

Appendices



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Appendix A

Definitions



The definitions, below, apply to the following terms as they appear in this Plan. Refer to 12 M.R.S.A., § 682 and the Commission’s Land Use Districts and Standards (Chapter 10) for complete list of terms defined by law and rule.

Access:

The ability to travel to a specific area on foot or by vehicle. "Public access" is the ability for the public to reach areas within the Commission's jurisdiction on foot or by vehicle. By Maine law, anyone on foot has a right of access over unimproved land to great ponds.

Biodiversity:

The variety of all forms of life at its various levels of organization — species and their constituent populations and genetic diversity, communities and ecosystems, and the processes by which all of these interact.

Commercial Sporting Camp:

"A building or group of buildings devoted primarily to the offering of lodging facilities for a fee to persons primarily in pursuit of primitive recreation or snowmobiling". 12 M.R.S.A., § 682(14)

In addition, for the purposes of the application of the Commission’s rules, the term “commercial sporting camp” shall be construed according to the following: A facility which functions primarily as a destination for the above activities rather than a transient lodging facility or a base of operations for activities in another location, such as whitewater rafting. A sporting camp is usually located in a remote location and may typically consist of, but not necessarily include, all of the following: a number of cabins for the housing of guests including housekeeping cabins; a main lodge for serving of meals and socializing for the guests; outbuildings for housing of the owners, guides, and other workers; workshop, woodsheds, laundry, equipment storage, and other utility buildings as needed. Outpost cabins are considered a part of the commercial sporting camp. A resident, on-site attendant must be available on a full-time basis to meet the needs of guests. Such a facility shall have a total floor area no greater than 10,000 square feet for all principal buildings associated with the facility. Section 10.02 of the Commission's Land Use Districts and Standards.

Fringe:

Those towns, plantations, or townships within the Commission's jurisdiction which are contiguous with Maine towns which have local land use control.

Intensive Recreation:

A recreational land use which involves relatively high levels of use and requires structural development or more than minimal land alteration. These uses are characterized by potentially substantial impacts on traffic, the natural environment and the surrounding area and include such activities as whitewater rafting and downhill skiing.

Jurisdiction:

All unorganized and deorganized townships, and plantations and organized towns that do not implement their own land use controls, except Indian reservations.

Multiple Use:

The judicious management of all the various resources for timber production, outdoor recreation, watershed protection, fish and wildlife protection, mineral extraction and other private and public purposes.

Multiple use may involve: (1) different uses of adjacent subareas, (2) alternation through time of different uses on the same area, or (3) more than one use of an area at one time. In the first two methods, direct competition between uses is avoided by alternating them in space and time. Where uses occur in the same space at the same time, conflicts between resource uses may occur. In this case, multiple use is more correctly interpreted as a dominant use with secondary uses integrated insofar as they are compatible.

Non-intensive Recreation:

A recreational land use which usually involves relatively low levels of use and requires minimal structural development or land alteration. These uses are characterized by minimal impacts on traffic, the natural environment and surrounding areas and include such activities as hiking, hunting and fishing.

Organized Areas:

Organized municipalities outside of the Commission's jurisdiction that have established local governments and administer their own local land use controls. This term does not include organized towns within the jurisdiction that have elected not to administer land use controls locally.

Primitive Recreation:

"Those types of recreational activities associated with non-motorized travel, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing". Section 10.02 of the Commission's Land Use Districts and Standards.

Remote:

Distant from permanently settled areas within Maine.

Remote Camp:

"A dwelling unit consisting of not more than 750 square feet of gross floor area, that is not served by any public utilities, except radio communications." Section 10.02 of the Commission's Land Use Districts and Standards.

Remote Campsites:

"Campsites which are not part of commercial campgrounds and which are characterized by their remoteness, limited scale, dispersed nature, and limited usage. More specifically, remote campsites include sites which:

- a. are designed to be accessible and generally are only accessible by water or on foot;
- b. are comprised of not more than four individual camping areas designed for separate camping parties, and are designed for a total of not more than 12 overnight campers;
- c. have permanent structures limited to privies, fireplaces or fire rings, picnic tables, and picnic table shelters consisting of a roof without walls; and
- d. require no other construction or grading and only minimal clearing of trees."

Section 10.02 of the Commission's Land Use Districts and Standards.

Rim Region:

Oxford, Franklin, Somerset, Piscataquis, Aroostook and Washington Counties. It includes some areas that are not in the jurisdiction and excludes some that are (principally in Penobscot County).

Rural Community:

A sparsely developed community where the land is primarily used for forest, agricultural and/or recreational purposes.

Service Centers:

Organized municipalities that provide a majority of the state's jobs, commercial activity, and social resources, such as higher education and health care. The Maine State Planning Office identifies service centers based on a methodology that evaluates level of retail sales, jobs-to-workers ratio, amount of federally assisted housing, and number of service sector jobs.

Traditional:

Conforming to customs which have passed from generation to generation.

Wilderness:

As defined by the National Wilderness Act of 1964, "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." Little of the Commission's jurisdiction falls within this definition.

Wildlands:

A term which has commonly been used to describe the Commission's jurisdiction. A term which is not synonymous with wilderness nor is it intended to imply that the area is not under active forest management.

Appendix B

Rivers with Special Protection Zoning



Recreation Protection (P-RR) Subdistrict



(Usually, a 250-foot wide zone along each shore)

Allagash River: Twin Brooks to Churchill Dam

- > Musquacook Stream: Allagash River to Third Musquacook Lake
- > Chemquasabamticook Stream: Long Lake to Ross Lake
- > Allagash Stream: Chamberlain Lake to South Branch

Aroostook River: East boundary of T09 R07 WELS to Millinocket Stream

- > Big Machias River: East boundary of T11 R07 WELS to Millinocket Stream
- > Millinocket Stream: Aroostook River to Millinocket Lake
- > Munsungan Stream: Aroostook River to Little Munsungan Lake
- > St. Croix Stream: Masardis town line to Hall Brook

Dead River: Kennebec River to upstream end of Big Eddy

Dennys River: Edmunds Village to Township 14/Cooper boundary (south and west shore only)

East Machias River: Sections in T18 ED, T19 ED and Township 14, including Maine River

Kennebec River, Upper: 0.5 mile above Dead River to Harris Dam

Machias River: Northfield town line to Fifth Machias Lake, including Fourth and Fifth Lake Streams

- > Old Stream: Sections in T25 MD, T31 MD, and T37 MD to First Lake
- > Mopang Stream: Machias River to Mopang Lake
- > West Branch: Machias River to Lower Sabao Lake

Moose River: Attean Pond to Number One Brook

- > Holeb Stream: Moose River to Holeb Pond

Narraguagus River: Beddington town line to Eagle Lake

Penobscot River, East Branch: East Millinocket town line to Mattagamom Road, excluding sections zoned P-RP and east shore below Grindstone Falls

- > Sebeois River: Penobscot River to Snowshoe Lake
- > Wassataquoik Stream: Penobscot River to Baxter State Park
- > Webster Brook: Baxter State Park to below Telos Dam
- > Sawtelle Brook: Sebeois River to Sawtelle Deadwater

Penobscot River, West Branch: Chesuncook Lake to Seboomook Lake

Pleasant River: Columbia town line to Beddington town line

St. John River:

- > Big Black River: St. John River to Canadian border
- > Northwest Branch: St. John River to Canadian border
- > Southwest Branch: St. John River to five miles downstream of Canadian border

West Branch Pleasant River: Brownville town line to second West Branch Pond, excluding developed areas at Katahdin Iron Works and Little Lyford Pond Camps

*Special River Transition Protection (P-RT)
Subdistrict*



(250 feet wide along each shore)

Aroostook River: Section in Oxbow Plantation, T10 R06 WELS and T09 R05 WELS

Big Machias River: Section in Garfield Plantation

Appendix C

The Commission's Lake Management Program

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In June of 1990, the Land Use Regulation Commission amended its 1983 *Comprehensive Land Use Plan* by adopting a document entitled, *Amendment of the Comprehensive Land Use Plan Regarding the Development and Conservation of Lakes in Maine's Unorganized Areas*. Concurrently, it adopted changes to its Land Use Districts and Standards which implemented several components of the comprehensive lake management program presented in the Plan Amendment.

Major features of the Commission's 1990 lake management program are reflected in the Water Resources section of this Plan, but some of the background information and other important details were too lengthy to include in the body of this plan. Because of the importance of this planning effort, the entire text of the original Amendment is reproduced here with appropriate changes to update the text. The Commission reaffirms its commitment to its lake management program as summarized in the Water Resources section and detailed below, and it will continue to follow the guidance provided below in managing the lake resources in its jurisdiction. At the same time, the Commission recognizes that periodic reviews were anticipated when the program was first adopted, and that having been in place for nearly 20 years, an evaluation of the program is warranted to ensure that it continues to respond to changing needs in a comprehensive manner.

A. PURPOSE OF AMENDMENT

This amendment to the Comprehensive Land Use Plan incorporated two major planning initiatives undertaken by the Commission — the *Wildlands Lake Assessment* and Lakes Action Program — as well as more current information regarding the relationship between land use and water quality.

B. LAKE ISSUES

The unorganized territories are host to a wealth of lake resources unparalleled in most regions of the nation. These lakes have long been a magnet for sportsmen and outdoor enthusiasts. In recent years, demand for recreational property has grown substantially throughout the northeastern United States. Land costs along Maine's coast have increased dramatically and lake-front properties in areas near population centers have in many cases become saturated with recreational camp development. Seeking both affordable property and a less crowded atmosphere, many people desiring to purchase waterfront property have turned their attention to the recreational opportunities offered by lakes in Maine's unorganized territories.

The demand for development on lake shorelands within Maine's unorganized areas in the 1980s was unprecedented. At virtually every Commission meeting, the Commission considered one or more issues relating to lakes and lake shorelands. Typical development proposals included those for new residences or additions to existing structures, docks and related recreational facilities, subdivisions, and roads. All told, between 1986 and 1988, approximately one-third of all building and development permit applications within the jurisdiction involved lakes. Subdivision applications appeared to be even more heavily weighted toward lakes; upwards of fifty percent of all subdivision applications over those three years involved areas adjacent to lakes. With its expansion both in volume and distribution, lakeshore development had significant potential to affect important natural values, timber harvesting, and traditional uses associated with lakes, such as sporting camps, in the unorganized territories.

While there seemed to be interest in shoreland development on lakes throughout the jurisdiction, there was a trend toward development on medium- to large-sized lakes located near organized townships. In the early 1980s, development attention focused on three main areas: the Rangeley Lakes, the Moosehead Lake region, and the Pemadumcook/Twin Lakes region. In northern Maine, interest in camp development was also evident in the Square, Cross, and Long Lakes region.

While some of the development proposals brought before the Commission were straightforward and non-controversial, an increasing number involved issues that were not easily resolved. Difficult issues that continually confronted the Commission included:

- Camp development on undeveloped lakes;
- Increased vehicle access to undeveloped, backcountry lakes;
- Subdivision development on larger lakes with significant natural, scenic, and recreational values;
- Protection of significant natural resource features outside of designated protection zones;
- Continued development on heavily developed lakes or on lakes with potential water quality problems; and
- Development of private recreational facilities such as docks and access roads where these already exist at other locations on the lake.

The Commission had at its disposal a variety of tools that could be used to regulate use of lake shorelands. These included protective zoning for sensitive areas and code requirements governing setbacks, road construction, timber harvesting, and subdivision of land. While these tools had proved sufficient to manage individual developments, they did not provide the means to effectively plan for the future of these lakes.

Due in part to their numbers, and in part to their remote locations, little information had been available for most lakes in the unorganized territories. This lack of information, and the inadequacy of the existing regulatory framework to deal wisely and comprehensively with lakeshore development, was noted in the 1983 Comprehensive Plan. In fact, the plan highlighted lake protection issues as needing further consideration.

The Commission has always made a special effort to provide for shoreland development while maintaining protection of significant natural values. Nonetheless, in the mid-1980s, faced with the increasing demand for lakefront property, the Commission acknowledged the danger that, even with minimum standards, lakes in its jurisdiction might, by attrition, lose the very character that makes them so unique. In evaluating its lake management goals, the Commission identified five basic needs: 1) the need for additional protection for lakes with exceptional values; 2) the need for a mechanism to guide lakeshore development toward lakes best suited to accommodate it; 3) the need for consistent, reliable, and readily accessible natural resource and land use information; 4) the need for a clearly stated lakes policy; and, 5) the need for a coordinated program to implement this policy.

The *Maine Wildlands Lake Assessment* and Lakes Action Program were initiated to meet these needs. In undertaking these initiatives, the Commission acknowledged that it had not yet "fulfilled all of its responsibilities to assure that the public interest in these unusual resources is protected" (*Maine Wildlands Lake Assessment Work Plan*, 1986).

C. SUMMARY OF LAKE PLANNING EFFORTS

Wildlands Lake Assessment

The *Maine Wildlands Lake Assessment* was initiated in 1986 to establish a systematic base of natural resource and land use information on all lakes within the Commission's jurisdiction. The study considered all lakes with a surface area of ten acres or more. Approximately 1,500 lakes met this size requirement. Smaller lakes were added when these were found to possess especially noteworthy natural resource values.

Based on methods presented in the *Maine Wildlands Lake Assessment Work Plan*, information was collected on the following natural resources:

- Fisheries
- Scenic quality
- Botanic features
- Physical resource
- Wildlife
- Shoreline character
- Cultural resources

Lakes that possessed "significant" or "outstanding" resource values in any of these areas were identified, and each lake was placed into one of the following four resource classifications based on its cumulative resource significance:

- › Lakes of statewide significance with multiple outstanding natural values, categorized as Resource Class 1A (114 lakes);
- › Lakes of statewide significance with a single outstanding natural value, categorized as Resource Class 1B (211 lakes);
- › Lakes of regional significance (one or more significant ratings), categorized as Resource Class 2 (577 lakes);
- › Lakes of local or unknown significance, categorized as Resource Class 3 (627 lakes).

