



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
LAND USE PLANNING COMMISSION  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0022

JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

# Memorandum

**To:** LUPC Commissioners  
**CC:** Benjamin Godsoe, Acting Executive Director  
**From:** Heidi Gaffney, Environmental Licensing Specialist II; and  
Tim Beaucage, Senior Planner  
**Date:** July 1, 2026  
**Re:** Maynard, LLC (Maynard's in Maine) Application for Zone Change (ZP 805)

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At the Commission's July 8, 2026, regular business meeting, the Commission will consider the Application for Zone Change, ZP 805, submitted by Maynard, LLC, seeking to rezone approximately 83.2 acres in Rockwood Strip Township, Somerset County, to the General Development (D-GN) subdistrict.

On December 29, 2025, the Commission received an Application for Zone Change from Maynard, LLC (Maynard's in Maine). During the public process, which included a public hearing, a written comment period, and a written rebuttal period, many oral and written comments were received and entered into the record. The attached public hearing index provides an overview and summary of the public process and full hearing record.

## **Staff Recommendation**

As detailed in the draft decision document attached to this memorandum, the application satisfies all the applicable rezoning criteria for changes to subdistrict boundaries. Therefore, the staff recommends that the Commission approve the Application for Zone Change, ZP 805.

## **Attachments:**

- Attachment A: Hearing Record Index
- Attachment B: Staff Recommended Decision Document (includes map of zoning change)

BENJAMIN GODSOE  
ACTING EXECUTIVE DIRECTOR  
HARLOW BUILDING, 4<sup>TH</sup> FLOOR



PHONE: (207) 287-2631  
FAX: (207) 287-7439  
WWW.MAINE.GOV/DACF/LUPC

Maine Land Use Planning Commission  
**INDEX TO THE PUBLIC HEARING RECORD<sup>1</sup>**  
Concerning ZP 805 (Maynard's of Maine)  
(As of June 17, 2026 – [Hearing Record](#) Closed)

\* Exhibits that have an effective date (e.g., official zoning maps, and Commission statutes and rules), are entered as an exhibit according to the date of the appropriate stage. All other items are in chronological order. Multi-part exhibits are entered in chronological order as sub-exhibits, and the group is entered according to the date of the first item.

Exhibit #	Date	Description
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**Application receipt**

1. 12/29/2025 Zoning petition received
  - a. 12/29/2025 Original submission
  - b. 01/08/2026 Supplemental Information – limited LUPC co-applicant
  - c. 01/28/2026 Supplemental Information – agent auth., Exhibits 14, 25, 26
  - d. 02/03/2026 Supplemental Information – notice invoice
  - e. 04/05/2026 Supplemental Information – clarified area for rezoning
  - f. 05/13/2026 Supplemental Information – Rockwood Fire Department letter
  
2. 01/12/2026 Hearing requests and early public comments
  - a. 01/05/2026 E. Schmalzer
  - b. 01/12/2026 J. Walckner [HR]
  - c. 01/23/2026 J. Walckner
  - d. 01/20/2026 M. and E. Schmalzer
  - e. 02/02/2026 S. and C. Le Conte
  - f. 02/03/2026 K. Purington
  - g. 03/11/2026 Carla Ritchie [HR]
  - h. 03/11/2026 M. and D. Cisewski [HR]
  
3. 02/03/2026 Statutes, Rules, and Plans in effect at the time<sup>2</sup>
  - a. 12 M.R.S. §§681 et seq. (Version 09/24/2025)
  - b. Chapter 1 of the Commission's rules, General Provisions (Version 11/01/2021)
  - c. Chapter 2 of the Commission's rules, Definitions (Version 01/12/2026)
  - d. Chapter 4 of the Commission's rules, Rules of Practice (Version 08/11/2023)
  - e. Chapter 5 of the Commission's rules, Rules for the Conduct of Public Hearings (Version 11/01/2021)

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<sup>1</sup> The hearing record includes all information required by Chapter 5 of the Commission's rules, Section 5.11. Generally, this includes all information relied upon or submitted to the Commission; items demonstrating process (e.g., procedural orders, information regarding party status, notices, etc.); and information available, offered, or received at the hearing.

<sup>2</sup> As of the date the petition was deemed complete for processing.

- f. Chapter 10 of the Commission’s rules, Land Use Districts and Standards (Version 01/12/2026)
  - g. Comprehensive Land Use Plan for Areas within the Jurisdiction of the Maine Land Use Planning Commission (Version 2010)
  - h. Remote Participation Policy (Version 01/12/2022)
4. 03/11/2026 Commission meeting: Commission consideration of hearing requests, designation of the presiding officer
- a. Meeting agenda
  - b. Staff packet
  - c. Presentation
  - d. Meeting minutes

### Hearing and Comment Phase

5. 04/10/2026 Hearing notice<sup>3</sup>
- a. 04/10/2026 Newspaper: Piscataquis Observer
  - b. 04/10/2026 LUPC webpages
  - c. 04/10/2026 GovDelivery Notice
  - d. 04/10/2026 Abutters and interested persons (by mail)
  - e. 04/10/2026 GovDelivery Bulletin
  - f. 04/16/2026 Newspaper: Moosehead Lakeshore Journal
  - g. 05/07/2026 GovDelivery Notice
  - h. 05/08/2026 GovDelivery Bulletin
6. 04/18/2026 Petition to intervene
7. 04/28/2026 First procedural order
8. 04/28/2026 Service List Communications
- a. 04/28/2026 LUPC distribution of first procedural order
  - b. 05/03/2026 Lightbody – application to Intervenor
  - c. 05/05/2026 LUPC – Gaffney and Lightbody communication
  - d. 05/07/2026 LUPC – Commission email and GovDelivery Bulletin
  - e. 05/07/2026 LUPC – Commission email
  - f. 05/13/2026 LUPC – Rockwood Fire Department letter
  - g. 05/20/2026 LUPC – extension of comment and rebuttal periods
  - h. 06/17/2026 LUPC – Second Procedural Order
9. 04/20/2026 Written comments  
*[also see Exhibit 2 Hearing requests and early public comments]*
- a. 04/20/2026 L. Rovzar
  - b. 04/20/2026 R. Rovzar

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<sup>3</sup> The application was deemed “ready for hearing” on April 6, 2026. Available information provides sufficient understanding of the proposal to conduct a productive and informed hearing process.

- c. 04/22/2026 K. Lacasse
- d. 04/23/2026 D. Mach
- e. 04/23/2026 D. Sanders
- f. 04/23/2026 D. Suchochleb-Sanders
- g. 04/29/2026 S. Milliken
- h. 05/04/2026 C. Brassbridge
- i. 05/05/2026 W. Beckim<sup>4</sup>
- j. 05/06/2026 A. McDonnell
- k. 05/06/2026 J. Murphy
- l. 05/06/2026 K. Wood
- m. 05/08/2026 E. and B. Jones
- n. 05/11/2026 A. Harrington
- o. 05/11/2026 A. Sickenberger
- p. 05/11/2026 R. Blake
- q. 05/12/2026 K. Hackett
- r. 05/13/2026 A. Crommett
- s. 05/14/2026 J. Brown
- t. 05/14/2026 K. and C. Burgess
- u. 05/14/2026 T. Mello
- v. 05/15/2026 D. Pike
- w. 05/22/2026 K. Tiffany
- x. 05/25/2026 C. Ritchie
- y. 05/26/2026 M. and E. Schmalzer
- z. 05/26/2026 J. Walckner
- aa. 05/26/2026 Jan Walckner
- bb. 05/26/2026 S. Landry
- cc. 05/26/2026 T. Theriault

10. 05/13/2026 Site visit

- a. 05/07/2026 LUPC – Commissioner hearing and site visit materials

*[Note the two maps included in the packet were posted at/during the site visit in large format to aid in orienting attendees]*  
(also see service list communications)

- b. 05/13/2026 *Site visit notes (questions and answers)*

11. 05/13/2026 Public Hearing

- a. 05/07/2026 Applicant prefiled testimony – Agent
- b. 05/07/2026 Applicant prefiled testimony – Attorney
- c. 05/07/2026 Walckner prefiled testimony – part 1 of 3
- d. 05/07/2026 Walckner prefiled testimony – part 2 of 3
- e. 05/07/2026 Walckner prefiled testimony – part 3 of 3
- f. 05/07/2026 Agenda and virtual link
- g. 05/11/2026 Applicant visual aids
- h. 05/13/2026 Information slide

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<sup>4</sup> Duplicate comments provided within an email received April 30, 2026

