Building layout*

- Consider how dimensional requirements and other standards affect the ability to construct affordable/attainable housing
- Clarify the extent to which vegetation clearing can be conducted pursuant to Section 10.25,B,2 [*Note: Commission interpretation has been that vegetative clearing within areas identified in Section 10.25,B,2 should be conducted in accordance with the Commission’s ‘point system’ (stipulated in Section 10.27,B). However, clarification would be valuable.*]
- Update lighting standards to better protect dark skies, particularly along Route 4 and in residential areas
- Consider expanding protections for streams and waterways
- Explore the idea of requiring a contribution (impact fee) to meet the need for required public service capacity such as for emergency response, solid waste disposal, educational costs, etc.

## Possible Integration or Consideration of Other LUPC Rule Provisions

In adopting the 2001 Rangeley PZP, the community wished to “let the plan work”. Consequently, the Commission limited the application of certain rulemakings within the PZP area. Since the Prospective Zoning Plan was formulated by the community and enacted by the Commission in 2001, other regulatory tools have adopted, many of which do not apply to the Rangeley PZP. Based on experience with the Commission’s rules generally and with implementing the Rangeley PZP, staff has identified the following items that may warrant consideration. The community may want to consider incorporating these concepts into the PZP-related rules (*e.g.*, zones (*i.e.*, D-ES, D-GN2, D-GN3, D-RS2, D-RS3, and P-GP2) and rezoning criteria).

- *Specialized Development Subdistricts* – In 2013 the Commission created the Recreational Lodging Facility Development (D-RF) subdistrict, and in 2019, the Resource-dependent Development (D-RD) subdistrict. While the 2001 Rangeley PZP did not contemplate specialized zones for recreational lodging or resource processing, both seem in line with the community's vision and brand. Consider if and how a zoning petition proposing a D-RD or D-RF subdistrict might interact differently with the criteria of Section 10.08,D, and if changes are needed to more readily accommodate these types of developments region-wide or in certain areas.
- *Recreational Lodging Facilities – Geographic Allowance Area (GAA)*: Enacted by a 2013 rulemaking, the Geographic Allowance Area recognizes that not all areas can accommodate comparatively more intensive development. Additionally, some subdistricts (*e.g.*, the M-GN) apply to large areas, yet not all areas zoned as M-GN are the same. For example, recreational lodging facilities in the M-GN or D-GN subdistrict and within the GAA are allowed to be more intensive or include more amenities as compared to similarly zoned areas in more ‘remote’ locations.

In light of the ‘brand’ and ‘assets’ of the Rangeley PZP area, consider if and to what extent the RLF geographic allowance area might be appropriate within the plan area.

## Other Zoning Map Edits and General Guidance

- *D-CI in Lincoln Plantation and Magalloway Township*: Aerial imagery suggests that the gravel extraction operation has ceased. If that is true, pursuant to the Commission’s rules, the zone has automatically reverted; the zoning map needs to reflect prior zoning designations.
- *Configuration and bounds of subdistricts*: Subdistricts should be logically configured to improve implementation. For example, where appropriate, the boundary of

development subdistricts should be based on factors that are reasonably identifiable in the field (*e.g.*, a measurement from an adjacent road, property boundary, etc.).

- *P-FW Subdistricts.* Consult with MDIFW regarding P-FW zones in the region.
- *Land management roads in the D-GN3 subdistrict:* At the moment, land management roads are allowed in all other Rangeley PZP-specific subdistricts, except the D-GN3 subdistrict. This fact is more likely an oversight than an intentional omission.