The study also collected information pertaining to land and water uses, including:

- › Access
- › Zoning
- › Water level fluctuation
- › Proximity to services
- › Shoreline development
- › Ownership
- › Public water supply

The completion of the Assessment in June of 1987, served only to highlight the need for further action — to develop measures to protect exceptional resource values associated with lakes and to guide development to the most appropriate areas.

Lakes Action Program

Following completion of the Wildlands Lake Assessment, the Commission appointed a Lakes Policy Committee. The committee, which included representatives from major landowners, statewide environmental and sportsmen's organizations, the University of Maine, and the Commission, was charged to:

- (1) Develop a proposal for a policy that might guide future Commission lake management decisions, and
- (2) Identify specific actions that should be taken to implement this proposed policy.

The actions identified by the committee were ultimately consolidated into a proposed lake action program. Public meetings were held in the fall of 1988 to discuss the proposal. *An Action Program for Management of Lakes in Maine's Unorganized Areas* was accepted by the Land Use Regulation Commission in January of 1989.

The Lakes Policy Committee sought a balanced approach to lake conservation and development, and recommended to the Commission a variety of innovative regulatory and non-regulatory lake management techniques, including policy guidance, special review criteria for lake development, lake concept plans, lake management classifications, and other public and private efforts.

Other Initiatives

The Commission also recognized the need to update its approach to review of impacts on water quality. To meet this need, Commission staff worked with DEP to develop a systematic approach that more accurately reflects the current level of knowledge about the relationship between land use and lake water quality. Additional rule-making changes was necessary to implement this approach when it was finalized.

Understanding of the impacts of clearing and development activities on water quality and riparian habitat has increased dramatically in recent years. In keeping with this improved understanding, IF&W and the Lakes Division of DEP recommended stronger standards to minimize the impacts of these activities on water quality and riparian habitat. In response to these recommendations, the Board of Environmental Protection adopted new standards governing minimum shore frontage, building setback, and clearing for development which have been applied to shoreland in organized towns. To maintain consistent environmental policies throughout the state, the Commission enacted comparable standards in its jurisdiction.

D. POLICY AND IMPLEMENTATION MEASURES

The Land Use Regulation Commission seeks a balanced and environmentally sound approach to lake conservation and development that:

- (1) Conserves important lake-related natural resource values;
- (2) Protects water quality;
- (3) Accommodates reasonable shoreland development and harvest of timber;
- (4) Provides a diversity of public recreation opportunities; and
- (5) Encourages continued use of the unorganized territories for the principal purposes of fiber and food production, non-intensive outdoor recreation, and fisheries and wildlife habitat.

To meet these goals, the Commission has undertaken the lake management program outlined below as part of its overall commitment to guide development and resource conservation on the shorelines of the more than 3,000 lakes and ponds in Maine's unorganized areas.

Policy Guidance

The Commission will seek a balanced approach to shoreland development and conservation, one which recognizes public and private needs, supports the integrity of large forest holdings, and provides opportunities for creative, non-traditional shoreland development and conservation. The Commission proposes to regulate development based on lake-related natural features and values identified in the *Wildlands Lake Assessment*, guiding development toward those lakes or lake areas best suited to absorb new development, while restricting use of certain high value lakes. As a general planning guideline, the Commission will seek to ensure that development on lakes will remain below an average of one dwelling unit per 400 feet of shore frontage, and one dwelling unit per ten acres of lake surface area. These guidelines are designed to preserve the natural character of lakes in Maine's unorganized territories and to prevent conflicts between incompatible uses.

Review Criteria for Shoreland Permits

The Commission reviews all applications to determine whether they meet statutory criteria regarding technical and financial capability, traffic and circulation, soils, and environmental fit. Of these four decision criteria, "environmental fit" is often the most difficult to assess. In order to increase predictability regarding the assessment of environmental fit, the Commission has identified the following seven areas which it will review as a guide for determining whether adequate provision has been made for fitting subdivisions and commercial, industrial, and other non-residential structures on lakes harmoniously into the existing natural environment. The same review will be applied to rezonings that precede such proposals on lakes.

- **Natural and Cultural Resource Values:** The Commission will utilize the findings of the *Wildlands Lake Assessment* and other information sources in evaluating the merits of lake-related development. The Commission will, at a minimum, specifically consider all natural resource values that received a rating of either "significant" or "outstanding" in the Assessment, and will look for a demonstration that these values will be maintained.
- **Water Quality:** The Commission will give specific consideration to the effect that a proposed development will have on lake water quality. For proposed development on lakes, the Commission will require a finding regarding the probable effect of the proposed action on lake water quality. In those instances where it is determined that an unacceptable increase in phosphorus concentration may occur, the applicant will be required to take additional measures to protect lake water quality. If unacceptable water quality degradation will result regardless of additional measures, the Commission will deny the application.

Independent of its review of specific proposals, the Commission will initiate actions aimed at refining its approach to evaluating lake water quality. This will include updating its approach to identification of water quality limiting lakes and switching to a one part per billion change in phosphorus concentration as an indicator of unacceptable water quality degradation, consistent with DEP's policy for the rest of the state.

- **Traditional Uses:** The Commission will consider the effect of lake-related development proposals on traditional uses, including non-intensive public recreation, sporting camp operations, timber harvesting, and agriculture, and will seek to ensure that such proposals do not have an undue adverse effect on these uses.
- **Regional Diversity:** The Commission will consider lake-related development proposals in a regional context. The objective will be to determine the effect of substantial land use changes on the diversity of lake-related uses afforded in any region of the jurisdiction. The Commission will make this determination based on a summary of existing lake shoreland uses in the region of the State where the proposed development will be located. The region is considered to be either the township in which the development will be located and the eight townships which abut that township, or, all townships abutting the lake in question, whichever is larger.
- **Natural Character:** The Commission will seek to maintain the natural character of lakes by encouraging: visual screening of larger developments and non-conforming structures; consolidated use of recreation facilities such as boat docks and access ramps; and provisions

for long-term protection of undeveloped shoreland as part of subdivisions and commercial, industrial, and other non-residential proposals.

Independent of its review of specific proposals, the Commission will adopt stronger shore frontage, setback, and clearing standards in order to maintain the natural character of lake shorelines in the jurisdiction.

- **Lake Management Goals:** In reviewing development proposals on or near lakes which fall into one of the Commission's seven lake management classifications, the Commission will seek to ensure that the proposed activity is consistent with the stated management intent for that class of lake.
- **Landowner Equity:** In certain instances, the amount of future development along a given lake's shoreline may need to be restricted due to water quality or other limitations. This can potentially cause an equity problem in that a landowner not wishing to develop his or her land in the short term could be precluded from developing at a later date due to heavy development on other parcels.

A landowner should not be penalized for voluntarily foregoing early development on lakes where development is otherwise allowed. In cases where future development may be restricted, each landowner should be allotted a percentage of allowable future development proportionate to the extent of his or her ownership. Where a landowner proposes to exceed this proportion, development rights should be acquired from other landowners.

Concept Plans

The Commission established the "lake concept plan" as a flexible alternative to traditional shoreland regulation, designed to accomplish both public and private objectives. Since originally establishing lake concept plans in 1990, the Commission amended its rules for the Resource Plan Protection (P-RP) Subdistrict in 2000, thereby allowing the development of concept plans for other land areas and resources in addition to lakes.

Concept plans are landowner-created, long-range plans for the development and conservation of a large block of land on a lake or group of lakes or other specified resources. The plan is a clarification of long-term landowner intent that indicates, in a general way, the areas where development is to be focused, the relative density of proposed development, and the means by which significant natural and recreational resources are to be protected. A concept plan does not require the detailed technical information associated with a site-specific development plan and does not take the place of such plans.

A concept plan can be prepared for a lake, a portion of a lake, a group of lakes, or other lands and resources. The plan is initiated by the landowner or landowners and must be approved by the Commission.

The goal of concept planning is to encourage long-range planning based on resource characteristics and suitability as an alternative to haphazard, incremental development. The planning process necessary to prepare a plan encourages landowners to chart the future of their lake shorelands and other lands and resources in a manner that is thoughtful and forward-looking. The landowner gains from the insight obtained in preparing the plan, from expanded flexibility in making land management decisions, and from increased predictability regarding Commission actions. The public gains from the improved planning that results from

comprehensive evaluation of recreational and natural resources, from provisions for the long-term protection of resources, from greater knowledge of future development patterns, and from the increased predictability of the development review process.

While concept plans are voluntary, initiated and prepared by the landowner, once approved by the Commission, they are binding. The Commission encourages the use of concept plans by its commitment to expedite the permitting process for approved plans and to consider adjusting certain standards, such as the adjacency criterion, provided any such relaxation is matched by comparable conservation measures. Concept plans may not be used to relax requirements associated with Management Class 1 or Class 6 lakes. A concept plan may be used to seek a variation of the density standard for Class 2 lakes. Such variation will be granted only where it can be demonstrated by clear and convincing evidence that the plan is fully protective of the lake's special values and is consistent with the Commission's management intent for the lake.

Basic Requirements

A concept plan must be responsive to the Commission's policy guidelines for management of lakes and various resources in Maine's unorganized areas. With regard to lakes, a concept plan must give consideration to natural and cultural values identified in the *Wildlands Lake Assessment*, and be responsive to the Commission's intent to protect those lakes identified in the Maine Wildlands Lake Assessment as warranting special management consideration.

In general, a plan should identify: (1) all areas where new, lake- and other resource-related development is to be located; (2) resource values or shoreland areas that are to be protected; (3) mechanisms that will be used to conserve important resources or areas; and (4) the life span of the plan.

The emphasis and level of detail of a plan may vary depending on whether the plan is proposed for a single lake, a cluster of lakes, or an entire large ownership. At the option of the plan preparer, a detailed description of one or more development proposals may be submitted as a component of the plan.

Public Input

Plan preparers are encouraged to provide avenues for interested parties to offer input during the development of the plan. The Commission will provide opportunity for public review of proposed plans. Notice that the Commission has received a proposal for a concept plan will be given to interested parties including affected landowners and a public review and comment period will be established. Upon request by five or more people, or when desired by the Commission, a public hearing will be held.

Plan Approval

Concept plans are implemented through the Resource Plan Protection (P-RP) Subdistrict. In order to approve a concept plan, the Commission must find that the proposed plan conforms with the Commission's lake policies and lake program guidelines or other applicable resource policies, is feasible, and is compatible with other public and private interests. It must also find that the plan strikes a reasonable and publicly beneficial balance between development and conservation of lake and other resources, and that, taken as a whole, the plan is at

least as protective of the natural environment as the development, management, and protection subdistricts which it affects.

When a plan has been approved, the concept plan will be incorporated into the Commission's regulatory framework through appropriate changes to existing zoning. To accomplish the comprehensive planning objective of concept plans, the width of zones should generally be designed to encompass all lake- and other resource-related development planned for the area over the life of the concept plan, or 500 feet, whichever is more.

Plan Amendment and Termination

A time span for each plan will be established. Ten years will be the minimum period, but concept plans of less than twenty years duration will be discouraged if such plans propose significant deviations from existing standards. A plan may be extended beyond the designated time period upon mutual agreement of the landowner(s) and the Commission.

To adapt to changing circumstances, plans can be amended or terminated at any time subject to mutual agreement between the landowner(s) and the Commission and following public notice of the proposed Amendment. While proposals for amendment or termination may be initiated by either party, the Commission will be conservative in exercising this option. To ensure good planning, proposals for lake- or resource-related development proximate to a lake or other resource covered by a concept plan should be pursued through an Amendment to the concept plan. Amendments must be consistent with the intent of the original plan.

To maximize predictability, the plan shall stipulate all conditions associated with termination of the plan, such as the status of any development that was approved as part of the plan but was not initiated during the life of the plan. Upon the plan's termination, the Commission will, in conformity with its comprehensive plan, statutes, and standards, designate appropriate zoning which is consistent with zoning of equivalent areas. Any development or relaxation of regulations which took place as part of a concept plan cannot be used to justify subsequent rezonings, meet adjacency requirements, or otherwise alter zoning at any time in the future.

In the event that a plan is terminated, all transactions initiated as a component of the plan, such as the granting of conservation easements or creation of restrictive covenants on subdivided lands, will continue to apply to the extent that they are covered by legal contract or deeded covenants.

Lake Management Classes

The Commission recognizes six specific lake classifications for special planning and management purposes. Lakes are classified based on natural and other resource values and land use characteristics identified in the *Wildlands Lake Assessment*. Specific descriptions of the criteria for each classification, as well as lists of the lakes in Management Classes 1 through 6, can be found below. Those lakes which are not included in one of these six classes are considered to be Management Class 7.

- **Management Class 1** lakes are high value, least accessible, undeveloped lakes. It is the Commission's goal to preserve the best examples of these pristine lakes in their natural state by prohibiting development within 1/4 mile of their shores and restricting permanent vehicular

access to these lakes. Existing timber harvesting standards are currently considered sufficient to protect the values associated with these lakes from forest management activities.

A number of lakes that meet the criteria for Management Class 1 are not designated as such because they are already protected through remote pond zoning. These lakes are identified below.