- i. 05/13/2026 Presiding Officer statements
  - j. 05/13/2026 Staff statement
  - k. 05/13/2026 Sign-up sheets
  - l. 05/13/2026 written copy of oral comments – J. Fiumenero
  - m. 05/13/2026 written copy of oral comments – Jan Walckner
  - n. 05/13/2026 written copy of oral comments – R. Bilodeau
  - o. 05/13/2026 written copy of oral comments – R. Coombs
  - p. 05/13/2026 written copy of oral comments – S. Harmon
  - q. 05/13/2026 written copy of oral comments – S. Purington
  - r. 05/13/2026 written copy of oral comments – W. Coombs
  - s. 05/13/2026 hearing audio file
12. 05/20/2026 Comment and Rebuttal Deadline Extension
- a. 05/20/2026 Extension notice
  - b. 05/20/2026 Service list
  - c. 05/20/2026 Supplemental list (commenters, abutters)
  - d. 05/20/2026 GovDelivery
  - e. 05/20/2026 GovDelivery Report
13. 05/29/2026 Rebuttal Comments
- a. 05/29/2026 G. Louis – Applicant’s Attorney
14. 06/17/2026 Reopened hearing record
- a. 06/17/2026 2<sup>nd</sup> Procedural Order
  - b. 06/01/2026 Maine Natural Areas Program Comments
  - c. 06/04/2026 Maine Department of Inland Fisheries and Wildlife Comments
  - d. 06/04/2026 Somerset County Commissioner Comments
  - e. 06/10/2026 Maine Historic Preservation Commission Comments

*[ ~ Hearing exhibits as of June 17, 2026; the hearing record is NOW CLOSED ~ ]*



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DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
LAND USE PLANNING COMMISSION  
18 ELKINS LANE, 22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0022

JANET T. MILLS  
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COMMISSIONER

COMMISSION DECISION  
IN THE MATTER OF

Staff, Maine Land Use Planning Commission

Findings of Fact and Decision

ZONING PETITION ZP 805

The Maine Land Use Planning Commission (Commission), at a meeting held on July 8, 2026, after reviewing the petition and supporting documents submitted by Maynard, LLC for Zoning Petition ZP 805, review of agency and staff comments, public comments, and other related materials on file, pursuant to 12 M.R.S. Sections 681 *et seq.* and the Commission's Land Use Standards and Rules, makes the following findings of fact and conclusions:

1. Applicant: Maynard, LLC  
816 Riverside Drive  
Augusta, ME 04330
2. Agent: Robert D. Lightbody  
Maine Highlands Development, LLC  
53 East Shore Road  
Embden, ME 04958
3. Completed Petition: February 3, 2026  
Location of Proposal: Rockwood Strip Township (T1 R1 NBKP), Somerset County, Maine  
Maine Revenue Service Map SO033, Plan 01, Lots 20 & 19.1, and  
a portion of Lot 19 - (Subject Parcels)  
Somerset County Registry of Deeds, Book 6250, Page 126
4. Current Zoning: Residential Development (D-RS) Subdistrict  
General Management (M-GN) Subdistrict
5. Proposed Zoning: General Development (D-GN) Subdistrict  
General Management (M-GN) Subdistrict
6. Proposed Total Area to Be Rezoned: ± 83.2 acres
7. Date of Public Hearing: May 13, 2026, in Greenville

BENJAMIN GODSOE  
ACTING EXECUTIVE DIRECTOR  
HARLOW BUILDING, 4<sup>TH</sup> FLOOR



PHONE: (207) 287-2631  
FAX: (207) 287-7439  
WWW.MAINE.GOV/DACF/LUPC

8. Date Public Hearing Record Closed: June 17, 2026

9. Affected Waterbody: Moose River

The Moose River is a Class A stream, 38 M.R.S. § 467(4)(F)(1)(e), and runs along the southern boundary of the subject property.

10. Current Conditions:

The existing development on the southern portion of the property consists of a main lodge and numerous cabins, accessory structures, a retaining wall, and docks associated with a pre-Commission commercial sporting camp which has operated since around 1919. The northern portion of the property is primarily forested and contains a gravel pit of approximately 0.5 acres, and an access road.

A. Recreational Lodging Facility Level Determination. Recreational lodging facilities are categorized under Commission rules based on factors related to size and services. *Land Use Districts and Standards*, 01-672 C.M.R. ch. 10 (Chapter 10), revised May 13, 2025 § 10.27(Q)(1)(Tables A and B). Recreational lodging facilities categories run from A, to E, with A representing the lowest level of development, and E being the highest. Level D – Expanded Access recreational lodging facilities are described as, or otherwise limited as follows:

- 1) *On-site recreation activities, features, and/or services.* The facility offers activities for guest use only that produce some noise and odor and are partially screened from public roadways and protected resources as defined in Chapter 2, § 2.02(188).
- 2) *Utilities.* Utilities or indoor plumbing may be present onsite.
- 3) *Floor area of principal buildings.* The floor area of all principal buildings are less than 20,000 square feet.
- 4) *Clearing footprint within 250 feet of flowing waters downstream from the point where such waters drain 50 square miles or more.* As an existing facility, the facility may be categorized without regard to the footprint of clearing. [Chapter 10, § 10.27(Q)(1)]
- 5) *Retail Space.* Less than 500 square feet.
- 6) *Dining amenities.* Available to the public.
- 7) *Fuel sales.* For guest use only.
- 8) *Overnight occupancy.* Less than 80 occupants.

11. Administrative History:

A. Approximately 25 acres in the southern portion of the Subject Parcels was originally developed in the early 1900s with a commercial sporting camp facility consisting of a main lodge, twelve cabins, numerous storage sheds, a boathouse, and other outbuildings. The southern portion also contains a large field area. The northern portion has remained wooded except for a small (less than one acre) gravel pit.

B. The existing facility, which is a legally existing, nonconforming use, has been within a Residential Development (D-RS) Subdistrict since the Commission's inception. The Commission's interim zoning for Rockwood Strip Township (T1 R1 NBKP) (one of 290 total

minor civil divisions involved) was made effective February 3, 1975, and the Commission's permanent zoning (one of 78 minor civil divisions) went into effect on June 21, 1978. The available record for both regional processes does not provide a specific justification for applying the D-RS subdistrict to the Subject Parcels.

- C. In September 1974, DEP project #02-1727-25844, issued by the Maine Department of Environmental Protection (Maine DEP) to William Maynard of Maynard's in Maine, authorized repairs to the log wall wharf.
- D. In December 1985, Great Ponds Permit GP 244, issued by the Maine Land Use Regulation Commission (LURC) to William Maynard of Maynard's in Maine, authorized the installation of riprap along a 100-foot section of the Moose River.
- E. In April 1989, Great Ponds Permit GP 395, issued by LURC to William Maynard of Maynard's in Maine, authorized the reconstruction of an existing pre-Commission permanent dock.
- F. In June 1992, Advisory Ruling AR 92-048, issued by LURC to William Maynard of Maynard's in Maine, determined that a permit was not required for the proposed repairs to an approximately 90-foot section of the pre-Commission timber retaining wall.
- G. In September 1998, Service Drop SD 98-234, issued by LURC to William and Gail Maynard, authorized electric service to a pre-Commission garage.
- H. In November 2021, Building Permit BP 16847, issued by LUPC to Gail Maynard, authorized the installation of an RV campsite with electric service connection.

## 12. Proposal Summary:

The applicant proposes to rezone approximately 12.4 acres of a D-RS subdistrict and approximately 70.8 acres from an M-GN subdistrict to a D-GN subdistrict.

The Commission adopted updates to its regulations for recreational lodging facilities in 2013<sup>1</sup>. During that process, the Commission recognized that some legally existing facilities remained in D-RS subdistricts, which continue to not allow recreational lodging facilities and so those sites would become or continue to be legally existing nonconforming. The Commission aims to improve the conformance of recreational lodging facilities to current rules, but current agency resources are not sufficient to address all these nonconforming sites simultaneously through a broader comprehensive rezoning effort. However, the Commission seeks to update the zoning as opportunities arise and when property owners are willing to partner with the Commission to do so. On January 8, 2026, the Acting Executive Director authorized agency staff to serve as co-applicants for the rezoning application for the site known as Maynard's in Maine, from the D-RS to the D-GN subdistrict, which would result in the current facility becoming a conforming use. Pursuant to delegated authority and responsibilities, the Commission or its staff may initiate an application/petition for the adoption or amendment of land use maps. 12 M.R.S. § 685-A(7-A)(A) As stated in the written confirmation, [Exhibit 1B], the purpose of the co-applicant designation was to waive the application fee pursuant to the Commission's fee schedule rule. *Fee Schedule*, 01-672 C.M.R. ch. 1, (2026). The Commission has adopted this practice for rezoning applications such as this one in order to reduce barriers to rezoning activities and promote its goal of improving the conformance of recreational lodging facilities with current rules. In making this

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<sup>1</sup> Chapter 10 rulemaking effective August 5, 2013 (SoS# 2013-190).

designation, the Commission does not assert any ownership or control over the zoning petition application itself. Exhibit 1B.

