# COMMENTS RECEIVED FOR PROPOSED CHAPTER 10 RULE REVISIONS

## ADOPTION OF THE RURAL BUSINESS DEVELOPMENT SUBDISTRICT IN WASHINGTON COUNTY

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

Published Date: September 27, 2017

Public Comment Deadline: October 30, 2017

*Comments Submitted:*

*Diane P. Griffith*

*Kim and Carl Zils*

*Lil and Dick Rollins*

*Lenora Viscardi, M.D.*

*Michael Smith*

*Maureen C. H. Sze, M.D.*

*Rob and Marcia Chaffee*

Rebuttal Comment Deadline: November 13, 2017

*Comments Submitted:*

*Judith Cooper East, Executive Director, WC COG*

141 Havenhurst Road
Trescott Twp., Maine 04652
October 16, 2017

Ms. Stacie R. Beyer
22 State House Station
18 Elkins Lane, Harlow Bldg.
Augusta, Maine 04333-0022

Dear Ms. Beyer:

An owner of property in Trescott Township since 1965, I have attended numerous meetings over the past two years led by Ms. Judy East, Executive Director of WCCOG. The purpose of these meetings was to determine the opinions of residents regarding possible zoning changes in Trescott. Those participating were confident that our input was appreciated and would be reflected in the upcoming revisions. I attended the presentation in Calais on September 13 and expressed my objections to Ms. East. She urged me to write within the 30-day Public Comment Period. Deadline Monday, October 30.

I for one am dismayed that the section applying to Trescott presented in the Draft Rule: Proposed Chapter 10 Revisions Extending Eligibility for Rural Business Development Subdistrict to Washington County, differed significantly from the opinions expressed by folks attending these meetings. None favored D-RB categories 2, and 3 zoning on Route 191, Dixie Road. In conflict with the stated Plan goal, D-RBs would not maintain the rural character of the region nor avoid significant visual, natural resource and fiscal impacts of unplanned growth! Attendees supported home businesses, allowed by present zoning, to be the only type of non-residential development permitted on this rural roadway. Some felt that a single Category 1 D-RB floating zone for 191, for "natural resource based Fun-recreational usage" be considered.

Trescott hosts a modest portion of the Bold Coast highway shown on the official Maine map offered to tourists. This scenic route is about 27 miles in length measured from 189 in Lubec to its East Machias terminus; it includes segments in four municipalities in addition to Trescott:

Lubec 4 miles, Trescott 4 miles, Cutler 12 miles, Whiting 2 miles, East Machias 5 miles.

Trescott has only 15% of the length of the Bold Coast highway and by far the least population. The scenic nature of this roadway is recognized as an important element in the Washington County tourist economy and should not be violated by commercial development of any kind. The other four towns have municipal centers and are more appropriate for D-RB zoning and code enforcement.

I ask that the Draft Rule be amended prior to final approval with deletion of D-RB floating zone categories 2 and 3.

Yours truly,

Diane P. Griffith

Diane P. Griffith

tedgriff@verizon.net 207-733-4909

Category 1 would include businesses that are natural resource-based, and may need to locate more remotely in order to be close to resource. 1/2 mile from road, 4000 sq. ft.

Category 2 would include retail, office and similar businesses. 1/8 mile from road, 2,500 sq. ft.

Category 3 would include manufacturing, construction, service and similar businesses. 1/4 mile from road, 20,000 sq. ft.

## Beyer, Stacie R

**From:** kim zils <dixieroad2700@outlook.com>
**Sent:** Monday, October 23, 2017 12:03 PM
**To:** Beyer, Stacie R
**Subject:** Trescott Township zoning

372 Dixie Road
Trescott Township, Maine 04652

Ms. Stacie R. Beyer
22 State House Station
18 Elkins Lane, Harlow Bldg.
Augusta, Maine. 04333-0022

October 23, 2017

Dear Ms. Beyer,

We strongly oppose the planned zoning changes concerning Trescott Township, especially the "Bold Coast Highway" portion of Route 191 between Cutler and Lubec, that are now being considered in the Draft Rule: Proposed Chapter 10 revisions extending eligibility for rural business development subdistrict to Washington County.