- **Management Class 2** lakes are high value, accessible, undeveloped lakes. The Commission intends to conserve the special values of these lakes by significantly restricting the density and intensity of development to one development unit per mile of shoreline. These restrictions will be applied to the area within 500 feet of the lakeshore to enable the Commission to regulate back lot development which could affect the lake's special values and is consistent with the management intent of the lake. Variation of density requirements may only be sought as part of a concept plan which is demonstrated by clear and convincing evidence to be fully protective of the special values associated with the lake.
- **Management Class 3** lakes are those lakes identified in the Appendix considered by the Commission to be potentially suitable for development based on available information on water quality, access, conflicting uses, shoreland availability, water level fluctuation, location, regional considerations, and special planning needs. Soils were not considered in the designation of these lakes due to lack of information, and may affect the appropriateness of this designation for some lakes. The Commission supports additional responsible development around Class 3 lakes, yet will take care to ensure that their significant natural resource values are conserved. The Commission will waive the adjacency criterion for development proposals on these lakes provided it can be demonstrated to its satisfaction by clear and convincing evidence that the lake has no existing or potential water quality problems and that soils are suitable for development. This waiver is strictly limited to shoreland, and proximate areas may not subsequently use shoreland development on Class 3 lakes to meet the adjacency criterion.
- **Management Class 4** lakes are high value, developed lakes. The Commission's goal for these lakes is to allow a reasonable level of residential and recreational development while conserving natural resource values and maintaining undeveloped shoreland areas. The Commission will take special care in evaluating and regulating new subdivisions proposed on these lakes and will require cluster development to protect natural values except where clearly inappropriate due to site characteristics.
- **Management Class 5** consists of heavily developed lakes. The Commission seeks to maintain natural qualities associated with these lakes, enhance scenic values, and retain some undeveloped shoreline by requiring cluster development on these lakes except where clearly inappropriate due to site characteristics. The Commission has identified lakes approaching heavily developed status and will pursue similar goals on the lakes.
- **Management Class 6** lakes are remote ponds – inaccessible, undeveloped lakes with coldwater game fisheries. The Commission intends to continue to prohibit development within 1/2 mile of these ponds to protect the primitive recreational experience and coldwater lake fisheries in remote settings.
- **Management Class 7** consists of all lakes not otherwise classified, including many lakes which have multiple outstanding or significant resource values identified in the *Wildlands Lake Assessment*. The Commission will manage these lakes for multiple use, including resource

conservation, recreation, and timber production, giving specific consideration to identified resource values when evaluating the merits of lake-related rezoning and permit applications. It is the Commission's intention that the majority of these lakes remain in Management Class 7 and be managed under applicable requirements.

The Commission will consider reclassification of lakes within certain prescribed limitations. In cases where clear evidence of factual error indicates that a lake was misclassified, it will be reclassified to the appropriate class. Notwithstanding the above, changes in land use characteristics that occur after November 17, 1988, including without limitation, vehicle access and residential development will not be considered in future reclassifications. It is the Commission's intent to hold public hearings on all rule-making proposals involving proposed reclassifications.

The Commission has found that, in a few special cases, Management Class 3 criteria are not sufficiently refined for properly managing large lakes that are appropriate for a mix of conservation and development and which are or are likely to be under intensive development pressure. Moosehead Lake and the Rangeley Lakes, specifically Aziscohos, Mooselookmeguntic, and Upper and Lower Richardson, are considered to be such special cases. These lakes will be placed in Management Class 7 until comprehensive plans are developed to more specifically guide future growth in these areas. The Commission envisions that such plans will be substantially complete within 5 years.

Some lakes classified in Management Classes 1 through 6 abut other jurisdictions – either organized towns or Canada. The Commission should work cooperatively with other jurisdictions fronting on these lakes and encourage them to develop programs that are compatible with and comparable to LURC's lake management program. If comparable regulations are not implemented by abutting jurisdictions within a reasonable period of time, the Commission may choose to reconsider affected lakes' classification.

Other Public and Private Initiatives

The Commission encourages state agencies, landowners, and others to undertake actions that are consistent with and supportive of the Commission's lake management goals. Toward this end, the Commission: encourages interagency cooperation and coordination that furthers its lake management program; encourages non-regulatory measures that promote long-term conservation of important lake areas; supports measures to provide incentives for landowner conservation of important natural resources such as lake shorelands; and, encourages responsible shoreland use through camp owner education programs.

E. PERIODIC UPDATE OF LAKE MANAGEMENT PROGRAM

It is the Commission's intention that its lake management program be periodically evaluated to ensure that it responds to changing needs in a comprehensive manner. As part of its periodic evaluation, the Commission will consider whether a program update is necessary and, if so, whether such an update warrants a comprehensive program update or whether a more circumscribed effort focused on specific elements of the program is sufficient to ensure that the program continues to respond to changing needs. To maintain consistency of policy, this review and update should occur concurrent with the periodic revision of the Comprehensive Plan and as needed to address changing circumstances and new trends.



Songo Pond (Management Class 5), Albany Township

Chapter 10, Land Use Districts and Standards, Appendix C currently contains the official list of lake management classes. The original list of lake management classes in the Lake Management Program as adopted by the Commission provided the basis for rulemaking in Chapter 10. Although the list has been updated here to reflect changes over the years, the management class lists remain subject to change and reference to Chapter 10 should be made to determine official lake management classes.

MANAGEMENT CLASS 1

High value, least accessible, undeveloped lakes¹

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³						
				F	W	SC	SH	B	C	P
BAY P (WEST)	4396	T07 SD	249	-	O	-	-	-	-	-
BOGUS MEADOW P	4380	T07 SD	26	S	O	S	-	-	-	-
CARIBOU P (BIG)	4142	T07 R10 WELS	64	S	-	S	S	O	-	-
DEBOULLIE L	1512	T15 R09 WELS	262	O	O	O	S	-	-	-
DEBSCONEAG L (1ST)	2060	T02 R10 WELS	320	O	-	O	S	O	-	S
DEBSCONEAG L (3RD)	0584	T01 R10 WELS	1,011	O	-	O	S	-	S	S
ENCHANTED P	0150	UPPER ENCHANTED TWP	330	O	O	O	O	-	-	S
GREAT WORKS P	1386	EDMUNDS TWP	50	S	O	-	-	-	-	-
HOBART BOG	7451	EDMUNDS TWP	30	S	O	-	-	-	-	-
HUDSON P (UPPER)	1928	T11 R10 WELS	32	O	-	O	-	-	-	-
JERRY P	2190	T05 R07 WELS	272	S	-	O	S	-	-	-
JO-MARY L (LOWER)	0984	T01 R10 WELS	1,910	S	-	O	-	-	S	S
JONES P	0172	WYMAN TWP	36	-	O	-	-	-	-	-
KATAHDIN L	2016	T03 R08 WELS	717	S	-	O	O	-	S	S
LOGAN P # 2	2082	T02 R09 WELS	20	-	-	O	S	-	-	-
MARBLE P	2186	T05 R08 WELS	75	S	-	S	S	O	-	O
MATHEWS P	2836	T08 R10 WELS	19	O	-	-	-	-	-	-
MILLIMAGASSETT L	3004	T07 R08 WELS	1,410	S	O	-	-	-	-	-
MOCCASIN P	1590	T14 R08 WELS	32	O	-	-	-	-	-	-
NORTH P	9781	T14 R09 WELS	15	O	-	-	-	-	S	-
PASSAMAGAMET L	0970	T01 R09 WELS	461	-	-	S	S	O	-	-
POLAND P (UPPER)	PPUP	T07 R14 WELS	245	S	O	O	S	-	-	O
RAINBOW L	0614	RAINBOW TWP	1,664	O	-	O	O	-	-	S
REED P (BIG)	2842	T08 R10 WELS	90	O	-	-	-	O	-	-
ROUND P (LITTLE)	2874	EAGLE LAKE TWP	58	O	S	-	-	-	-	O
SAWTELLE P	3008	T07 R08 WELS	174	-	O	-	-	-	-	-
SAWTELLE P (LITTLE)	5778	T07 R08 WELS	10	-	O	-	-	-	-	-
THE HORNS POND	8601	WYMAN TWP	10	S	-	O	O	-	-	-

¹CRITERIA: Not accessible within 1/4 mile by 2wd; less than 1 development unit per mile; at least one outstanding resource value.

²Some lakes span two or more townships.

³Ratings: O = outstanding; S = significant; P = present; m = missing info.

STATISTICS:	NUMBER:		% OF TOTAL
	NUMBER:	28 lakes	1.8%
	ACRES:	9,592 ac total (avg 343)	1.2%
	SHOREFRONT:	660,241 ft total (avg 23,580)	2.0%

**Lakes Meeting Criteria of Management Class 1
But Adequately Protected by Remote Pond Zoning (Mgt. Class 6)**

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³						
				F	W	SC	SH	B	C	P
BLACK L	1506	T15 R09 WELS	147	O	-	S	-	-	-	-
BRANCH P (MIDDLE)	0912	T05 R09 NWP	34	O	-	-	-	-	-	-
CEDAR P	0474	TB R10 WELS	65	O	-	-	-	-	-	S
CHAIRBACK P (WEST)	0796	T07 R09 NWP	47	O	-	-	-	-	-	S
CLEARWATER P	2692	ATTEAN TWP	34	-	-	-	-	-	O	-
CURRIER P (FIRST)	2768	T09 R11 WELS	20	O	-	S	-	-	-	-
CURRIER P (SECOND)	2774	T09 R11 WELS	28	O	-	-	-	-	-	-
DIXON P	9911	PIERCE POND TWP	17	O	-	-	-	-	-	-
ENCHANTED P (LITTLE)	0148	UPPER ENCHANTED TWP	35	O	-	-	-	-	-	-
FOWLER P	0686	T03 R11 WELS	19	S	-	O	S	-	-	-
GARDNER L	1528	T15 R09 WELS	288	O	O	O	-	-	-	-
GAUNTLET P	0472	TB R10 WELS	11	S	-	O	-	-	-	-
GREEN MTN P	3666	T06 R06 WELS	10	O	-	-	-	-	-	-
HARRINGTON P	0702	T03 R11 WELS	40	m	-	O	-	-	-	-
HELEN P	0094	PIERCE POND TWP	15	O	-	-	-	-	-	-
HIGH P	0092	PIERCE POND TWP	7	O	-	-	-	-	-	-
HORSERACE PONDS	0626	RAINBOW TWP	50	O	-	O	S	-	-	O
HURD P (LITTLE)	0596	T02 R10 WELS	60	S	-	O	S	-	-	S
IRELAND P	4168	T07 R08 WELS	30	O	-	-	-	-	-	-
LANE P	2490	COMSTOCK TWP	24	S	-	-	-	-	-	O
LANG P	2542	PARLIN POND TWP	30	O	-	-	-	-	-	-
LANG P (LITTLE)	2543	PARLIN POND TWP	13	O	-	-	-	-	-	-
LONG P (LITTLE)	4424	T10 SD	55	S	-	O	S	-	-	-
LOON P	2688	ATTEAN TWP	37	O	-	-	-	-	-	-
MARY PETUCHE P	2474	PRENTISS TWP	10	S	-	-	-	-	-	O
MCKENNA P	0688	T03 R11 WELS	53	m	-	O	S	-	-	-
MINISTER P (BIG)	0590	T02 R10 WELS	15	O	-	-	-	-	-	-
RAINBOW DEADWATERS	9698	RAINBOW TWP	58	O	-	-	-	-	-	-
ROACH P (FOURTH)	0446	SHAWTOWN TWP	266	S	-	O	S	-	-	-
SLAUGHTER P	0690	T03 R11 WELS	66	O	-	O	S	-	S	-
SPRUCE MOUNTAIN P	0466	TB R11 WELS	20	S	-	O	-	-	-	S
MOOSE P (BIG)	0334	MOOSEHEAD JUNCTION TWP	91	O	-	-	-	-	-	S
MOOSE P (LITTLE)	0336	MOOSEHEAD JUNCTION TWP	25	O	-	-	-	-	-	S
SWIFT RIVER P (LIT)	3572	TOWNSHIP E	15	O	-	-	-	-	-	-
TOBEY P #1	2674	T05 R07 BKP WKR	35	m	-	O	S	-	-	-
TROUT P	3260	MASON TWP	17	m	-	S	-	O	-	-
TURTLE P	0952	LAKE VIEW PLT	81	O	-	-	-	-	-	-
TWIN (TROUT) PONDS	2102	T02 R09 WELS	60	O	-	O	S	-	-	-
WADLEIGH P (LITTLE)	2974	T08 R15 WELS	15	m	-	-	-	-	-	O

² Some lakes span two or more townships.

³ Ratings: O = outstanding; S = significant; P = present; m = missing info.

MANAGEMENT CLASS 2Especially high value, accessible, undeveloped lakes¹

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³						
				F	W	SC	SH	B	C	P
ALLAGASH L	9787	T08 R14 WELS	4,260	O	O	O	O	-	S	O
ALLIGATOR L	4498	T34 MD	1,159	O	-	O	S	-	-	-
ATTEAN P	2682	ATTEAN TWP	2,745	O	-	O	O	O	-	O
BALD MOUNTAIN P	0314	BALD MTN TWP T2R3	1,152	O	O	O	O	-	-	-
BEAVER P	3310	MAGALLOWAY PLT	179	O	O	-	-	-	-	-
BENSON P (BIG)	0864	T07 R09 NWP	320	O	-	O	-	-	S	-
CAUCOMGOMOC L	4012	T06 R14 WELS	5,081	O	O	S	S	-	S	O
CHAIN OF PONDS	5064	CHAIN OF PONDS TWP	700	O	O	O	S	-	S	O
CHESUNCOOK L4	CHCH	T03 R12 WELS	18,470	O	O	-	-	O	O	O
CHURCHILL L	2856	T09 R12 WELS	2,923	O	O	-	-	-	S	S
CLEAR L	1938	T10 R11 WELS	614	O	-	O	S	-	-	-
CLIFF L	2780	T09 T12 WELS	563	O	-	O	S	-	-	-
CLIFFORD L	1304	GREENLAW CHOPPING TWP	954	O	O	-	-	-	-	-
CROSBY P	3330	COBURN GORE	150	O	S	O	-	-	-	-
DEBSCONEAG DEADWATER	2076	T02 R10 WELS	500	O	O	-	-	-	-	S
EAGLE L (BIG)	2858	EAGLE LAKE TWP	8,288	O	O	-	-	O	O	P
FLAGSTAFF L	0038	DEAD RIVER TWP	20,300	O	O	S	S	-	-	-
IRONBOUND P	2510	ALDER BROOK TWP	40	O	-	O	O	-	-	O
JACKSON P # 2	0704	T03 R11 WELS	12	S	-	O	O	-	-	-
JIM P	5054	JIM POND TWP	320	O	O	O	S	-	-	-
JO-MARY L (UPPER)	0243	TA R10 WELS	1,873	O	-	O	S	-	-	S
LOBSTER L	2948	LOBSTER TWP	3,475	O	O	O	O	O	S	O
LONG L	1892	T12 R13 WELS	1,203	O	O	-	-	-	S	S
MACHIAS L (THIRD)	1124	T42 MD BPP	2,778	O	O	-	-	-	S	-
MOOSELEUK L	1990	T10 R09 WELS	422	S	O	O	-	-	O	-
MUNSUNGAN L	4180	T08 R10 WELS	1,415	O	-	O	S	-	O	-
MUSQUASH L (WEST)	1096	T06 R01 NBPP	1,613	O	-	O	S	-	S	-
NAHMAKANTA L	0698	T01 R11 WELS	1,024	O	-	O	O	O	S	-
PENOBSCOT L	0339	DOLE BROOK TWP	1,019	O	-	O	S	-	S	O
PIERCE P	0086	PIERCE POND TWP	1,650	O	S	O	S	-	-	-
PLEASANT L	1100	T06 R01 NBPP	1,574	O	-	O	S	O	-	-
ROUND P	1470	T13 R12 WELS	697	O	O	-	-	-	S	-
SCRAGGLY L	4264	T07 R08 WELS	842	O	-	O	O	O	S	O
SPENCER L	5104	HOBBS TOWN TWP	1,819	O	-	O	O	O	O	-
SPENCER P	0404	E MIDDLESEX CANAL GR	980	S	O	O	S	-	-	-
TELOS L & ROUND P	2710	T06 R11 WELS	2,276	O	S	O	S	-	S	-
TIM P	2362	TIM POND TWP	320	O	-	O	-	-	-	-
UMSASKIS L	1896	T11 R13 WELS	1,222	O	O	-	-	-	S	S

¹CRITERIA: Accessible to within 1/4 mile by 2wd; less than 1 development unit per mile; two or more outstanding resource values in fisheries, wildlife, scenic or shore character – outstanding wildlife value must be due to especially concentrated and/or diverse wildlife values.