The application proposes retaining the current M-GN subdistrict designation for a 4.98-acre portion of the property for an existing gravel extraction operation. At this time, extraction of the gravel resource is anticipated only for on-site use.

In addition to the resumption of operations of the existing restaurant, the application includes a site plan illustrating possible future expansion of the facility and operation, including but not limited to numerous RV camper sites, a multi-use pavilion, an athletic field, multi-use sport court, pool, additional cabins, upgraded and expanded subsurface wastewater disposal field, seasonal boat slip rental, and staff housing. Any proposed future expansion will require separate review and permitting.

## **RULES OF PRACTICE**

### 13. Notice of Filing Requirements:

#### A. Criteria and standards:

- 1) Notice of filing requirements are described by Sections 4.04(B)(3)(a)(2) and (3) of the Commission's *Rules of Practice*, 01-672 C.M.R. ch. 4 (Chapter 4), last revised August 11, 2023. According to Chapter 4, § 4.04(B)(3)(a)(2), a notice of filing for zone change applications must be provided to any person who has requested to be notified of the proposal, all persons owning or leasing land within 1,000 feet of the proposal, and the county if the proposed project site is in an unorganized township.
- 2) The provisions of Chapter 4, § 4.04(A)(3)(b) also allow the Commission to require additional notice in any other manner it deems appropriate.

#### B. Analysis:

- 1) On December 24, 2025, the applicant provided notice of filing by U.S. Postal mail to persons owning or leasing land within 1,000 feet of the proposed area to be rezoned, the municipal registrar for Rockwood Strip Twp., and the Somerset County Commissioners. The application for zone change was submitted to the Commission on December 29, 2025. Upon receipt and logging in of the application, the Commission updated its website listing applications received to reflect the receipt of the application for ZP 805.<sup>2</sup>
- 2) Concerns regarding project scope were raised by Mr. Walckner, who has status as an interested party in the public hearing process, contending that the notice was incomplete or otherwise misleading, and that it referred to physical copies of the application materials being available to the public at the LUPC office in Greenville, which is temporarily closed for renovations (Exhibit 2D, page 1). A physical copy of the application was available at the Commission's temporary office location in Dover-Foxcroft, which has been open to the public since July 22, 2025. Application materials were also available online and upon request of the LUPC staff, whose contact information is posted and available online. Following the distribution of the notice, the

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<sup>2</sup> [www.maine.gov/DACF/lupc/reports/permit\\_report.html](http://www.maine.gov/DACF/lupc/reports/permit_report.html)

staff received one request to view physical application materials, and the requestor visited the Dover-Foxcroft office on January 5, 2026.

- 3) LUPC staff published and maintained a project-specific webpage dedicated to the application on the “Featured Projects” section of the LUPC website.<sup>3</sup>

C. Finding: Based upon the record and the above analysis, the Commission finds that the application for zone change was properly noticed, consistent with the applicable sections of Chapter 4, §§ 4.04(B)(3)(a)(1), (2), and (3).

#### 14. Public Process:

- A. On January 12, and March 11, 2026, three individuals submitted requests for a public hearing on the application for zone change ZP 805. Exhibits 2B, 2G, and 2H.
- B. On February 3, 2026, Commission staff deemed the application for ZP 805 complete for processing and all statutes, rules, plans, official guidance, and issue-specific policies in effect at the time were entered into the record. Exhibits 3A through 3H.
- C. Pursuant to Chapter 4, Section 4.06(A) of the Commission’s Rules of Practice, last revised August 11, 2023, on March 11, 2026, at its regular business meeting, the Commission voted to hold a public hearing on, and conduct a public site visit regarding, the application for zone change ZP 805. Exhibits 4A through 4D.
- D. On April 10, 2026, a Notice of Public Hearing was properly made by the Commission staff to appropriate parties and the public as required under Chapter 4. Among other items, the notice set a deadline for petitions to intervene; the hearing date, time, and location; the date and time of the public site visit; and the comment and rebuttal comment deadlines. Exhibits 5A through 5H.
- E. On April 18, 2026, James Walckner submitted a Petition to Intervene in the public hearing scheduled in the matter of application for zone change ZP 805. Exhibit 6.
- F. On April 28, 2026, the Presiding Officer issued the First Procedural Order which, among other matters, denied the petition for intervenor status, but granted Interested Person status to Mr. Walckner pursuant to Commission rule, *Rules for the Conduct of Public Hearings*, 01-672 C.M.R. ch. 5 (Chapter 5), Section 5.03(B). Among other items, the First Procedural Order also set a deadline for prefiled testimony, identified various time allotments as part of the hearing schedule, and confirmed the service list. Exhibit 7.
- G. Between April 20, 2026, and May 26, 2026, twenty-nine separate sets of comments were received (in addition to eight early public comments received). Exhibits 2A through 9H, and 9A through 9BB.<sup>4</sup>
- H. On May 13, 2026, the Commission conducted a public site visit at 131 Maynard Road, Rockwood Strip Township (the Subject Parcels). Exhibits 10A and 10B.

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<sup>3</sup> [www.maine.gov/dacf/lupc/projects/maynards-maine/index.html](http://www.maine.gov/dacf/lupc/projects/maynards-maine/index.html)

<sup>4</sup> One comment submitted by William Beckim, Exhibit 9I, included a sworn affidavit. Mr. Beckim did not testify in person at the hearing, and was not available for cross-examination. Pursuant to 5 M.R.S. § 9056(5), unless there is good cause shown, no sworn written evidence shall be admitted if the author is not available for cross-examination. Accordingly, the sworn affidavit is not considered as part of the record for this hearing. Mr. Beckim’s unsworn written comments were considered and are part of the record for this matter.

- I. On May 13, 2026, the Commission held a public hearing. Pursuant to the Commission's Remote Participation Policy, the hearing was held as a hybrid hearing, both in-person in Greenville, Maine, and remotely via the Microsoft TEAMS video conferencing application. Approximately 120 people attended in person at the hearing. Exhibits 11A through 11S.
- J. On May 20, 2026, the comment and rebuttal deadlines were each extended by one day due to the Memorial Day National Holiday. Exhibits 12a through 12e.
- K. On June 2, 2026, the rebuttal period closed, having received one set of rebuttal comments. Exhibit 13.
- L. On June 17, 2026, the Presiding Officer issued the Second Procedural Order, reopening the hearing record to receive review agency comments from the Maine Natural Areas Program, the Maine Department of Inland Fisheries and Wildlife, the Somerset County Commissioners, and the Maine Historic Preservation Commission, and reclosed the record. Exhibits 14A through 14E.

15. Title, Right, or Interest

- A. Criteria and standards: Unless otherwise provided by law, the Commission will not accept an application as complete for processing unless and until the applicant demonstrates, to the Commission's satisfaction, legally enforceable title, right, or interest in all the property proposed for development or use sufficient to evaluate the proposed development and use of the property. Chapter 4, § 4.05(A)(3).
- B. Analysis: The Applicant provided a copy of their deed dated March 12, 2025, recorded in the Somerset County Registry of Deeds in Book 6250, Page 126.
- C. Finding: The Commission finds that the Applicant has demonstrated a legally enforceable title, right, or interest in all the property proposed for rezoning in accordance with Chapter 4, § 4.05(A)(3).

**GENERAL CRITERIA FOR ADOPTION OR AMENDMENT OF LAND USE DISTRICT BOUNDARIES**

A land use district boundary may not be adopted or amended unless there is substantial evidence that the proposed land use district is consistent with the standards for district boundaries in effect at the time, the comprehensive land use plan and the purpose, intent and provisions of Chapter 206-A; and there is substantial evidence that the proposed land use district has no undue adverse impact on existing uses or resources or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area. 12 M.R.S. § 685-A(8-A) of the Commission's statute (Chapter 206-A) and Section 10.08(A) of Chapter 10.