As one of the last undeveloped stretches of coastal Maine, this area deserves to be preserved and protected. We believe that the single category 1D-RB floating zone for Route 191, that being a "natural resource based fun-recreational usage" zone would be the better choice for our area, if zoning regulations need to be revised.

Please do the right thing and reconsider the zoning plans for Trescott Township. Industrial development does not have a place here and would have a detrimental and permanently negative effect on the overall image and character of this wild stretch of the "down east" Maine coast that locals love and tourists return for, year after year to experience and enjoy. Once it is gone, it is gone.

Respectfully,

Kim and Carl Zils

10/26/17

Re; Chapter 10 Adoption of the Rural Business Dev. Subdistrict in Piscataquis County

My wife and I have spent our summers in Trescott for over 30 years.
We are now in our eighty and most likely will not be spending many more years in this wonderful area.
For the sake of future Mainers that will get a chance to spend some time here we'll hope that development along Rte 191 will not take away from this beautiful area.
Some day it may be re considered as a site for a national park to be enjoyed by Mainers and tourists alike.

Yours Truly.

Sil & Dick Rollins
136 Havenhurst Rd
Trescott. Me

Winter Residents
30 Tossell St
Wakefield Ma
01880

Can be reached @ 781-462-8654.

Lenora Viscardi, MD
99 Havenhurst Rd
Trescott Twsp, ME
04652
seedrv@gmail.com

Ms. Stacie R. Beyer
22 State House Station
18 Elkins Lane, Harlow Bldg.
Augusta, Maine 04333-0022

Dear Ms Beyer,

10/14/17

I am a property owner/tax payer in Trescott Township. My family has owned and currently owns property in Trescott and Lubec for 52 years. I have been a summer visitor to the beautiful state of Maine since I was 4 years old. During that time, I have watch the slow, death spiral of the region that was once vibrant with businesses and industry.

I am writing in regard to the Draft Rule: Proposed Chapter 10 Revisions Extending Eligibility for Rural Business Development Subdistrict to Washington County.

My letter is brief but in support, 100%, of any plans that would bring businesses and ultimately jobs to this severely impoverished area.

Most of 191/Dixie Road is wooded with no view of the coast. There was a time, 50 years ago, when businesses did reside along Dixie Road. Breathing new life in this area with job opportunities would do wonders for the residents in this region.

Some of my neighbors along Havenhurst Road feel differently, believing any business established on Dixie Road might spoil their view (and it would not). Frankly, we are guest in your state, living here a few weeks to a few months a year. The arrogance to try to prevent residents of this impoverished region from having desperately needed jobs is unconscionable. As a tax paying property owner in this area, I will not stand in the way of meaningful employment coming to these people who are so in need.

Respectfully,

Lenora C. Viscardi, MD

Lenora C. Viscard, MD

October 28th, 2017

Dear Ms. Beyer:

I am a property owner and part-time resident of Trescott Township who, for more than a year, had been actively participating in the Commission's Community Guided Planning and Zoning Program. In writing this letter, it is my hope that I can convince the Commission to reject the WCCOG proposal designating Rt. 191 ("Dixie Road") as a transportation corridor along which "floating" D-RB zones of category 1, 2, or 3 can be established.

Upon first learning of this recommendation, I was quite upset and somewhat perplexed. Working with Judy East of the WCCOG, a small (but diverse and representative) number of Trescott residents regularly met to understand the intent and impact of proposed zoning changes and provide the planners with some sense of the attitudes and desires of local residents. In our discussions, all but one participant agreed that the kinds of development encouraged by the WCCOG in their final report (specifically, category 2 and 3 businesses) were inappropriate for that section of Rt. 191 passing through the township. Most were satisfied with current zoning regulations and did not support any adjacency rule change. Ultimately, a compromise was achieved, recommending the establishment of a single D-RB "floating zone" limited to a "Category 1" enterprise for the purpose of enhancing the recreational use of the area. Ms. East observed, "This is really no change at all." I could not agree more.