²Some lakes span two or more townships.

³Ratings: O = outstanding; S = significant; P = present; m = missing info.

⁴Includes Ripogenus Lake, but not Caribou Lake.

STATISTICS:	NUMBER:	% OF TOTAL
	38 lakes	2.5%
	ACRES:	94,932 ac total (avg 2,498)
		11.7%
	SHOREFRONT:	3,591,904 ft total (avg 94,524)
		10.7%

(revised 3/21/1991

revised 9/21/2000

revised 9/10/2008

- added Big Benson Pond and Third Machias Lake per ZP 479;

- changed Clifford Lake from MC 4 to MC 2 due to lack of development per miscellaneous rule revisions;

- changed Debsconeag Deadwater from MC 1 to MC 2 due to correction of access information per ZP 720)

MANAGEMENT CLASS 3
Potentially suitable for development¹

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³						
				F	W	SC	SH	B	C	P
AZISCOHOS L (SOUTH)	3290 – AZ01	LINCOLN PLT	2,000	O	O	S	S	-	O	S
BEAU L	9785	T19 R11 WELS	2,003	S	-	-	-	S	S	S
BIG L	1288	BIG LAKE TWP	10,305	O	O	-	-	O	O	-
BOWLIN P	2188	T05 R08 WELS	115	S	-	S	-	-	-	-
BRANDY P	9651	T39 MD	723	S	O	-	-	-	-	S
BRASSUA L	4120	ROCKWOOD STRIP-East	8,979	S	-	-	-	-	O	-
CARIBOU L	CHCA	T02 R12 WELS	4,600	O	O	-	-	O	O	O
CHENEY P	2494	HAMMOND TWP	99	S	-	-	-	-	-	S
CLAYTON L	1958	T12 R08 WELS	264	S	-	-	-	-	-	-
EBEEMEE L (UPPER)	0966	T04 R09 NWP	196	-	-	-	-	-	-	S
ENDLESS L	0942	T03 R09 NWP	1,499	S	-	-	-	-	S	S
FALLS P	1490	T18 R10 WELS	256	S	S	-	-	-	-	-
FISH RIVER L	0009	T13 R08 WELS	2,642	S	S	O	S	-	S	-
GLAZIER L	9789	T18 R10 WELS	1,120	S	-	-	-	S	-	-
GRAHAM L	4350	FLETCHERS LANDING	7,865	S	O	-	-	-	O	-
GRAND L (WEST)	1150	T06 ND BPP	14,340	O	O	O	O	-	O	-
HORSESHOE P	3336	COBURN GORE	37	-	S	-	-	-	-	-
INDIAN P	4090	SAPLING TWP	3,746	S	O	-	-	-	S	-
JO-MARY L (MIDDLE)	0986	T4, INDIAN PURCHASE	1,152	S	-	O	S	-	S	S
LONG P	2536	LONG POND TWP	3,053	S	S	O	S	-	S	-
LONG P	3356	SEVEN PONDS TWP	35	S	-	-	-	-	-	-
MACHIAS L (BIG)	1960	T12 R08 WELS	692	S	S	-	-	-	S	-
MACHIAS L (LITTLE)	1578	NASHVILLE PLT	275	S	S	-	-	-	-	-
MATTAMISCONTIS L (LT)	2138	T03 R09 NWP	275	S	-	-	-	-	-	-
MATTASEUNK L	3040	MOLUNKUS TWP	576	S	-	-	-	-	-	-
MUD P	0023	JIM POND TWP	14	S	-	-	-	-	-	-
ONAWA L	0894	ELLIOTTSVILLE TWP	1,344	O	O	O	S	-	S	-
PEMADUMCOOK CHAIN L	0982	T01 R10 WELS	18,300	S	-	O	S	-	O	S
POCUMCUS L	1110	T05 ND BPP	2,201	O	O	-	-	-	S	-
RICHARDSON L (LOWER)	3308 – RHLW	TOWNSHIP C	2,900	O	S	S	O	-	S	S
ROACH P (FIRST)	0436	FRENCHTOWN TWP	3,270	S	-	S	S	S	S	-
ROCKABEMA L	3636	MORO PLT	339	S	-	S	S	-	-	-
ROCKY P	4476	T22 MD	666	m	-	-	-	-	-	-
ROUND P	1594	T14 R08 WELS	90	S	S	-	-	-	-	-
SAPONAC P	4722	GRAND FALLS TWP	922	S	-	S	S	-	S	P
SCHOODIC L ⁴	0956	LAKE VIEW PLT	7,168	S	-	S	-	-	S	S
SILVER L	0922	KATAHDIN IRN WKS PLT	305	S	-	S	S	-	-	S
SPECTACLE (SPEC) P	4450	OSBORN PLT	1,754	O	-	-	-	-	-	-

¹CRITERIA: See page C-14.

²Some lakes span two or more townships.

³Ratings: O = outstanding; S = significant; P = present; m = missing info.

⁴Also on Management Class 5 list.

STATISTICS:	NUMBER:	% OF TOTAL
	38 lakes	2.5%
	106,120 ac total (avg 2,793)	13.0%
	3,924,753 ft total (avg 103,283)	11.7%

(revised 1/1/2001 – added Aziscohos Lake (South) and Lower Richardson Lake per Prospective Zoning Plan for the Rangeley Lakes Region and miscellaneous rule revisions)

POTENTIAL MANAGEMENT CLASS 3 LAKES

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³							
				F	W	SC	SH	B	C	P	
MOOSEHEAD L	0390	MOOSEHEAD JUNCTION TWP	74,890	O	O	O	O	O	O	O	

Official classification of this lake will await completion of study.

SQUARE L	1672	T16 R05	8,150	O	-	-	-	-	S	S
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Square Lake may be placed on this list when and if the Maine Department of Environmental Protection is able to show that increased shoreland development around Square Lake would not significantly contribute to the stresses already being placed on it from lakes upstream.

AZISCOHOS L (NORTH)	3290 – AZ02	PARKERTOWN TWP	4,700	O	O	S	S	-	O	S
MOOSELOOKMEGUNTIC L	MLML	RICHARDSONTOWN TWP	14,101	O	O	S	O	-	O	-
RICHARDSON L (UPPER)	3308 – RHUP	RICHARDSONTOWN TWP	4,200	O	O	O	O	-	O	-

These lakes were removed from Management Class 3 based on a recognition that the Rangeley Lakes have special planning needs that are not addressed by this classification. The Rangeley Lakes, comprised of a string of large, high value lakes subject to intensive development pressure, represent a unique resource to the state. Management Class 3 is not considered a sufficiently refined designation to adequately manage and protect these lakes, which like Moosehead, are suited to a mix of development and conservation. Aziscohos Lake (South) and Lower Richardson Lake have been placed in Management Class 3 as part of the *Prospective Zoning Plan for the Rangeley Lakes Region*. These lakes will remain in Management Class 7.

¹Some lakes span two or more townships.
²Some lakes span two or more townships.
³Ratings: O = outstanding; S = significant; P = present; m = missing info.

Criteria for Management Class 3 Lakes

The lakes listed in Management Class 3, also referred to as Potentially Suitable for Development, meet the following criteria:

- a. Water quality
 - Development of the remaining undeveloped shoreline at the rate of one dwelling unit per 150 feet of frontage will not result in a change in phosphorus concentration of 1 part per billion or more.
 - Not having additional lake specific water quality problems that would be exacerbated by additional shoreline development.
- b. Location
 - Located within two townships of the organized portion of the State or existing settlements with public services.
- c. Access
 - Accessible by 2-wheel drive motor vehicle during summer months to within 1/4 mile of the normal high water mark of the lake.
- d. Conflicting use
 - Not totally zoned as P-FW (Fish and Wildlife Protection Subdistrict), P-WL (Wetland Protection Subdistrict), or P-RR (Recreation Protection Subdistrict).
 - Not a municipal water supply.
 - No major or unavoidable conflict with critical species or habitats.
 - No major or unavoidable conflict with recreational activities requiring an undeveloped setting.
- e. Available shoreline
 - Greater than 10 acres of surface area per existing dwelling unit.
 - Undeveloped shore area adequate for 10 or more dwelling units.
- f. Water level fluctuation
 - No extreme water level fluctuation (i.e. dam regulated draw down) which makes shoreline unsuitable for development.
- g. Regional consideration
 - No region of the state is to have all or the great majority of the large water bodies in the area identified as suitable for development; in such cases, certain lakes otherwise eligible will be omitted from the list; preference will be given to retaining lakes which:
 - (1) are the least sensitive to water quality degradation;
 - (2) are closest to paved, all-season roads;
 - (3) are closest to existing development centers;
 - (4) have the least conflict between development and their resource significance.
- h. Special planning needs
 - Is not a large lake determined by the Commission as having special planning needs, as evidenced by a combination of: suitability for development, high resource value or significance, and intensive development pressure.

MANAGEMENT CLASS 4
High value, developed lakes¹

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	F	W	RESOURCE RATINGS ³					
						SC	SH	B	C	P	
ARNOLD P	3332	COBURN GORE	148	S	-	O	-	-	O	-	
CARRY P (WEST)	0048	CARRYING PLC TWN TWP	675	O	-	-	-	-	O	-	
CATHANCE L	9661	NO 14 TWP	2,905	O	O	-	-	-	S	O	
CHAIN L (FIRST)	1236	T26 ED BPP	336	O	-	-	-	-	S	O	
CHAIN L (SECOND)	1234	T26 ED BPP	589	O	-	-	-	-	S	O	
CUPSUPTIC L	MLCU	ADAMSTOWN TWP	2,199	O	O	O	S	-	S	-	
DONNELL P	4412	T09 SD	112	O	-	O	O	-	S	-	
GRAND FALLS FLOWAGE	7437	FOWLER TWP	6,691	O	O	-	-	-	-	-	
GREENWOOD P (BIG)	0884	ELLIOTTSVILLE TWP	211	O	-	O	-	-	-	-	
HOLEB P	2652	HOLEB TWP	1,055	S	-	O	O	O	-	-	
KENNEBAGO L (BIG)	2374	DAVIS TWP	1,700	O	O	O	O	-	S	O	
LYFORD P (BIG)	0438	SHAWTOWN TWP	152	O	-	-	-	-	O	-	
NICATOUS L	4766	T40 MD	5,165	S	O	O	O	-	S	-	
POND IN THE RIVER	3328	TOWNSHIP C	512	O	S	S	-	O	-	-	
RAGGED L	2936	T02 R13 WELS	2,712	O	-	O	S	-	S	-	
RANGELEY L	3300	RANGELEY PLT	6,000	O	S	O	S	S	O	O	
SPRING RIVER L	4432	T10 SD	704	S	-	O	O	-	-	-	
SYSLADOBSIS L (LO)	4730	T05 ND BPP	5,376	S	-	S	S	O	S	-	
TOGUE P (LOWER)	2084	T02 R09 WELS	384	S	-	O	S	-	-	O	
TOGUE P (UPPER)	2104	T02 R09 WELS	294	S	-	O	S	-	-	O	
TUNK L	4434	T10 SD	2,010	O	O	O	O	-	S	S	
WILSON P (UPPER)	0410	BOWDOIN COL GR WEST	940	S	S	O	S	-	-	S	

¹CRITERIA: Two or more outstanding resource values; accessible to within 1/4 mile by 2wd; more than one development unit per mile; not included in management class 3 (potentially suitable for development).

²Some lakes span two or more townships.

³Ratings: O = outstanding; S = significant; P = present; m = missing info.