16. Consistency with the Standards for District Boundaries:

- A. Criteria and standards: A land use district boundary may not be adopted or amended unless there is substantial evidence that the proposed land use district is, among other criteria, consistent with the standards for district boundaries in effect at the time. 12 M.R.S. § 685-A(8-A)(A) and Chapter 10, § 10.08(A)(1).
  - 1) *D-GN subdistrict*: The purpose of the D-GN subdistrict is to recognize existing patterns of development in appropriate areas and to encourage further patterns of compatible

development therein and adjacent thereto. It is the Commission's intent to promote these areas as future growth centers in order to encourage the location of compatible developments near each other and to minimize the impact of such development upon incompatible uses and upon public services and facilities. Thus, the Commission's purpose is to encourage the general concentration of new development, and thereby avoid the fiscal and visual costs of sprawl, and to provide a continuing sense of community in settled areas. Chapter 10, § 10.21(C)(1).

- 2) *M-GN subdistrict*: The purpose of the M-GN subdistrict is 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. Chapter 10, § 10.22(A)(1).
- 3) *Location of Development Criteria*: To satisfy the general criteria contained in 12 M.R.S. § 685-A(8-A) and restated in Section 10.08(A), a petitioner proposing the adoption or amendment of a development subdistrict must demonstrate, among other things, that the proposed subdistrict is consistent with the Comprehensive Land Use Plan (CLUP). The CLUP addresses the location of development through multiple goals and policies that, in aggregate, are embodied in the adjacency principle.<sup>5</sup> To demonstrate that the adoption or amendment of a development subdistrict, such as the proposed D-GN, is consistent with the portions of the CLUP that address the location of development, the Commission must find:
  - a) *Emergency Services*: The county, a nearby municipality, or other service provider is willing to and will be able to provide fire and ambulance services for the land uses allowed in the proposed subdistrict. For the purposes of this criterion, LifeFlight is not considered an ambulance service... Chapter 10, § 10.08(B)(2)(a).
  - b) *Compatibility*: The land uses allowed in the proposed subdistrict shall be compatible with other uses and resources, and reduce or minimize land use conflicts. Chapter 10, § 10.08(B)(2)(b).
  - c) *Character*: The land uses allowed in the proposed subdistrict shall not unreasonably alter the character of the area. Chapter 10, § 10.08(B)(2)(c).
  - d) *Area for Development*: Proposed D-GN subdistricts shall be located in a primary location. Chapter 10, § 10.08(B)(2)(d).
  - e) *Access to Development*: The land within the proposed subdistrict shall be accessible from a public road by a legal right of access in accordance with Section 10.08-A,E. Chapter 10, § 10.08(B)(2)(e).

B. Analysis:

- 1) *Consistency with the standards for District Boundaries*:
  - a) Acting on principles of sound land use planning and development, the Commission must determine the boundaries of areas within the unorganized and deorganized areas of the State that fall into land use districts and designate each area in one of three major district classifications. [12 M.R.S. § 682-A(1)] For each subdistrict, the

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<sup>5</sup> For more information on the adjacency principle see  
[https://www.maine.gov/dacf/lupc/projects/location\\_of\\_development/lod\\_rule\\_summary.html](https://www.maine.gov/dacf/lupc/projects/location_of_development/lod_rule_summary.html)

Commission provides a purpose and description and identifies various uses that are found to be sufficiently compatible with each other and the subdistrict's purpose. Some uses are allowed without a permit, while others are allowed subject to standards, by permit, or by permit by special exception.

- b) The existing recreational lodging facility, Maynard's in Maine, is currently a non-conforming use within the D-RS Subdistrict. Rezoning the Subject Parcels to D-GN will make the use conforming and allow for potential future expansion, provided the permit-approval criteria applicable to such expansions can be met. The Commission has adopted specific categories for recreational lodging facilities [Chapter 10, § 10.27(Q)] and designates which categories, if any, are allowed uses in a specific subdistrict. The existing facility at the Subject Parcels is nonconforming, but its characteristics are most consistent with a Level D Expanded Access recreational lodging facility [Exhibit 1A, pages 8-10]. In the zoning petition, the owners have indicated that future expansion to a Level E facility may be necessary to meet demand and remain economically viable. For example, if the facility were to expand by an additional 5,000 square feet of principal buildings [measured cumulatively, pursuant to Chapter 10, § 10.27(Q)(4)], it would qualify as a Level E recreational lodging facility.
- c) When multiple subdistrict options exist for a desired activity, the Commission, as part of its evaluation, prioritizes the least intensive subdistrict option that allows the intended use, and also assesses which subdistrict designation is most appropriate for the protection and management of existing uses and resources within the affected area. [Chapter 10, § 10.08(A)(2)]. Level E recreational lodging facilities are allowed by permit in both the Commercial and Industrial Development (D-CI) subdistrict and Planned Recreation Facility Development (D-PR) subdistrict, and allowed by special exception in the D-GN subdistrict. Level E facilities are not allowed in the D-RS Subdistrict (the zoning that exists at the Subject Parcels today, and which is the basis for the existing facility's legally existing nonconforming status). The special exception criteria that apply to Level E Recreational Lodging Facilities in the D-GN Subdistrict require: adequate buffering from uses within the area likely to be affected by the proposal with which it is or may be incompatible; that there is sufficient infrastructure to accommodate the additional traffic and activity generated by the use; and that surrounding resources and uses that may be sensitive to such increased traffic and activity are adequately protected. [Chapter 10, § 10.24(B)(2) through (4)]
- d) The D-GN subdistrict identifies Level E recreational lodging facilities as a use allowed by permit by special exception. Therefore, the Commission has determined that Level E recreational lodging facilities are sufficiently consistent with the purpose and description of the D-GN subdistrict, provided the special exception criteria can be met during the permitting process. The D-GN subdistrict accommodates a mix of uses and also allows residential development and certain other compatible nonresidential development and land uses. The special exception permitting criteria, which will apply to any future applications for development permits, address potential impacts on neighboring uses, such as existing residential development, and existing infrastructure, such as Maynard Road. Therefore, considering the existing and anticipated uses and the general compatibility with

neighboring uses, the D-GN is the most appropriate subdistrict designation for this site and its planned use as a recreational lodging facility.

- e) D-GN Subdistrict size and configuration: Some comments received during the public hearing expressed concern about the extent of the proposed D-GN zoning on the subject parcel, and instead urged the Commission to rezone only the area around the existing structures and facility. [Example Exhibits: 9G, page 1; 9X, page 4-5; 9Z, page 2; and 11S (0:49:32 and 1:00:00)] The applicant has stated that they may wish to expand the existing recreational lodging facility, and that such an expansion is likely necessary in order to remain economically viable in the changed environment for these facilities. [Example Exhibits: 9K, page 2; and 11S (0:55:45, 0:57:01, and 1:10:15)] Rezoning the majority of the property to the D-GN Subdistrict allows enough space and flexibility to accommodate good design. It will help to ensure that any future expansion of the facility will minimize the potential for nuisance impacts on surrounding uses. Minimization of impacts can be accomplished by providing adequate space to buffer or separate the facility, or some of its components, from neighboring properties, should additional development be proposed. Such buffering would be required by the special exception criteria in the D-GN Subdistrict that apply to recreational lodging level E facilities, and can attenuate noise over proximal distances and screen or minimize the visibility of development from roads and property lines. In addition, rezoning only part of the Subject Parcels would pose practical difficulties in implementation and enforcement. Property boundaries provide a clear, readily identifiable, demarcation for the purposes of establishing zoning boundaries. Relying on these features assists the Commission and the regulated community in easily identifying where subdistrict boundaries are on the face of the earth in order to conform activities to areas where they are permitted. These advantages would be lost if the Commission chose to create multiple zoning subdistricts within a single parcel. While in some instances such a differentiation of subdistricts may be justified, such as in this case, for the pre-existing gravel pit located on the Subject Parcels that is discussed in more detail below, dividing the zoning on a single parcel in such a way is best limited to instances that involve readily identifiable and discrete physical features such as a gravel pit that is easily located and identified. No such prominent physical features for demarcation exists on the Subject Parcels for a division between D-GN and D-RS zoning.
- f) Mixed zoning for Recreational Lodging Facilities, and Area Excluded from Rezoning Petition for Gravel Extraction Purposes: In regulating recreational lodging facilities, the Commission's rules and policies recognize that they are complex, multi-faceted facilities that may have a variety of components that otherwise may qualify as different use listings in the Commission's zoning scheme (e.g., campsites, restaurants, event spaces, trails, and marinas). For that reason, recreational lodging facilities may be located in two or more subdistricts, as long as i) at least one subdistrict allows the facility categorization as a whole, and ii) distinctive facility elements are located within the subdistrict allowing such element(s)<sup>6</sup>. In this case,

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<sup>6</sup> By way of example, consider a Level C - expanded access facility located partly within the Great Pond Protection (P-GP) subdistrict and partly within the General Development (D-GN) subdistrict. Those elements that distinguish the facility as "expanded access" must be located within the D-GN, which allows "...expanded access".

the proposed rezoning would encompass much of the applicant's parcels but exclude an area designated for gravel extraction. Gravel extraction [natural resource extraction] is not an allowed use in the D-GN subdistrict. The existing gravel extraction is located within the current General Management (M-GN) subdistrict and covers less than 0.50 acres. Gravel extraction operations of five acres or less are regulated by the Maine Forest Service (MFS). 12 M.R.S. § 685-A(14) and Chapter 10, § 10.22(A)(3)(e)(2). If the applicant plans to expand the operation beyond five acres, rezoning the area to the Resource-Dependent Development (D-RD) subdistrict would be required at that time. Additionally, the area to remain as M-GN is setback at least 150 feet from the nearest property line to separate it from neighbors.