Our group understood that their output would represent only a very small part of the data relied on by planners to develop a regional plan. Too, we never doubted the sincerity of the planners to fulfill the Commission's mandate to consider the opinions of local residents in recommending revisions, yet the final recommendations were so very different from those considered acceptable to participants at our meetings, even to include considerations that were specifically rejected by them, that I wondered what the data was that supported those revisions. I learned at a commission hearing in Calais this summer that planners could not provide data specifically from Trescott supporting the planners' recommendations, but that an analysis of responses from throughout the county had. This would suggest that the decision to identify Rt. 191 as a road available for category 1, 2, or 3 D-RB development was made to satisfy another of the Commission's mandates, the promotion of consistency throughout the county.

I am not opposed to consistency in zoning and accept that it should be the "default" policy, but provisions must be made to allow exceptions for special circumstances and, I believe, Rt. 191 is such a case.

Rt. 191 (Dixie Road) travels along what has been described as the least-developed, privately owned coastline in the eastern United States and it is for that lack of development that this road is so very special. The section of road traversing Trescott represents the only open ocean coast included within the LUPC's jurisdiction. It is a small segment of road, only four miles, but within that distance one encounters spruce, fir, and birch forests, marshland, fields, beaver ponds, ocean

bay views, a working waterfront, public hiking trails, and one of the very few sand beaches in the state. I believe that concessions made by the planners to limit "floating zone" numbers and reduce the allowable height of structures along the road speak to their appreciation that this road is unlike others in the UT. Tourism and recreation represent the fastest growing and most likely opportunities for development in this township, and it is for roads like Rt. 191 that visitors arrive. Each year, the number of bicyclists and hikers grows, and it is unlikely that the addition of any commercial activity along this road, especially of the scale allowed by categories 2 and 3 D-RB designations, would improve its appeal. Those who participated in our Trescott meetings appreciated this fact, which was why they deemed it acceptable to allow for only one category 1 D-RB recreational business to be permitted along the route.

As said, we are considering a road of only 4 miles. Give the vast distances available in the county where development is appreciated and appropriate, it is hardly likely that restricting commercial development on this short stretch of road would significantly impact development opportunities in the region. However, commercial development along Rt. 191 could adversely affect the region's value as a tourist destination.

Not so very long ago, the LURC saw value in maintaining the rural nature of the UT and sought to control "sprawl" and development, in part, through the adherence to adjacency rules. These restrictions are now considered impediments to growth, but this should not negate the possibility that for some situations, the "old rules" may still be appropriate. I do not have access to the data that may suggest otherwise, but I am unaware of any compelling reason that Rt. 191 must be considered among those roads to be opened for commercial development.

It is largely through the efforts of the LURC, now the LUPC that Rt. 191 ("Dixie Road) has remained the natural treasure that it is and it is my wish that the Commission continues to protect the township as it had in the past. I ask that the Commission deny the recommendation by the Washington County Commissioners that Rt. 191 be rezoned to allow for the establishment of D-RB "floating zones" that include categories 1, 2, and 3.

Thank you for your consideration in this matter.

Sincerely,

Michael Smith

91 Havenhurst Road

Trescott Township, ME

(207) 733-2917

msmith4697@gmail.com

MAUREEN C. H. SZE, M. D.
6 Coachlight Ln
Portland, ME 04102-2254
207 - 871-7046

Sincerely
67 Havenhurst
Freeport Me
733-4942

Stacie R. Beyer
22 State House Station
18 Elkins Ln, Harlow Building
Augusta Me 04333-0022

Oct 23, 2017

Dear Ms Beyer:

I apologize for a hand written letter I don't type & my hand writing & spelling are not the best because I didn't come to this country until I was 12yrs old & hand writing - you know about M.D.'s

Every year starting in February I start to think about coming up to Havenhurst Rd in Freeport. It is a 5 hour drive from Portland. I start out on urban area, lots of houses & construction to my camp off 191. It is a scenic route for me Many times I go through Cutler to almost Boot Cove Rd. The stretch of road from 191 from East Machias to Rt 189 is beautiful I hope you can keep it unspoiled. It nurishes my soul & gives me tranquility There are lots of buildings that needs to be refurbished/reused Maybe that could be used to help with the economic development of Washington County. Just keep a few roads that has made Maine famous for its beauty.