STATISTICS:	NUMBER:	% OF TOTAL
	22 lakes	1.4%
	41,878 ac total (avg 1,904)	5.1%
	1,975,017 ft total (avg 89,774)	5.9%

(revised 3/21/1991 – added Grand Falls Flowage per ZP 479)

MANAGEMENT CLASS 5Heavily developed lakes¹

<u>LAKE NAME</u>	<u>LAKE#</u>	<u>PRINCIPAL TOWN NAME²</u>	<u>SIZE(AC)</u>	<u>EXISTING DENSITY</u>	
				<u>ACRES PER D.U.</u>	<u>FEET PER D.U.</u>
AMBAJEJUS L ³	PAMB	T01 R09 WELS	3,289	10.	229.5
BAKER STREAM P	7104	BALD MTN TWP T2R3	12	3.0	1,827
BEAVER MOUNTAIN L	3562	SANDY RIVER PLT	543	4.7	253.6
BEAVER P	3354	SEVEN PONDS TWP	20	3.3	819.8
BOTTLE L	4702	LAKEVILLE PLT	281	3.8	338.0
BOYD L	2158	ORNEVILLE TWP	1,005	6.4	358.3
CAMPBELL P	2574	BLAKE GORE	15	5.0	828.3
CEDAR L	2004	T03 R09 NWP	685	7.3	305.9
CROSS L	1674	CROSS LAKE TWP	2,515	8.8	309.2
DAVIS (WAPITI) P	2196	T05 R07 WELS	69	8.6	1,186
DEAD STREAM P	4066	WEST FORKS PLT	67	9.6	1,669
DEER L	4512	T34 MD	38	5.4	861.9
EBEEMEE L	0914	EBEEMEE TWP	940	5.8	391.7
FISH P	4054	MOXIE GORE	15	7.5	1,973
HILLS P	3686	PERKINS TWP	22	4.4	973.4
HUTCHINSON P	3494	ALBANY TWP	96	5.6	581.8
KINGSBURY P	0262	MAYFIELD TWP	390	4.3	277.3
KNEELAND P	3266	ALBANY TWP	16	4.0	1,086
LONG (MARTIN) P	4108	THE FORKS PLT	26	3.2	814.7
LONG P	1200	T18 MD BPP	15	7.5	1,892
LOON L	2384	DALLAS	168	2.9	248.0
MADAWASKA L	1802	MADAWASKA LAKE TWP	1,526	4.8	167.4
NUMBER NINE L	1756	T09 R03 WELS	120	5.2	389.4
OTTER P	7142	MAYFIELD TWP	25	2.8	409.4
PAPOOSE P (LITTLE)	3268	ALBANY TWP	19	9.5	2,499
PEEP L	9821	T30 MD BPP	32	8.0	1,430
PENMAN P	0113	T26 ED BPP	29	3.6	543.4
PLEASANT PD	0224	THE FORKS PLT	1,120	5.8	180.3
PRESQUE ISLE L	1758	T09 R03 WELS	38	5.4	927.7
PROCTOR P	3210	ALBANY TWP	45	4.1	463.4
ROUND P	3584	TOWNSHIP E	42	7.0	959.2
SANDY RIVER P (MID)	3566	SANDY RIVER PLT	70	8.8	1,307
SANDY RIVER P (LOWER)	3564	SANDY RIVER PLT	17	5.7	1,450
SANDY RIVER P (UPPER)	3568	SANDY RIVER PLT	28	7.0	1,289
SCHOODIC L ³	0956	LAKE VIEW PLT	7,168	18.	386.2
SHIN P (LOWER)	2198	T05 R07 WELS	638	4.8	278.4
SMITH P	2012	T3, INDIAN PURCHASE	208	2.2	177.6
SOLDIER P	9783	WALLAGRASS PLT	96	6.9	1213
SONGO P	3262	ALBANY TWP	224	2.5	201.0
TWIN L (SOUTH) ³	PSTW	T04 INDIAN PURCHASE	3,406	14.	388.0
UNNAMED P	7062	THE FORKS PLT	10	3.3	573.7
UNNAMED P	8735	SALEM TWP	40	2.2	481.1
WHETSTONE P	0296	KINGSBURY PLT	256	4.2	263.5

¹CRITERIA: Lakes with less than 10 acres or 400 feet of frontage per dwelling unit taken as an average around entire lake.²Some lakes span two or more townships.³Also on Management Class 3 list.

STATISTICS:			% OF TOTAL
	NUMBER:	43 lakes	2.8%
	ACRES:	25,384 ac total (avg 590)	3.1%
	SHOREFRONT:	999,060 ft total (avg 22,234)	2.9%

(revised 2/3/1995 – dropped Redington Pond and Unnamed Pond (7818) due to lack of development per new zoning maps)

**LAKES APPROACHING
HEAVILY DEVELOPED STATUS¹**

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	EXISTING DENSITY	
				ACRES PER D.U.	FEET PER D.U.
BEAVER P	3588	TOWNSHIP D	20	20	5,577
BRANCH P (1ST WEST)	0440	SHAWTOWN TWP	119	15	2,021
CARRY P (MIDDLE)	0046	CARRYING PLC TWN TWP	126	16	2,381
CARRY P (WEST)	0048	CARRYING PLC TWN TWP	675	16	678.5
CENTER P	4040	SOLDIERTOWN TWP	51	17	2,646
CHAIN L (FIRST)	1236	T26 ED BPP	336	15	1,133
CHALK P	3270	ALBANY TWP	25	13	2,329
CHASE STREAM P	4080	CHASE STREAM TWP	75	19	4,386
CUT P	1706	DUDLEY TWP	26	13	3,390
DUCK L	4698	LAKEVILLE PLT	256	13	892
ELLIS P	4086	CHASE STREAM TWP	85	17	2,161
ENCHANTED P (LOWER)	0142	LOWER ENCHANTED TWP	20	10	6,764
ENOCH L	1328	FOWLER TWP	18	18	3,291
FISH P	3324	LINCOLN PLT	20	20	6,458
GULL P	3532	DALLAS	281	13	704
HATHORN P	4242	T04 R08 WELS	15	15	3,264
HUSSEY P	0292	BLANCHARD PLT	15	15	3,729
KENNEBAGO L (LITTLE)	3958	STETSONTOWN TWP	190	14	837.4
LONG L	1682	T17 R03 WELS	6,000	20	600.4
LONG P	3582	TOWNSHIP E	254	17	1,071
LONG P	4118	TAUNTON & RAYNHAM	173	14	1,190
LYFORD P (BIG)	0438	SHAWTOWN TWP	152	17	1,623
MATTASEUNK L	3040	MOLUNKUS TWP	576	16	1,191
MAYFIELD P	0260	MAYFIELD TWP	140	14	1,122
MOOSEHEAD L #6	MH06	TOMHEGAN TWP	9,925	31	670.8
MOXIE P	4050	EAST MOXIE TWP	2,370	14	800.2
MYRICK P	4416	T10 SD	45	15	3,007
NORTHWEST P	3342	MASSACHUSETTS GORE	45	15	1,986
PARLIN P	2544	PARLIN POND TWP	543	15	929.3
PEPPERPOT P	3298	ADAMSTOWN TWP	50	10	1,058
POSSUM P	1310	T26 ED BPP	30	15	2,532
PUDDING P	0932	BARNARD TWP	12	12	2,657
SABBATH DAY P	3578	TOWNSHIP E	57	11	1,547
SAINT CROIX L	1774	ST CROIX TWP	416	18	1,402
SAINT FROID L	1610	WINTERVILLE PLT	2,400	11	415.3
SECOND L	1134	T37 MD BPP	102	11	1,726
SHAW P	5152	T03 R04 BKP WKR	45	15	2,814
SILVER L	0922	KATAHDIN IRN WKS TWP	305	17	1,581
SPENCER P	3586	TOWNSHIP D	15	15	3,538
SPRING RIVER L	4432	T10 SD	704	19	1,395
THANKSGIVING P	0288	BLANCHARD PLT	17	17	3,873
TROUT P	0322	MOOSEHEAD JUNCTION TWP	33	17	2,628
UNNAMED P	9740	DENNISTOWN PLT	20	20	2,615
UNNAMED P	9668	T05 R07 BKP WKR	12	12	8,802
UNNAMED P	7314	HIGHLAND PLT	12	12	4,074
WALLAGRASS L (THIRD)	1552	ST JOHN PLT	45	11	1,509
WEST L	0503	T03 ND	1,344	19	794.8
YOKE PONDS	0504	TA R11 WELS	134	11	1,808

¹Lakes with less than 20 acres or 1,000 feet of frontage per dwelling unit taken as an average around entire lake.

²Some lakes span two or more townships.

MANAGEMENT CLASS 6Remote ponds¹

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³						
				F	W	SC	SH	B	C	P
ALLIGATOR P	0502	TA R11 WELS	47	S	--	--	--	--	--	--
AZISCOHOS P	3106	MAGALLOWAY PL	12	S	--	--	--	--	--	--
BAKER P	0422	BOWDOIN COL GR WEST	10	m	--	--	--	--	--	--
BEAN P	0656	T02 R12 WELS	16	m	--	--	--	--	--	--
BEAN P (LOWER)	0646	RAINBOW TWP	37	S	S	--	--	--	--	--
BEAN P (MIDDLE)	0648	RAINBOW TWP	10	--	S	--	--	--	--	--
BEAN P (UPPER)	0650	RAINBOW TWP	25	S	S	--	--	--	--	S
BEAR P*	4018	T06 R15 WELS	138	--	S	O	--	--	--	--
BEAR P	0636	RAINBOW TWP	30	S	--	--	--	--	--	S
BEATTIE P	5066	BEATTIE TWP	27	S	--	--	--	--	--	--
BEAVER P	0670	T03 R11 WELS	15	m	--	S	S	--	--	--
BEAVER P	0484	SHAWTOWN TWP	27	S	--	--	--	--	--	--
BEAVER P (BIG)	0610	RAINBOW TWP	45	S	--	--	--	--	--	--
BEAVER P (LITTLE)	9700	RAINBOW TWP	8	--	--	--	--	--	--	--
BEAVER P (LITTLE)	0612	T03 R11 WELS	10	m	--	--	--	--	--	--
BENJAMIN P	2684	ATTEAN TWP	121	m	--	S	S	--	--	--
BIRCH RIDGE P # 1	0514	TA R11 WELS	11	S	--	--	--	--	--	--
BLACK L	1506	T15 R09 WELS	147	O	-	S	-	-	-	-
BLACK P (LITTLE NO)	1508	T15 R09 WELS	6	S	--	S	--	--	--	--
BLACK P (LITTLE SO)	1510	T15 R09 WELS	7	S	--	S	--	--	--	--
BLUFF P	0434	FRENCHTOWN TWP	10	S	--	--	--	--	--	S
BLUFFER P (UPPER)	2798	T08 R11 WELS	15	S	--	--	--	--	--	--
BOARDWAY P (BIG)	0494	TA R11 WELS	15	S	--	--	--	--	--	S
BOULDER P	2672	T05 R07 BKP WKR	30	m	--	--	--	--	--	--
BOWLIN P (LITTLE)	2194	T05 R07 WELS	34	S	--	--	--	--	--	--
BRACKETT P	0290	BLANCHARD PLT	10	m	--	--	--	--	--	--
BRANCH P (MIDDLE)	0912	EBEEMEE TWP	34	O	-	-	-	-	-	-
BRAYLEY P	2706	T07 R10 WELS	6	--	--	--	--	--	--	--
BUCK P	0644	RAINBOW TWP	6	--	--	--	--	--	--	--
CAPE HORN P	2568	PRENTISS TWP	22	--	--	--	--	--	--	--
CEDAR P	0474	TB R10 WELS	65	O	-	-	-	-	-	S
CEDAR P	2654	HOLEB TWP	5	--	--	--	--	--	--	--
CHAIRBACK P (EAST)	0802	T07 R09 NWP	46	S	--	--	--	--	--	S
CHAIRBACK P (WEST)	0796	T07 R09 NWP	47	O	-	-	-	-	-	S
CHASE STREAM P	4093	MISERY TWP	31	S	--	--	--	--	--	--
CHESUNCOOK P*	0672	T03 R11 WELS	272	S	--	O	O	--	--	O
CLAYTON P	2406	T06 R17 WELS	75	m	--	--	--	--	--	--
CLEAR P	5074	LOWELLTOWN TWP	21	m	--	--	--	--	--	--
CLEARWATER P	2692	ATTEAN TWP	34	-	-	-	-	-	O	-
CLEARWATER P*	2476	PRENTISS TWP	11	--	--	--	--	--	--	P
CLIFFORD P	0624	RAINBOW TWP	17	S	--	--	--	--	--	--
CLISH P	5158	T05 R20 WELS	21	S	--	--	--	--	--	--
CRANBERRY P (L, NOTCH)	0784	BOWDOIN COL GR WEST	7	--	--	--	--	--	--	--
CURRIER P (FIRST)	2768	T09 R11 WELS	20	O	-	S	-	-	-	-
CURRIER P (SECOND)	2774	T09 R11 WELS	28	O	-	-	-	-	-	-
DAISEY P	0594	T02 R10 WELS	11	S	--	--	--	--	--	--
DEBSCONEAG P (6TH)	0580	T01 R11 WELS	31	S	--	--	--	--	S	S
DINGLEY P (LITTLE)	2462	T04 R05 NBKP	17	S	--	--	--	--	--	--
DINGLEY P (UPPER)	2464	T04 R05 NBKP	20	S	--	--	--	--	--	--