2) *Location of Development:*

- a) Emergency services: The Somerset County Commissioners oversee the County Sheriff's Office, and contract for a variety of services in the unorganized and deorganized areas in Somerset County, including emergency medical and fire response services. Written comments provided by the Rockwood, Maine Volunteer Fire Department and E.M.S. leadership confirm that fire and EMS services are available for the Subject Parcels and did not identify concerns with the proposal (Exhibit 1F, page 1). Specifically, the Fire Chief of the Rockwood Fire and Rescue Department stated "I have reviewed the [proposal]. The plans look solid and I see no impact on the Rockwood Fire Department for the call for fire or rescue services." (*Id.*) Multiple written comments submitted expressed concerns about how far the Sheriff's office must travel to respond to calls in the Project Area and noted the potential for calls to increase if plans for expansion include developing an outdoor pavilion to hold events, a restaurant and bar, and a high-capacity campground [Example comments: Exhibits 1C, 9C, 9E, 9F, and 9G]. The Somerset County Commissioners reviewed the petition to rezone but elected not to provide comments [Exhibit 14D, page 1]. Service providers who already cover the Rockwood area, such as the County sheriff department and the local volunteer fire department, will have additional opportunities to review specific expansion plans should the applicant apply for a development permit in the future. Therefore, the Commission concludes that emergency service providers are willing to and will be able to provide fire and ambulance services for the land uses allowed in the proposed subdistrict. Chapter 10, § 10.08(B)(2)(a).
- b) Compatibility: The land uses in the vicinity of the Project Area within Rockwood Strip include moderate and high-density residential development located in the D-RS subdistricts along the Moose River, a commercial marina, commercial boat rentals, a private airstrip, a gas station, retail commercial development, other recreational lodging facilities (e.g., the Birches and Gray Ghost Camps) a multi-use snowmobile/ATV trail, and commercial forest management. The current recreational lodging facility has operated for over 100 years and is compatible with surrounding uses. For any future development proposed, the Commission's development standards will be applied to ensure there is no undue adverse impact to surrounding uses.

- (1) Specific topics related to compatibility, and addressed in comments submitted during the public hearing:
  - i. *Potential for traffic impacts in Rockwood Strip, and specifically on Maynard Road property owners.* Multiple commenters expressed concerns that the possible future expansion of the facility would result in increased traffic and related public safety and infrastructure impacts in Rockwood Strip and on Maynard Road specifically. Examples of specific concerns raised in comments include: the sharp turn onto Maynard Road from Northern Road and whether Maynard Road was designed to accommodate the types and amount of traffic that may be generated. Commenters also noted public safety concerns associated with traffic such as speeding and other motor vehicle law violations. Rockwood Strip currently includes a village with a range of uses, including residential development of a moderate or high density, commercial development, and motorized recreational uses on both the Moose River and snowmobile/ATV trails. Maynard Road currently provides access to the existing facility and has done so for many years (even predating the creation of the Land Use Planning Commission), likely supporting a variety of levels and types of traffic over that time period, depending on what was generated by the facility and the surrounding neighborhood. Portions of future expansion plans could produce additional traffic, which would be considered by the Commission in applying the relevant land use standards in effect at the time. The current Vehicular Circulation, Access, and Parking standards are included in Chapter 10, Subchapter III, §10.25(D). Should a future proposal indicate the potential for increased traffic impacts within Rockwood Strip and on Maynard Road, the Commission would seek additional comments from the entities who maintain and manage the network of roads used to access the facility (e.g., Somerset County and the Maine Department of Transportation), and depending on recommendations by those entities could require the applicant to submit additional information, such as a traffic study or similar additional analysis as needed to determine whether impacts are undue and how best to mitigate them. [Example Exhibits: 9K, page 2; 9BB, pages 6-7; 11S (1:05:14, 1:06:50, and 1:08:54)]
  - ii. *Noise and other nuisance impacts potentially resulting from the planned expansion of the facility.* Some commenters expressed concerns that future expansion plans for the facility, and adding components like a multi-use pavilion and a restaurant and bar, as well as increasing the overall activity during both day and night at the Subject Parcels, would result in noise and other impacts (e.g., lighting, odors) for nearby residences in Rockwood [Example Exhibits: 9C, and 9G]. Should these components be proposed in the future, the applicant would be required to submit a permit application, and the Commission would apply the development standards in effect at the time. Currently, the noise and lighting standard is included in Chapter 10, § 10.25(F), and includes specific limitations on db(A) measured from the property line, by zone and time of day. The D-GN Subdistrict allows 10 more db(A) than the D-RS or M-GN subdistrict. Should there be a specific concern about noise due to topography or the location of a proposed

structure or component of the development, the Commission could address the issue through permitting by requiring changes to the site design or by conditioning the permit to target specific impacts (e.g., placing reasonable limits on the hours of operation for the restaurant or bar). Additionally, recreational lodging facilities, regardless of category, are required to have on-site attendants who can address any safety or nuisance issues as they arise, as opposed to short-term rentals of individual residential dwellings, where there is no staff onsite.

The area currently supports a relatively high level of development in addition to the existing and longstanding recreational lodging facility, including moderate and high-density residential development, a commercial marina, commercial boat rentals, a private airstrip, a gas station, retail commercial development, other recreational lodging facilities as well as a multi-use snowmobile/ATV trail, and commercial forest management. When considered in light of the fact that concerns raised related to any subsequent development can be suitably addressed in the permitting stage, the Commission concludes that the land uses allowed in the proposed district are compatible with other existing uses and resources in the area. Chapter 10, § 10.08(B)(2)(a).

- b) Character: Rockwood Strip is located within the Moosehead Lake Region, which is an iconic recreational and tourist destination in Maine and attracts many visitors every year to experience the nearby lakes, mountains, and forests. Rockwood includes a mix of residential and light commercial development, as well as commercial forest land, all adjacent to the Moose River which runs through the center of the village area. Maynard Road is within Rockwood and runs along the northern bank of the Moose River with development generally within 250 feet of the road or along the River. Materials submitted during the public hearing comment period were split and included comments indicating both that the proposed facility would fit into the character of the area, as well as those indicating it would not due to the proposed expansion.
- (1) *Maynard Road and Rockwood Strip*. Maynard Road is a public road serving both the existing recreational lodging facility and existing residential development along the road. The Project Area is approximately .6 miles from the intersection with Northern Road Moosehead Marina, which is a large existing marina business on the Moose River. Directly across the river from Maynard's in Maine is Gray Ghost Camps, another recreational lodging facility, and a dense residential development pattern between the Moose River and State Route 6, which is a major public road connecting Greenville (and the Moosehead Lake Region) and Jackman. The Moose River itself is a busy recreational resource providing access to Moosehead Lake and also is a popular destination for fishing. Commenters in favor of the rezoning said that recreational lodging facilities such as Maynards are part of the historic character of Rockwood Strip, that the area includes other similar types of businesses, and that future survivability of the business requires adaptation and expansion. [Example Exhibits: 2F, 9J, 9P, 9U, and 9W] Commenters not in favor of the rezoning highlighted that they come to Rockwood, or have chose to

live there, due to the peace and quiet and quality of life, that the character of development along Maynard Road is rural, and that proposed expansions would result in a large increase in activity at the Subject Parcels that would change the character of the area. [Example Exhibits: 2B, 2E, and 9F]

Chapter 10, § 10.08(B)(2)(b) requires that the land uses in the proposed subdistrict "...shall not unreasonably alter the character of the area." The D-GN Subdistrict allows a range of uses that are compatible with existing residential development in Rockwood Strip, which is a village area with a range of both residential and commercial uses, some of which are also located within the D-GN subdistrict. The Commission finds that designation of a D-GN subdistrict, which allows for up to a Level E Recreational Lodging Facility with a permit by special exception subject to additional permitting criteria that require consideration of impacts to neighbors and existing infrastructure, would not unreasonably alter the character of Rockwood Strip. The existing development and the proposed expansion in the Subject Parcels is generally of a like type and scale as other existing development and uses in the village area, which includes a busy marina, gas station, State Route 6, the Moose River, boat launch, private air strip, and other recreational lodging facilities. The Commission also acknowledges that specific impacts to residents along Maynard Road will not be known until a permit application is submitted, however, the permitting process and applicable development standards in Chapter 10 provide suitable regulatory tools to ensure no undue adverse impacts.