Hope you can read this & put it in the mix when decisions has to be made

Sincerely

Maureen Sze

October 20, 2017

Betsy Fitzgerald, Vice Chair, Maine Land Use Planning Commission

Washington County Offices, 85 Court Street,Machias, ME 04654

Dear Ms Fitzgerald,

We have owned our home in South Trescott since 1973 and upon our retirement have resided there year round for five years. We live on Dixie Road, Rt 191 which has a 4-mile stretch in Trescott between Lubec and Cutler. This road has been designated as a Scenic Byway. Over the years we have deeply become engaged and bonded with our neighbors.

We attended several meetings over the past two years led by Ms. Judy East, Executive Director of WCCOG. The purpose of these meetings was to determine the opinions of residents regarding possible zoning changes in Trescott. We were assured that our input was appreciated and would be reflected in the upcoming revisions. Much to our disappointment and surprise, community input is not reflected. Instead it appears that a one-size fits all has been the outcome.

Regarding the section applying to Trescott presented in the Draft Rule: Proposed Chapter 10 Revisions Extending Eligibility for Rural Business Development Subdistrict to Washington County, differed significantly from the opinions expressed by folks attending these meetings. No one favored D-RB categories 2, and 3 zoning on Route 191, Dixie Road. In conflict with the stated Plan goal, D-RBs would not maintain the rural character of the region nor avoid significant visual, natural resource and fiscal impacts of unplanned growth. Attendees supported home businesses, allowed by present zoning, to be the only type of non-residential development permitted on this rural roadway. Some felt that a single Category 1 D-RB floating zone for 191, for "natural resource based Fun-recreational usage" be considered.

Trescott has short portion of the Bold Coast highway shown on the official Maine map offered to tourists. This scenic route is about 27 miles in length from 189 in Lubec to its East Machias terminus. Trescott has only 15% of the length of the Bold Coast highway and by far the least population. The scenic nature of this roadway is established as an important aspect in the Washington County tourist economy and should not be violated by commercial development of any kind. The other four towns have municipal centers and are more appropriate for D-RB zoning and code enforcement.

We request that the Draft Rule be amended prior to final approval with deletion of D-RB floating zone categories 2 and 3. If this can be accomplished for only the scenic byway Rt 191, then that would be fine as well. This would represent the input from the community at the meetings.

Yours respectfully, Marcia G. Chaffee Rob Chaffee

Rob and Marcia Chaffee, 7 Jones Rd, Trescott TWP,ME 04652

mgch@earthlink.net. 733 2561

## Beyer, Stacie R

**From:** Judy East <jceast@wccog.net>
**Sent:** Monday, November 06, 2017 4:52 PM
**To:** Beyer, Stacie R
**Subject:** Rebuttal comment for Rural Business Development SubDistrict in Washington County

Hi Stacie,

I have read the public comments submitted to date as part of the Public Comment process for the adoption of a Rural Business Development SubDistrict in Washington County and offer the following comment.

If the Commission was to consider limiting the Rural Business Development Subdistrict to only allow Category 1 businesses along Route 191 in Trescott - as proposed in several comments - I would like to propose that the definition of Category 1 Rural Business be revised to include commercial fishing. This use was not specifically included when the Category 1 Natural Resource-based business definition was developed in Aroostook County, for obvious reasons.

However in coastal Washington County, and in a community like Trescott in particular, commercial fishing is an integral part of the Natural Resourced-based economy. This seems like a good opportunity to address this limitation on the existing definition.

Thank you for all of your help with this process. It is a pleasure working with you and all of the LUPC staff.

Judy

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Judith Cooper East, AICP
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