MANAGEMENT CLASS 6 (cont)Remote ponds¹

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³						
				F	W	SC	SH	B	C	P
DIPPER P*	4042	PITTSTON ACAD GRANT	13	--	--	--	--	--	O	S
DIXON P	9911	PIERCE POND TWP	17	O	-	-	-	-	-	-
DOUGHNUT P	0616	RAINBOW TWP	12	S	--	--	--	--	--	--
DUBOIS P	2478	PRENTISS TWP	18	m	--	--	--	--	--	P
EDDY P	3546	SANDY RIVER PLT	9	--	--	--	--	--	--	--
ENCHANTED P (LITTLE)	0148	UPPER ENCHANTED TWP	35	O	-	-	-	-	-	-
FOGG P	0426	BOWDOIN COL GR WEST	23	S	--	--	--	--	--	--
FOLEY P (LITTLE)	2492	COMSTOCK TWP	35	m	--	--	--	--	--	--
FOWLER P	0686	T03 R11 WELS	19	S	-	O	S	-	-	-
FROST P (LITTLE)	0668	T03 R12 WELS	35	S	S	--	--	--	--	--
GARDNER L	1528	T15 R09 WELS	288	O	O	O	-	-	-	-
GAUNTLET P	0472	TB R10 WELS	11	S	-	O	-	-	-	-
GORDON P	0146	UPPER ENCHANTED TWP	28	S	--	--	--	--	--	--
GOULD P	0620	RAINBOW TWP	12	m	--	--	--	--	--	--
GREEN MTN P	3666	T06 R06 WELS	10	O	-	-	-	-	-	-
HAFEY P	1498	T18 R11 WELS	23	S	--	--	--	--	--	--
HALE P	2508	ALDER BROOK TWP	40	m	--	--	--	--	--	--
HALL P	2566	PRENTISS TWP	19	S	--	--	--	--	--	--
HALL P	5092	T05 R07 BKP WKR	42	m	--	--	--	--	--	--
HARRINGTON P	0702	T03 R11 WELS	40	m	-	O	-	-	-	-
HATHORN P	4242	T04 R08 WELS	15	S	--	--	--	--	--	--
HATHORN P (LITTLE)	2298	T04 R08 WELS	8	-	--	--	--	--	--	--
HEDGEHOG P	0556	T01 R11 WELS	5	--	--	--	--	--	--	--
HELEN P	0094	PIERCE POND TWP	15	O	-	-	-	-	-	-
HIGH P	0092	PIERCE POND TWP	7	O	-	-	-	-	-	-
HOLBROOK P*	0632	RAINBOW TWP	224	S	--	S	O	--	--	--
HORSERACE PONDS	0626	RAINBOW TWP	50	O	-	O	S	-	-	O
HORSESHOE P	9277	T16 R09 WELS	15	S	--	--	--	--	--	--
HORSESHOE P	2686	ATTEAN TWP	50	m	--	--	--	--	--	--
HOUSTON P (LITTLE)*	0920	KATAHDIN IRN WKS TWP	27	O	--	--	--	--	--	S
HURD P (LITTLE)	0596	T02 R10 WELS	60	S	-	O	S	-	-	S
IRELAND P	4168	T07 R08 WELS	30	O	-	-	-	-	-	-
JACKSON P #1	0684	T03 R11 WELS	23	--	--	--	--	--	--	--
JUNIPER KNEE P	0878	ELLIOTTSVILLE TWP	32	S	--	--	--	--	--	--
KELLY P	0654	T02 R12 WELS	60	S	--	--	--	--	--	--
LANE P	2490	COMSTOCK TWP	24	S	-	-	-	-	-	O
LANE BROOK P	3664	T06 R06 WELS	33	--	--	--	--	--	--	--
LANG P	2542	PARLIN POND TWP	30	O	-	-	-	-	-	-
LANG P (LITTLE)	2543	PARLIN POND TWP	13	O	-	-	-	-	-	-
LEDGE P	3554	SANDY RIVER PLT	6	--	--	--	--	--	--	--
LINE P	5162	T05 R20 WELS	7	--	--	--	--	--	--	--
LONG BOG	2668	HOLEB TWP	19	m	--	--	--	--	--	--
LONG P	2690	ATTEAN TWP	37	m	--	--	--	--	--	--
LONG P (LITTLE)	4424	T10 SD	55	S	-	O	S	-	-	-
LOON P	2688	ATTEAN TWP	37	m	-	-	-	-	-	-
LOON P	0554	T01 R11 WELS	5	--	--	--	--	--	--	--
LOST P	2694	ATTEAN TWP	5	--	--	--	--	--	--	--
MARY PETUCHE P	2474	PRENTISS TWP	10	S	-	-	-	-	-	O
MCKENNA P	0688	T03 R11 WELS	53	m	-	O	S	-	-	-
MCKENNEY P	0154	UPPER ENCHANTED TWP	9	--	--	--	--	--	--	--

MANAGEMENT CLASS 6 (cont)Remote ponds¹

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³						
				F	W	SC	SH	B	C	P
MESSER P	4244	T05 R08 WELS	27	S	--	--	--	--	--	--
MIDWAY P	3544	SANDY RIVER PLT	7	--	--	--	--	--	--	--
MINISTER P (BIG)	0590	T02 R10 WELS	15	O	-	-	-	-	-	-
MINISTER L (LITTLE)	0592	T02 R10 WELS	4	--	--	--	--	--	--	--
MOOSE P (BIG)	0334	MOOSEHEAD JUNCTION TWP	91	O	-	-	-	-	-	S
MOOSE P (LITTLE)	0336	MOOSEHEAD JUNCTION TWP	25	O	-	-	-	-	-	S
MOUNTAIN CATCHER P	4258	T06 R08 WELS	84	S	--	--	--	--	--	--
MOUNTAIN P	0432	BEAVER COVE	56	S	--	--	--	--	--	S
MOUNTAIN VIEW P	0488	TA R11 WELS	13	S	--	--	--	--	--	--
MOXIE P	3585	TOWNSHIP D	6	--	--	--	--	--	--	--
MUD P	2340	TOWNSHIP 6 N OF WELD	6	-	-	--	--	--	--	--
MURPHY P	0486	TA R11 WELS	12	--	--	--	--	--	--	--
MURPHY P (BIG)	0638	RAINBOW TWP	15	S	--	--	--	--	--	--
MUSCALSEA P (BIG)	4036	RUSSELL POND TWP	14	m	--	S	--	--	--	--
MUSCALSEA P (LITTLE)	4034	RUSSELL POND TWP	11	m	--	--	--	--	--	--
NOTCH P	0786	BOWDOIN COL GR WEST	10	S	--	--	--	--	--	--
NOTCH P (BIG)	0328	MOOSEHEAD JUNCTION TWP	12	S	--	--	--	--	--	--
NOTCH P (LITTLE)	0326	MOOSEHEAD JUNCTION TWP	10	S	--	--	--	--	--	--
PAPOOSE P	0338	MOOSEHEAD JUNCTION TWP	3	--	--	--	--	--	--	--
PITMAN P	0598	T02 R10 WELS	20	--	--	--	--	--	--	--
POLLY P	0692	T03 R11 WELS	15	m	--	--	--	--	--	--
PORTER P*	4760	T03 ND	58	S	--	--	--	--	--	--
RABBIT P	0552	T01 R11 WELS	10	m	--	--	--	--	--	--
RABBIT P	0366	ELLIOTTSVILLE TWP	10	--	--	--	--	--	--	--
RAINBOW P	4436	T10 SD	17	--	--	--	--	--	--	--
RAINBOW DEADWATERS	9698	RAINBOW TWP	58	O	-	-	-	-	-	-
REED P (LITTLE)	2838	T08 R10 WELS	25	m	--	--	--	--	--	--
RIPOGENUS P	2910	T04 R12 WELS	76	m	S	--	--	--	S	--
ROACH P (FOURTH)	0446	SHAWTOWN TWP	266	S	-	O	S	-	-	-
ROACH P (SEVENTH)	0500	TA R11 WELS	33	S	--	--	--	--	--	--
ROACH P (SIXTH)	0480	SHAWTOWN TWP	48	S	--	--	--	--	--	--
ROBAR P (BIG)	2296	T04 R08 WELS	7	--	--	--	--	--	--	--
ROBERTS P	5164	T05 R20 WELS	19	m	--	--	--	--	--	--
ROCKY P (LITTLE)	0524	TA R11 WELS	12	S	--	--	--	--	--	--
ROUND P	2670	APPLETON TWP	5	--	--	--	--	--	--	--
SADDLEBACK P	3550	SANDY RIVER PLT	13	S	--	--	--	--	--	--
SECRET P	0907	ELLIOTTSVILLE TWP	12	S	--	--	--	--	--	--
SLAUGHTER P	0690	T03 R11 WELS	66	O	-	O	S	-	S	-
SNAKE P	2548	JOHNSON MOUNTAIN TWP	8	--	--	--	--	--	--	--
SOCATEAN P #1	4044	PLYMOUTH TWP	42	m	--	--	--	--	--	--
SOCATEAN P #2	4046	PLYMOUTH TWP	14	m	--	--	--	--	--	--
SPECK P	3288	GRAFTON TWP	9	--	--	--	--	--	--	--
SPRING P	2832	T07 R10 WELS	15	O	--	--	--	--	--	--
SPRUCE MOUNTAIN P	0466	TB R11 WELS	20	S	-	O	-	-	-	S
ST JOHN P (SECOND)	2432	T04 R17 WELS	105	--	--	--	--	--	--	--
ST JOHN P (THIRD)	2438	T04 R17 WELS	190	S	--	--	--	--	--	--
ST JOHN P (LOWER 1ST)	2428	T04 R17 WELS	29	--	--	--	--	--	--	--
ST JOHN P (UPPER 1ST)	2440	T04 R17 WELS	30	--	--	--	--	--	--	--
STRATTON P	0618	RAINBOW TWP	15	S	--	--	--	--	--	--
SUNDAY P	3316	MAGALLOWAY PLT	30	S	S	--	--	--	--	--
SWIFT RIVER P (LIT)	3572	TOWNSHIP E	15	O	-	-	-	-	-	-
TILDEN P	4418	T10 SD	36	S	--	--	--	--	--	--

MANAGEMENT CLASS 6 (cont)
Remote ponds¹

LAKE NAME	LAKE#	PRINCIPAL TOWN NAME ²	SIZE(AC)	RESOURCE RATINGS ³						
				F	W	SC	SH	B	C	P
TOBEY P #1	2674	T05 R07 BKP WKR	35	m	-	O	S	-	-	-
TOBEY P #2	2676	T05 R07 BKP WKR	32	m	--	S	--	--	--	--
TOBEY P #3	2678	T05 R07 BKP WKR	14	m	--	S	S	--	--	--
TROUT L	1098	KOSSUTH TWP	5	--	--	--	--	--	--	--
TROUT P	5082	LOWELLTOWN TWP	55	m	--	--	--	--	--	--
TROUT P	3260	MASON TWP	17	m	-	S	-	O	-	-
TROUT P	0792	BOWDOIN COL GR WEST	20	S	--	--	--	--	--	--
TUMBLEDOWN DICK P	0548	T01 R11 WELS	24	m	--	--	--	--	--	--
TUMBLEDOWN P	3512	TOWNSHIP 6 N OF WELD	9	--	--	--	--	--	--	--
TURTLE P	0952	LAKE VIEW PLT	81	O	-	-	-	-	-	-
TWIN (TROUT) PONDS	2102	T02 R09 WELS	60	O	-	O	S	-	-	-
TWO MILE P	9765	T16 R13 WELS	12	m	--	--	--	--	--	--
UNNAMED P	7115	COMSTOCK TWP	15	m	--	--	--	--	--	--
UNNAMED P	9746	ATTEAN TWP	12	m	--	--	--	--	--	--
UNNAMED P	8934	ATTEAN TWP	5	--	--	--	--	--	--	--
UNNAMED P	8416	COMSTOCK TWP	20	m	--	--	--	--	--	--
UNNAMED P	8980	T05 R07 BKP WKR	10	m	--	--	--	--	--	--
UNNAMED P	8942	HOLEB TWP	2	--	--	--	--	--	--	--
UNNAMED P	8868	PARLIN POND TWP	7	--	--	--	--	--	--	--
UNNAMED P	7073	T06 R15 WELS	8	--	--	--	--	--	--	--
WADLEIGH P (LITTLE)	2974	T08 R15 WELS	15	m	-	-	-	-	-	O
WELMAN P (UPPER)	2482	PRENTISS TWP	45	S	--	--	--	--	--	--
WING P	2319	SKINNER TWP	10	--	--	--	--	--	--	--
WOODMAN P	0622	RAINBOW TWP	6	--	--	--	--	--	--	--
WOUNDED DEER P*	2484	PRENTISS TWP	12	--	--	--	--	--	--	--

¹CRITERIA: Not accessible within 1/2 mile by 2wd; no more than 1 non-commercial remote camp; cold water game fishery.

²Some lakes span two or more townships.

³Ratings: O = outstanding; S = significant; P = present; m = missing information.

*Identified and zoned as a remote pond in 1990.

STATISTICS:	NUMBER:		% OF TOTAL
	NUMBER:	176 lakes	11.4%
	ACRES:	5,674 ac total (avg 32)	0.7%
	SHOREFRONT:	935,343 ft total (avg 5,314)	2.8%

(revised 10/17/2000 – dropped Bear Brook Bog per miscellaneous rule revisions)

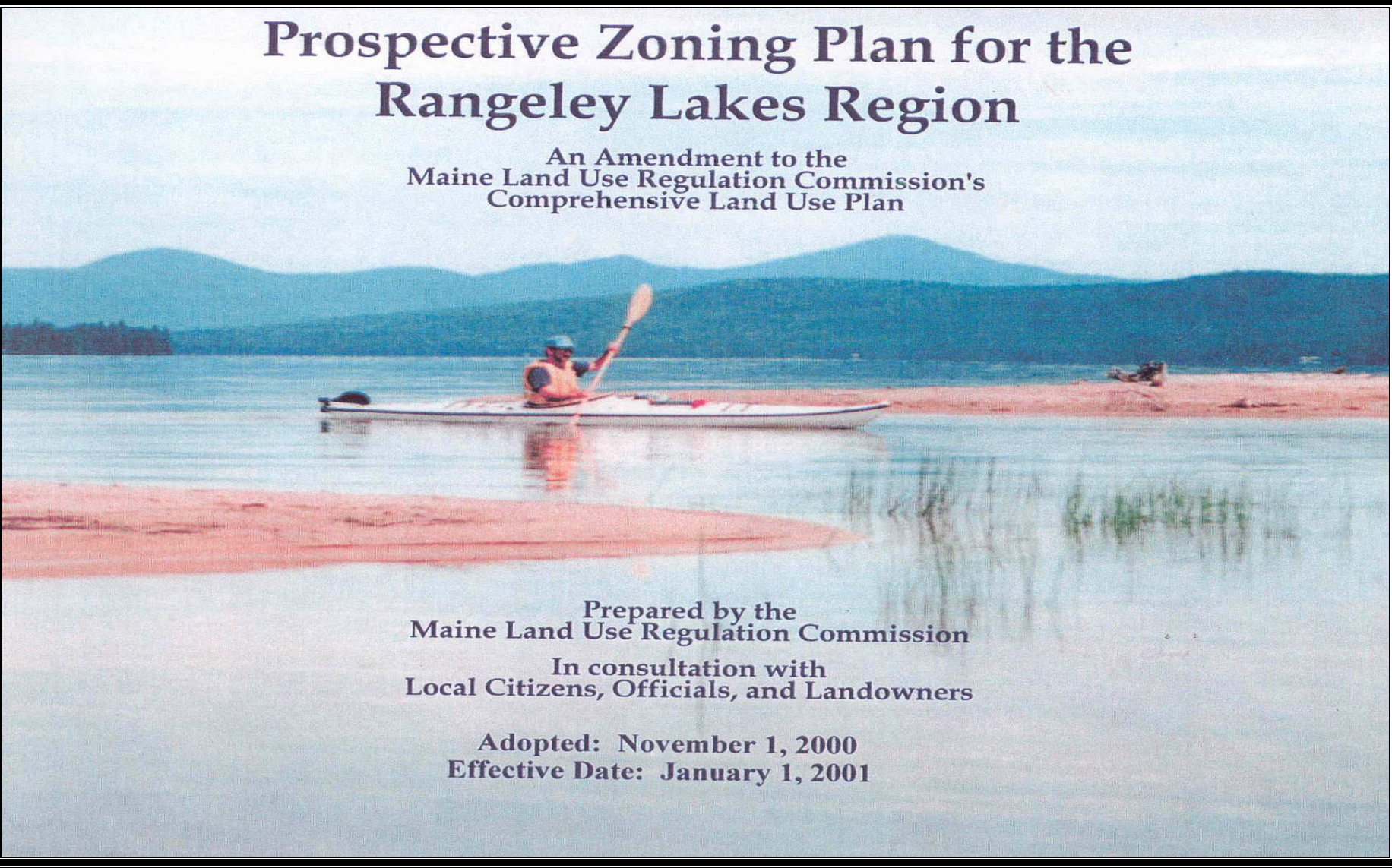
MANAGEMENT CLASS 7

Management Class 7 includes all lakes not otherwise designated herein.