- (2) *Moosehead Lake Region.* The Moosehead Lake Region encompasses areas in Somerset and Piscataquis Counties that include the shorelines of Moosehead Lake, a popular recreational and tourism destination. Rockwood Strip is located within the region on the western side of Moosehead Lake. Some comments submitted during the public hearing discussed whether the proposed rezoning would fit in with the character of the larger region, and noted that the proposed expansion represents additional locations for people to camp and stay when visiting the region, as well as a specific type of camping experience not found everywhere, and could lead to local job creation. (Exhibits 9J, 9P, and 9U) Other commenters expressed concern that such a large expansion would not fit in with Rockwood Strips' rural character. (Exhibit 9F) The Commission concludes that rezoning the Subject Parcels to D-GN to make the existing recreational lodging facility conforming and to allow for potential future expansion up to a Level E facility would not result in an unreasonable change to the existing character in the Moosehead Lake Region, which includes small village settings and serves as a destination for lake or mountain-based recreation. Rockwood Strip itself, unlike other nearby areas in the unorganized territories, features a dense pattern of development with a mix of commercial and residential uses, and existing infrastructure, including motorized trails, water access, and State Route 6, which connects the region to the Jackman area and beyond. Rockwood has historically served, and continues to serve, as a jumping-off point for visitors and as an attractive location to live seasonally or full-time. Establishing D-GN zoning in Rockwood that allows a range of recreational lodging facilities, as well as other uses compatible with residential

uses, such as light commercial, is consistent with this village setting while not allowing development types or scales that unreasonably alter the character of the Moosehead Lake Region.

- c) Area for development: The property proposed for rezoning is located in Rockwood Strip Township (T1 R1 NBKP), a designated Rural Hub, and abuts and is accessible from, Maynard Road, a public roadway. Therefore, the Subject Parcels comply with the Commission requirement that a D-GN subdistrict be located within an area identified by the Commission as a primary location [Chapter 10, § 10.08(B)(d), and §10.08-A(C)(1)(c)].
- d) Access to development: The Subject Parcels front on and are served by Maynard Road, a public road maintained by Somerset County. Maynard Road terminates with a hammerhead for vehicles to turn around approximately 0.73 miles beyond the Subject Parcels.

C. Finding: Based on the above analysis, the Commission finds that the proposed subdistrict(s) are consistent with the standards for district boundaries in effect at this time in accordance with 12 M.R.S. § 685-A(8-A)(A) of the Commission's statute and restated in Chapter 10, § 10.08(A)(1), and consistent with Chapter 10, § 10.08(B).

17. No Undue Adverse Impact:

A. Criteria and standards: A land use district boundary may not be adopted or amended, among other criteria, unless there is substantial evidence that the proposed land use district has no undue adverse impact on existing uses or resources or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area. 12 M.R.S. § 685-A(8-A)(B) as restated in Chapter 10, § 10.08(A)(2).

B. Analysis:

- 1) *Existing Uses*: The Subject Parcels have historically been used as a pre-Commission recreational lodging facility which abuts the Moose River. Existing infrastructure includes Maynard Road which is a public road maintained by Somerset County, and existing electric power transmission poles and lines. Uses on nearby lands are primarily residential, light commercial, and forest management. Recreational uses in the area include boating, fishing, camping, hiking, off-road recreation, and wildlife viewing. Nearby high-value recreational areas include the Moose River, Moosehead Lake, and Brassua Lake. A recreational snowmobile trail crosses one of the Subject Parcels. Two other recreational lodging facilities are located directly across the Moose River from the Subject Parcels. Moosehead Marina is located approximately .6 miles away.
- 2) *Existing Resources*:
  - a) *Fish and wildlife resources*: The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the petition regarding the possible presence of rare, threatened, or endangered species and significant wildlife habitat. According to MDIFW information, it has not mapped any Essential Habitats that would be affected by the project. MDIFW does not anticipate any significant impacts to any of the four bat species that are afforded protection. The MDIFW Significant Wildlife Habitat maps indicate no known presence of Significant Vernal Pools (SVPs) in the project search area, however, MDIFW recommends that any potential SVP depressions be avoided

as well as the 250-foot Critical Terrestrial Habitat surrounding the pool and that the applicant conduct surveys in areas not previously developed. MDIFW stated that the Moose River has a strong established fishery for salmon and trout and recommends that dock structures do not protrude into the river, and that dock installation should occur after the spring fishery season, after July 15, and also recommends that 100-foot undisturbed vegetated buffers be maintained along any streams and Best Management Practices be followed to avoid erosion, sedimentation, alteration of stream flow, or other impacts. In addition, any instream work should occur between July 15 and October 1. (Exhibit 14C)

- b) *Historic Resources:* the Maine Historic Preservation Commission (MHPC) reviewed the petition and commented that the proposed undertaking, zoning change, will have no adverse effect upon historic properties (architectural or archaeological), as defined by Section 106. The MHPC letter dated January 12, 2026, submitted with supplemental information for the application, states that any ground disturbance associated with the docks and river access (between the road and the river) should be preceded by consultation with MHPC and may need archaeological testing. (Exhibit 14E)
- c) *Plant species and communities:* The Maine Natural Areas Program (MNAP) reviewed the petition and searched the Program's Biological and Conservation Data System files for rare or unique botanical features. In their memorandum dated June 1, 2026, MNAP stated that, according to their current information, there are no rare botanical features that will be disturbed within the Subject Parcels. (Exhibit 14B)
- d) *Mountain areas, geologic resources, and soils:* There are no mountain areas or significant geologic resources identified with the area of the Subject Parcels. Soils within the area proposed for rezoning have been identified by the NRCS Soil Survey as Telos-Chesuncook association, 3-15 percent slopes, very stony; Monarda-Telos complex, 0-8 percent slopes, very stony; Telos-Monarda-Monson association, 0-8 percent slopes, rocky complex, 0-3 percent slopes, very stony; and Monson-Elliottsville-Knob Lock complex, 8-30 percent slopes, very rocky. The applicant submitted a report from a Maine Licensed Site Evaluator stating that a field investigation demonstrates that the soils and site conditions are generally suitable for the proposed uses (Application Exhibit 1A, pages 78-83).
- e) *Bodies of standing water, flowing water, and freshwater wetlands:* The Subject Parcels have approximately 1,510 feet of shoreline frontage along the Moose River. The existing site conditions consist of a large pre-Commission clearing along the Moose River, however portions of the existing development are partially screened from the Moose River by several mature trees, and the developed area north of the main lodge is not visible. The applicant had a wetland evaluation completed, and the plans indicate a delineated wetland exists in the southeast corner of the largest of the subject parcels.
- f) *Significant sand and gravel aquifers and water supplies:* The Subject Parcels are not within or near any mapped significant sand or gravel aquifers. The existing well located near the western property boundary is identified by the Maine Department of Health and Human Services (DHHS) as a public drinking water supply with a 300-foot protection radius (Facility ID 6425102 / Federal ID ME0006425).

- g) The Somerset County Commissioners received a copy of the rezoning application and a formal request for comments from the Commission. Somerset County elected not to submit formal comments. [Exhibit 14D] Application Exhibit 17 contains correspondence with the Unorganized Territory Coordinator for Somerset County.

C. **Finding:** In light of the above findings, as well as the analysis contained in Section 17(B) above, the Commission finds that there is substantial evidence that the proposed land use districts will have no undue adverse impact on existing uses or resources in accordance with 12 M.R.S. § 685-A(8-A)(B) as restated in Chapter 10, § 10.08(A)(2).