Appendix D

Prospective Zoning Plan for the Rangeley Lakes Region



A scenic photograph of a person kayaking on a calm lake. The kayaker is in the center, wearing a blue cap and a life vest, holding a paddle. The water is still, reflecting the sky and the distant mountains. The shoreline is sandy and has some sparse vegetation. The overall tone is peaceful and natural.

Prospective Zoning Plan for the Rangeley Lakes Region

**An Amendment to the
Maine Land Use Regulation Commission's
Comprehensive Land Use Plan**

**Prepared by the
Maine Land Use Regulation Commission
In consultation with
Local Citizens, Officials, and Landowners**

**Adopted: November 1, 2000
Effective Date: January 1, 2001**

ACKNOWLEDGEMENTS

Principal Authors: Holly Dominie and Andrew Fisk with assistance from Fred Todd, Susan Burns, Michael Demarest, and Cindy Bertocci

Geographic Information Mapping: Ellen Jackson

Field Inventory and Mapping: Consultants Jamie Greager and Martie Crone of Palermo and Susan Tolman of Readfield

This prospective plan was written under the guidance of John S. Williams, Director of the Maine Land Use Regulation Commission. Members of the Land Use Regulation Commission serving at the time of adoption are:

Stephen W. Wight, Newry, Chairman
Malachi F. Anderson, Woodland
Mary Beth Dolan, Monhegan Plantation
Theresa S. Hoffman, Waterville
Steven O. Mason, Greenville
Jeffrey W. Perry, Rangeley Plantation
Jacquelyn L. Webber, T17R5WELS (Cross Lake)

Marilyn K. Tourtelotte, a former member of the Commission, also provided guidance in the drafting of this plan.

A Commission workshop, over 30 public meetings, and a public hearing were held in the Rangeley area during 1999 and 2000 during the

View from the Bemis Road in Rangeley Plantation

development of this prospective plan. Several hundred individuals participated and provided valuable oral and/or written comments. We thank all of those interested citizens, organizations, agencies, and corporate landowners who gave their time, information, and ideas.

Photo Credits: Holly Dominie, Michael Demarest, Rangeley Lakes Heritage Trust





ANGUS S. KING, JR.
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

December 20, 2000

Chairman Stephen Wight and Members
Maine Land Use Regulation Commission
22 State House Station
Augusta, Maine 04333-0022

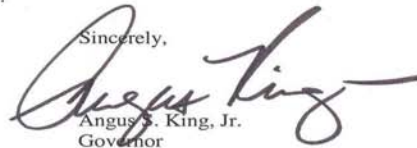
Dear Commission Members:

I am pleased to approve the Land Use Regulation Commission's Prospective Zoning Plan for the Rangeley Lakes Region. Congratulations on adopting Maine's first-ever land use plan and zoning regulations for a subregion of the state.

I am particularly delighted that you have incorporated the precepts of Smart Growth into your work. The fact that the new zones will avoid development sprawl in this magnificent area is truly a major contribution to the resource-based Rangeley economy and to future generations. Your effort to listen and respond to local opinions is a great credit to the Commission, as is your determination to provide more flexibility in the establishment of home occupations, small businesses and other mixed uses in designated development areas.

I thank you for your continuing dedication to the values of the jurisdiction and service to the State of Maine.

Sincerely,



Angus S. King, Jr.
Governor



RECYCLING EDUCATION FUND

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EXECUTIVE SUMMARY

Introduction

This Prospective Zoning Plan is the Land Use Regulation Commission's first land use plan developed for a subregion of the jurisdiction. Together with rule changes and new zoning maps developed specifically for the Rangeley Region, it incorporates a:

- Long-term vision of what people want the region to be like generations from now; and
- Strategy for guiding the desired types of future development to designated areas in the subregion over the next twenty years in a manner that reinforces the vision.

The planning area encompasses five plantations including Dallas, Sandy River, Rangeley, Lincoln, and Magalloway; and five outlying townships including Adamstown, Richardsontown, C, D, and E. The Commission prospectively zoned this region first in the jurisdiction because of the high development rate and extraordinary natural features found there.

The Commission held an unprecedented 30+ meetings with communities, landowners, and organizations in the region. Agreement was generally strong about the location and kind of development that should occur over the next twenty years, with the exception of the appropriate development intensity for Lower Richardson and Azischohos Lakes, an issue that the Commission agreed to monitor.

The Commission believes that this Plan will go a long way toward reinforcing the region's traditional settlement pattern and protecting its special character - even as the development permitting process becomes more predictable, easier, and accommodating for those who live and make a living there.

The Region

The rate and kind of development activity, rather than excessive population growth, is the reason for this Plan. Year-round population in the ten townships -- as well as the Town of Rangeley -- actually declined slightly between 1990 and 1997. This decline was not evenly distributed, however, because Dallas and Rangeley Plantations, along with the Town of Rangeley, gained a quarter more residents over the period. Even so, for each year-round resident that was added the last decade in Rangeley, Dallas, and Sandy River Plantations, 23 new homes or camps were permitted. Three quarters of the permits were for new homes or camps of a construction type that will accommodate year-round use.

This amount and type of development -- particularly the trend away from rustic camps -- departs from historical trends and is likely to change the face of the region. It is very likely to increase demand for public services, too.

Most of the land is still owned in large tracts managed for commercial timber and accommodating public use for outdoor recreation. And a sizeable amount, compared with the state average, has been conserved through easements or public or non-profit ownership. But unplanned growth has the potential of changing the region's unique character forever.

The Vision

Local people agree that the region's outdoor heritage and character are too important to squander through sprawl and inappropriate development.

Generations from now, they still want the region to:

- ✓ Be a four-season recreational gateway to the working woods for recreation and forestry;
- ✓ Rely upon the Town of Rangeley as the economic center;
- ✓ Focus most year-round development primarily in three adjacent plantations including Dallas, Rangeley, and Sandy River;
- ✓ Retain the working woods in all but discrete locations in outlying townships; and
- ✓ Maintain a diversity of lake experiential qualities in the region from remote to rural and developed settings.

New Zones and Maps

The Commission has adopted six new zoning subdistricts to shape future development patterns consistent with this vision. All are variations of existing zones, but provide greater specificity about the kind of development that can be accommodated. These new zones are being applied only in the Rangeley Region at this time. They include:

For Adjacent Plantations

Community Center Development
Extended Settlement Development
Community Residential Development
Recreational Residential Development

For Outlying Areas

Rural Settlement Development
Semi-Remote Lake Protection

Four of the zones allow more latitude for people to make a living in settlement areas. Two, Residential Recreation and Semi-Remote Lake ensure that new development fits with outstanding resource values on lakes and other places. Applying the zones, the Commission adopted new zoning maps for each of the ten plantations and townships. The size of new development areas was determined through discussion with local people and landowners, but generally provides about as much room for development as has occurred over the past twenty years. The maps are available from the Commission upon request.

New Standards

Repeatedly, people told the Commission that they are willing to accept more mixed-use development in the region providing that it is concentrated in discrete areas and respectful of neighboring properties and the region's special character, such as its dark night sky. Local people requested, and the Commission developed, standards for new development that relate to:

- ✓ Building height, setbacks, and road frontage,
- ✓ Outdoor lighting,
- ✓ Buffering,
- ✓ Building layout,
- ✓ Parking and circulation, and
- ✓ Home occupations.

New Zoning Criteria

Planning can be a waste of time and resources unless it translates into decisions on the ground. For this reason, the Commission has adopted three criteria, in addition to two jurisdiction-wide criteria, to use in determining whether to approve rezoning requests, including:

JURISDICTION-WIDE

- ✓ Consistency with the Comprehensive Land Use Plan
- ✓ Community Need and No Adverse Impact

ADDITIONAL CRITERIA FOR PROSPECTIVELY ZONED AREAS

- ✓ Unforeseen Circumstances
- ✓ Contiguous Development Districts
- ✓ More Effective Approach

Plan Implementation

The Commission will monitor how well the Plan works so that it may make refinements as necessary and consider whether to apply the new approach and zones elsewhere in the jurisdiction. Staff will track development trends and issues, report to the Commission annually on progress, and propose a plan update, if needed, at five-year intervals. In response to public comments, the Commission will also pay particular attention to (1) permits for home occupations in the General Management Subdistrict and (2) new development on Lower Richardson Lake.

The Commission has identified some priority areas for conservation attention based upon public comments. The Commission will work with landowners, Rangeley Lakes Heritage Trust, and Land For Maine's Future Board, and others to determine whether opportunities exist for private or public conservation on Lower Richardson Lake, Azischohos Lake, and the remaining undeveloped shore of Beaver Mountain Lake. Finally, the Commission will consider three more regulatory changes to implement the plan in response to public comments. These include:

- ✓ Elimination of the 40-acre subdivision exemption,
- ✓ Refinements to the Planned Development districting process, and
- ✓ Addition of a provision enabling "mother in law" apartments in the Residential Recreation subdistrict.

INTRODUCTION

Rangeley Region First

The Maine Land Use Regulation Commission's *Comprehensive Land Use Plan (1997 Revision)* calls for establishing zoning districts that prospectively guide development in regions where heavy development pressure may compromise high resource values. The plan recognizes that *formulating a coherent future vision for these areas is best done as part of a regional planning process that identifies areas most appropriate for development and conservation.*¹ The Rangeley area is the number one priority established for attention in the plan, followed by the Moosehead Lake, Carrabasset Valley, and Millinocket areas.

Prospective Zones Are Different

Prospective Zoning is different from the Commission's usual approach. It establishes districts large enough to accommodate all anticipated growth in a region within a certain time period rather than designating districts on a case-by-case basis to make room for particular development projects.

With some exceptions², the current process works like this -- when a landowner wants a permit for anything more intensive than a single-family home or home occupation within a Management or Protection Subdistrict, he or she must first file a petition to rezone the property to a Development Subdistrict. Under this project-by-project approach, development zones are dispersed somewhat randomly. While new zones must be located within a mile of a similar zone, what the Commission calls "adjacency," development can leapfrog and spread ever outward. In contrast, prospective zoning provides explicit and reasonable boundaries to meet the development needs of a region within the next 20 years.

¹ Page 134.

² Exceptions include Lake Concept Plans, Resource Plans, and zoning for Greenfield and Madrid.