18. Consistency with the Comprehensive Land Use Plan (CLUP):

Pursuant to 12 M.R.S. § 685-C(1), the Commission has adopted a Comprehensive Land Use Plan (CLUP), last revised in 2010, that guides the Commission in developing specific land use standards, delineating district boundaries, siting development, and generally fulfilling the purposes of the Commission's governing statute.

A. Criteria and standards:

- 1) *Overview:* According to 12 M.R.S. § 685-A(8-A)(A) as restated in Chapter 10, § 10.08(A)(1), a land use district boundary may not be adopted or amended, among other criteria, unless there is substantial evidence that the proposed land use district is consistent with the CLUP. The CLUP includes goals and policies that address, among other items, the location of development. In 2012, additional guidance in interpreting the CLUP was adopted by the Commission in the *Guidance for Interpreting the 2010 Comprehensive Land Use Plan*, adopted October 5, 2012.
- 2) *Location of development:*
  - a) *Goal:* 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. CLUP Chapter 1, Section 1.2(I)(A); pg. 6.
  - b) *Relevant policy:* Guide development to areas near existing towns and communities and in other areas identified as appropriate development centers. Specifically, the policy aims to identify areas that are the most appropriate for growth when considering: (1) proximity and connectivity by public road to economic centers, organized towns and well-established patterns of settlement; (2) compatibility of natural resources with development; (3) demonstrated demand for and public benefit from development; and (4) availability of public infrastructure, facilities and services. CLUP Chapter 1, Section 1.2(I)(A)(2); pg. 6.
- 3) *Economic development:*
  - a) *Goal:* Encourage economic development that is connected to local economies, utilizes services and infrastructure efficiently, is compatible with natural resources and surrounding uses, particularly natural resource-based uses, and does not diminish the jurisdiction's principal values. CLUP Chapter 1, Section 1.2(I)(B); pg. 7.

b) *Relevant policies:* (i) Encourage forest, recreation and other resource-based industries and enterprises which further the jurisdiction's tradition of multiple use without diminishing its principal values. (ii) Encourage economic development in those areas identified as the most appropriate for future growth. (iii) Provide for expansion needs of intensive developments where such expansion will not have an undue adverse impact on the resources of the area. CLUP Chapter 1, Section 1.2(I)(B); pg. 7.

4) *Recreational resources:*

a) *Goal:* Conserve the natural resources that are fundamental to maintaining the recreational environment that enhances diverse, abundant recreational opportunities. CLUP Chapter 1, Section 1.2(II)(I); pg. 17.

b) *Relevant policies:*

Accommodate a range of recreational uses and facilities in appropriate locations, based on the level of use, size, scale and compatibility with existing recreational and non-recreational uses. Specifically: a) Direct intensive recreational uses and facilities to areas most appropriate for growth, and near existing services and infrastructure; b) Accommodate less intensive, nonexclusive recreational uses and facilities in other appropriate locations where such uses and facilities will not adversely affect existing uses and resources; and c) In more remote locations, accommodate low-impact, small-scale facilities that are most compatible with primitive recreational uses. CLUP Chapter 1, Section 1.2(II)(I); pg. 17.

Consider traditional sporting camps [recreational lodging facilities] as recreational and cultural resources, worthy of protection from incompatible development and land uses, and give special consideration to [recreational lodging facilities] in the Commission's development standards and in its review of rezoning petitions and development proposals within the immediate vicinity of a [recreational lodging facilities]. CLUP Chapter 1, Section 1.2(II)(I); pg. 17.

5) *Guidance for Interpreting the 2010 Comprehensive Land Use Plan:* As adopted in the 2012 Guidance, the Commission interprets the CLUP in a manner consistent with the Commission's revised purpose and scope, which places increased emphasis on honoring the rights and participation of residents and property owners, and encouraging and facilitating regional economic viability.

B. Analysis:

Maynard's in Maine has been in continuous operation since 1919 in the same location and largely in the same configuration. The applicant's legally existing nonconforming facility is part of the historic pattern of development on Maynard Road and in Rockwood Strip Township (T1 R1 NBKP) more broadly. The change in subdistrict designation will cause the existing facility to be a legally existing conforming use and provide opportunities for potential expansion of a recreational lodging facility in an area identified by the Commission as generally suitable as a development center (in a rural hub and primary location pursuant to Chapter 10, § 10.08-A). Additionally, the Commission's rules and policies for recreational lodging facilities allow them to be located in a wide variety of places by permit and through rezoning, pursuant to the relevant rezoning criteria. The Commission also has a Geographic Allowance Area, described in Chapter 10, § 10.27(Q)(3), for larger-scale facilities that

feature expanded access and typically serve the public. Portions of Rockwood Strip, including the Subject Parcels, are listed as one of the places that qualify for the Geographic Allowance Area.

- C. Finding: The CLUP contains a range of goals, policies, and principles. Numerous members of the public provided testimony related to the significance of the historic sporting camp located on the Subject Parcels, and the importance of its continuing viability to the region. Based upon the record and the above analysis, the Commission, having considered the location of development, the policies highlighted in this decision document, the CLUP interpretation guidance, and the various provisions of the CLUP more generally, finds the rezoning consistent with the Commission's *Comprehensive Land Use Plan*, and is consistent with the location of development criteria in Chapter 10, § 10.08(B)(2).

19. Consistency with 12 M.R.S., ch. 206-A:

- A. Criteria and standards: A land use district boundary may not be adopted or amended unless there is substantial evidence that the proposed land use district is consistent with the purpose, intent, and provisions of 12 M.R.S. ch. 206-A. 12 M.R.S. § 685-A(8-A)(A) and Chapter 10, § 10.08(A)(1). The purpose and scope of 12 M.R.S. ch. 206-A states "...that it is desirable to extend principles of sound planning, zoning, and development to the unorganized and deorganized areas of the State" and sets forth related goals, including (among others) to support and encourage Maine's natural resource-based economy and strong environmental protections; to encourage appropriate residential, recreational, commercial and industrial land uses; and to encourage and facilitate regional economic viability.

B. Analysis:

See Sections 17 and 18 of this decision document.

- C. Finding: Based upon the record and the above analysis, the Commission finds that there is substantial evidence in the record that approval of the petition would be an act of sound land use planning, and that the proposed rezoning is consistent with the purpose, intent and provisions of 12 M.R.S. ch. 206-A, satisfying the corresponding portions of 12 M.R.S. § 685-A(8-A)(A) restated in Chapter 10, § 10.08(A)(1).

20. Following the hearing, the Interested Person submitted comments which, among other matters addressed by the findings above, objected to the Commission's role as co-applicant. [Exhibit 9Z] As discussed above in Section #13, the Commission routinely is designated as a co-applicant on applications for a zone change which will reduce preexisting nonconformities in order to waive the application fee for these projects and incentivize landowners to undertake actions which will increase consistency across the Commission's jurisdiction. The Commission finds that application of this policy to this request was proper and, contrary to the claims of the interested person, did not violate any applicable laws or rules of procedure.

21. The facts are otherwise as represented in Zoning Petition application ZP 805 and supporting documents.

## FINAL CONCLUSIONS

### Based upon the above analysis and findings of fact:

1. The Commission concludes that there is substantial evidence in the record (see Finding #13) that the application for zone change was properly noticed, consistent with the applicable sections of Chapter 4, §§ 4.04(B)(3)(a)(1), (2), and (3).
2. The Commission concludes that there is substantial evidence in the record (see Finding #15) that the Applicant has demonstrated a legally enforceable title, right, or interest in all the property proposed for rezoning in accordance with Chapter 4, § 4.05(A)(3).
3. The Commission concludes that there is substantial evidence in the record (see Finding #16) that the proposed subdistrict(s) are consistent with the standards for district boundaries in effect at this time in accordance with 12 M.R.S. § 685-A(8-A)(A) of the Commission's statute and restated in Chapter 10, § 10.08(A)(1), and consistent with Chapter 10, § 10.08(B).
4. The Commission concludes that there is substantial evidence in the record (see Finding #17) that the proposed land use districts will have no undue adverse impact on existing uses or resources in accordance with 12 M.R.S. § 685-A(8-A)(B) as restated in Chapter 10, § 10.08(A)(2).
5. The Commission concludes that there is substantial evidence in the record (see Finding #18) that the rezoning consistent with the Commission's *Comprehensive Land Use Plan*, and is consistent with the location of development criteria in Chapter 10, § 10.08(B)(2).
6. The Commission concludes that there is substantial evidence in the record (see Finding #19) that approval of the petition would be an act of sound land use planning, and that the proposed rezoning is consistent with the purpose, intent and provisions of 12 M.R.S. ch. 206-A, satisfying the corresponding portions of 12 M.R.S. § 685-A(8-A)(A) restated in Chapter 10, § 10.08(A)(1).

**Therefore, the Commission approves the petition of Maynard, LLC to rezone approximately 12 acres from a Residential Development (D-RS) subdistrict and approximately 70 acres from General Management (M-GN) subdistrict to a General Development (D-GN) subdistrict, as shown on the attached map, in Rockwood Strip Township (T1 R1 NBKP), Somerset County, Maine.**

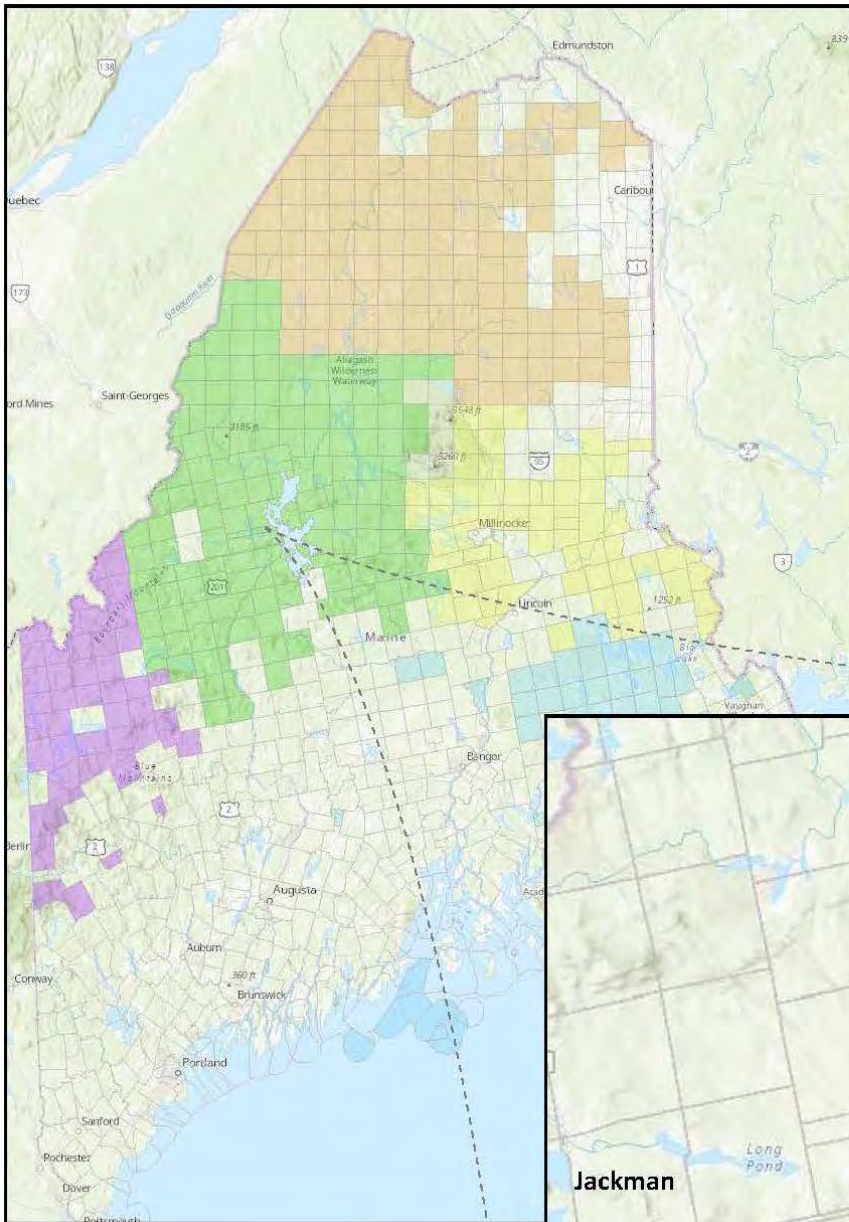
In accordance with 5 M.R.S. § 11002 and Maine Rules of Civil Procedure 80C, this decision by the Commission may be appealed to the Superior Court within 30 days after receipt of notice of the decision by a party to this proceeding, or within 40 days from the date of the decision by any other aggrieved person. In addition, where this decision has been made without a public hearing, any aggrieved person may request a hearing by filing a request in writing with the Commission within 30 days of the date of the decision.

**DONE AND DATED AT BREWER, MAINE, THIS 8<sup>TH</sup> DAY OF JULY 2026.**

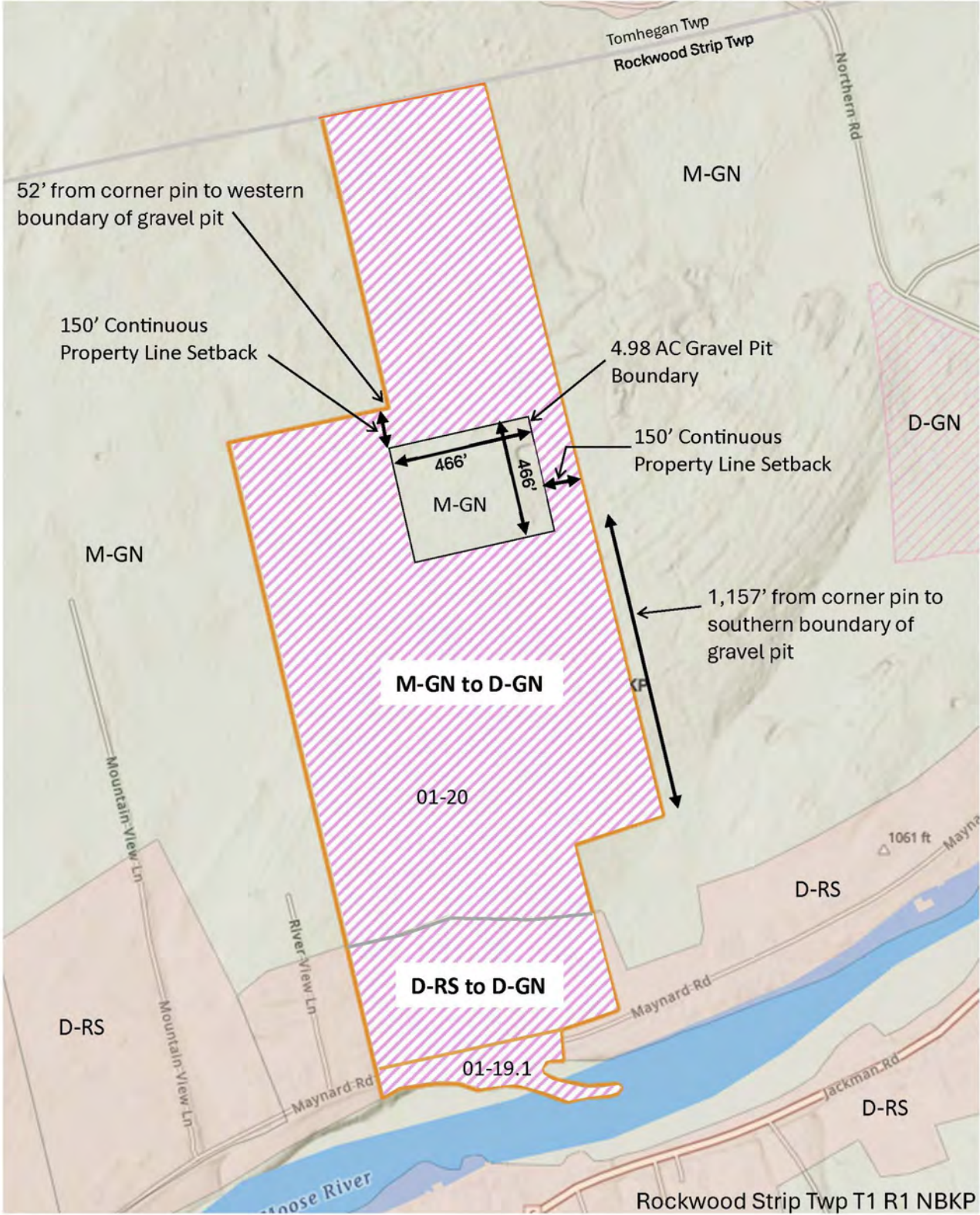
By: \_\_\_\_\_  
**Benjamin Godsoe, Acting Executive Director**



This change in subdistrict designation is effective on July 23, 2026.

# Locus maps



# ZP 805 – AREA REZONED



-  D-GN: General
-  D-RS: Residential