ANOTHER BIG DIFFERENCE:

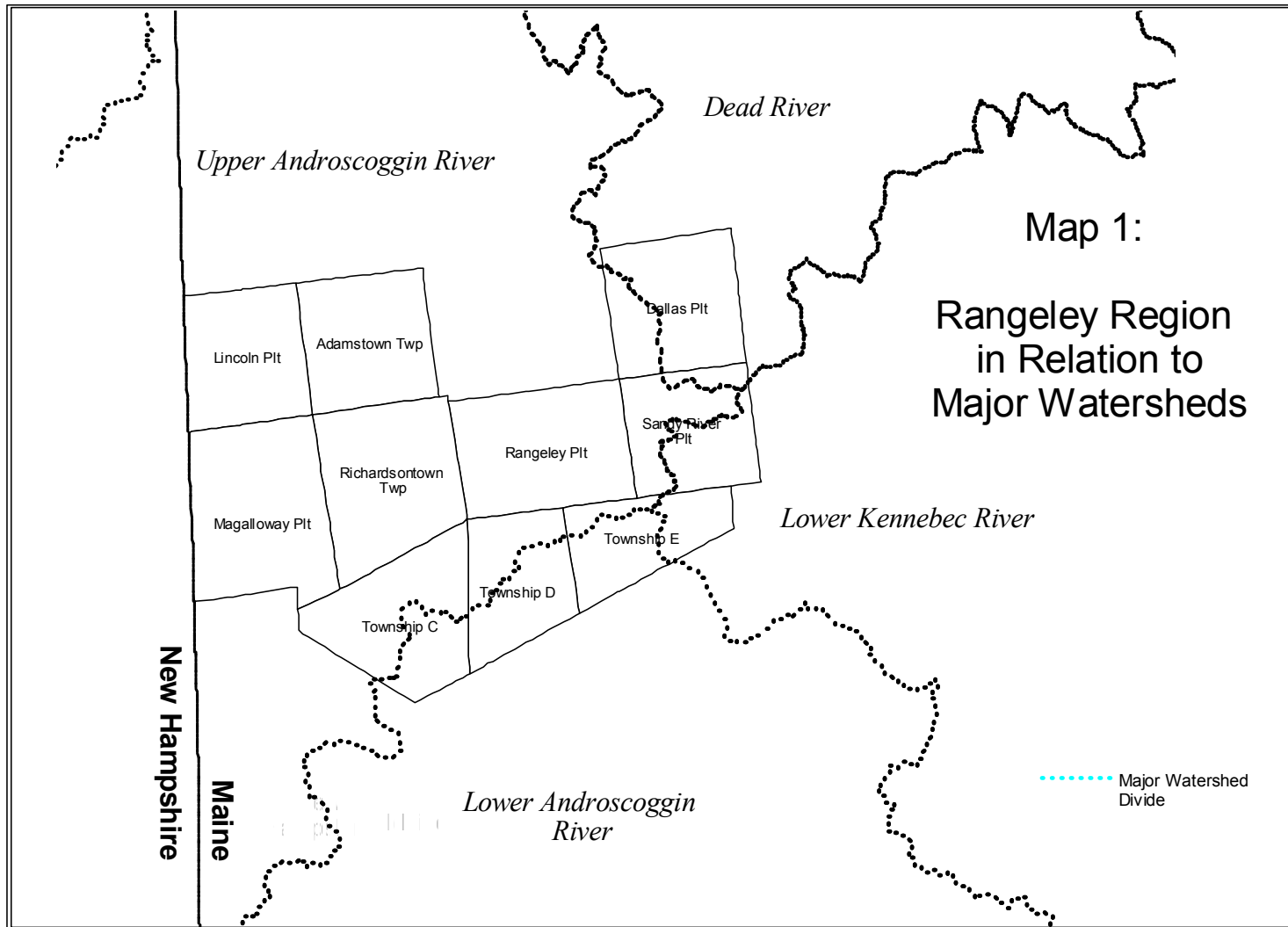
Prospective zoning enables local and seasonal residents, landowners, and citizens of Maine, in general, to have a say in establishing development patterns based upon:

- ◆ a long term **VISION** for the kind of place they want the region to be generations from now;
- ◆ a **REGIONAL PLAN** that conceptually guides development within the framework of that vision, including the desired rate, kind, and location of development; and
- ◆ **ZONING DISTRICTS** that provide enough room for reasonable development within the next twenty years; and **PERFORMANCE STANDARDS** that reinforce the desired character of the region and its special values.

Benefits

Prospective planning and zoning has sound benefits; it:

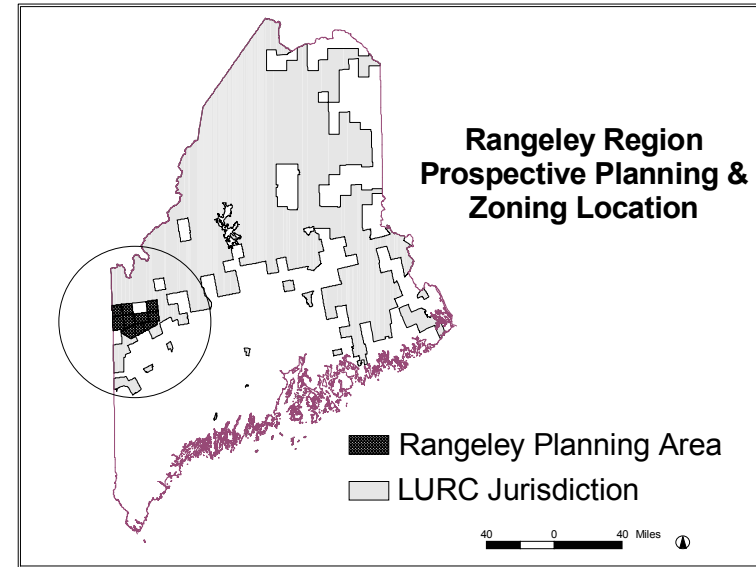
- ❖ **INVOLVES PEOPLE** - landowners, local officials, the public, and organizations - in shaping a region's future;
- ❖ **GUIDES DEVELOPMENT** to the most appropriate and publicly supported locations, thus:
 - reinforcing a widely-held regional vision;
 - preventing resource degradation,
 - facilitating economic development and
 - limiting sprawl and public service costs; and



- ❖ **MAKES PERMITTING EASIER AND MORE PREDICTABLE** for landowners whose projects are consistent with the Regional Plan. They don't have to file a time-consuming and possibly costly rezoning petition.

Rangeley Region Study Area

The study area includes ten townships under the greatest development pressure in LURC jurisdiction. There are many more townships in the Rangeley area but the number was limited to keep this first prospective planning project manageable. The study area surrounds the Town of Rangeley to the east, west, and south as shown on Map 1. Five townships, including Dallas, Sandy River, Rangeley, Lincoln, and Magalloway, are plantations with elected assessors. The remaining townships rely upon state and county governments for property taxation and other public services. The townships north of Rangeley are less accessible and developed than those in the study area. Since the region is on the “fringe” of the Commission’s jurisdiction, all but a few townships to the south are organized.



Public Involvement

Commission staff has held over 30 meetings with landowners, assessors, organizations, and others in the study area since the project began. Several hundred people have participated, especially at meetings in each of the plantations conducted in 1999 (see Appendix A). The staff has consulted closely with major landowners about their future development plans; met with local, regional and, statewide organizations; and mailed a project update to interested parties. Staff has also taken into account existing opinion surveys (see Appendix B).

Public Opinion Surveys Consulted

1986	Town of Rangeley Comp. Plan Survey	taxpayers	33% response
1990-91	Rangeley Lakes Chamber of Commerce	visitors	1,034
1998	Union Water Power Co. FERC Relicensing	visitors/ camp owners	471
1998	ME Audubon <i>Conservation Works Proj.</i>	year-round residents	242
		seasonal residents	64
		tourists	318

THE RANGELEY REGION

Regional Setting

The ecological context of the Rangeley Region is much larger than the ten-township study area. The study area encompasses only the lower portion of the Upper Androscoggin River Watershed, a subregion of the Western Mountains physiographic region (see Map 1). Primarily in timberland, this area functions generally as an outdoor recreation destination, with the Town of Rangeley as the economic center for “local” goods and services. Residents generally go to communities beyond the region, i.e. Farmington, Rumford, or Errol, N.H., for their groceries and major shopping and service needs.

High Value Resources

The region’s extraordinary natural resources have dictated its historical development. This beautiful and bountiful complex of forests, lakes, and mountains first attracted loggers, then it drew turn-of-the-19th-century sports. Today, a core of year-round residents live on the edge of the working forest that attracts outdoor recreationists and second homeowners throughout the seasons. Map 2 depicts a few of these significant resource values. While there are many outstanding regions of the state and New England, none has quite the same character as Rangeley.

The area’s unique quality is threatened by increasing development pressures. Shorefront property is becoming scarcer, thus putting pressure on marginal lands, places away from the water with a view, and backlands. The Commission’s *Comprehensive Land Use Plan* contains a detailed description of these and other threats.

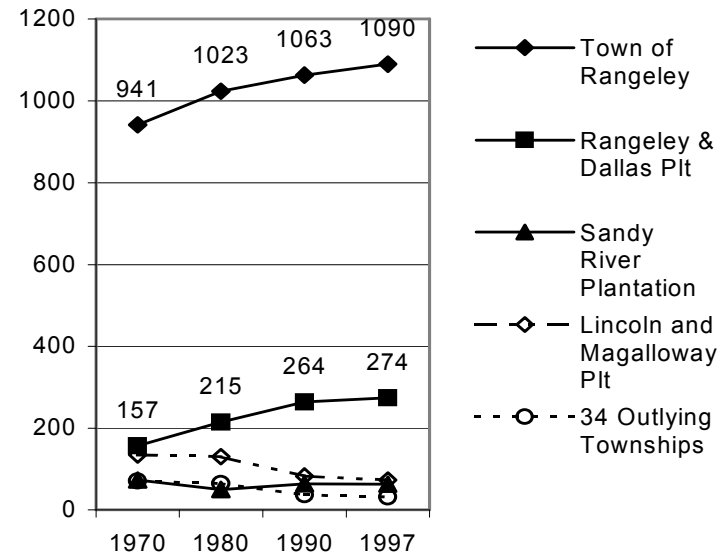
Year-round Population

Year-round residency in the Town of Rangeley and Plantations of Rangeley and Dallas rose about 24% between 1970 and 1997, on par with the State

and Franklin County averages of 25% and 29% respectively. Sandy River Plantation had a relatively stable population over this time period. The population of Lincoln, Magalloway, and other outlying townships is in decline, however, creating a net loss in the study area.

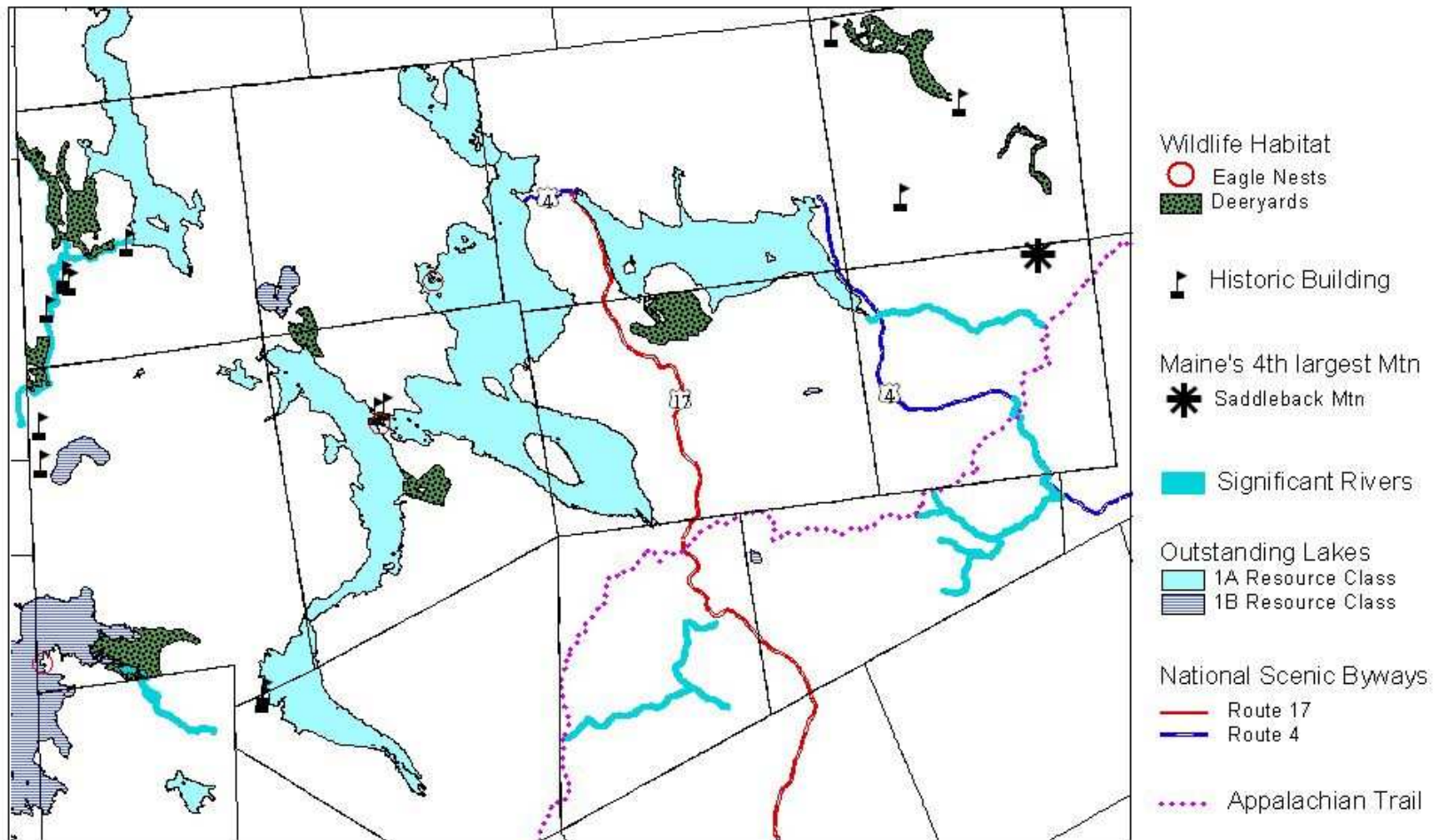
Between 1990 and 1997, total year-round population in the study area and the Town of Rangeley declined from about 1548 to 1532.

Figure 1: Year-round Population



Source: US Census Bureau and Maine Dept. Human Services estimates

Map 2: Selected High Value Resources

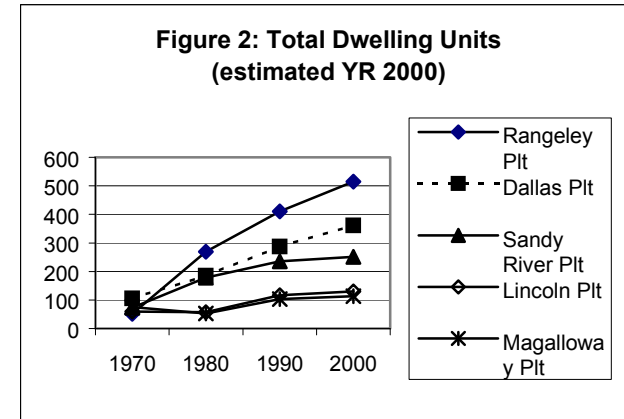


The Census Bureau aggregates data for sparsely populated outlying townships. The population data for the 34 outlying townships grouped in Figure 1 are in the Northern Oxford County, West Central Franklin, and North Franklin County Census tracts.³ Consequently, no data is available individually for Adamstown, Richardsontown, and Townships C, D, and E.

Seasonal Population

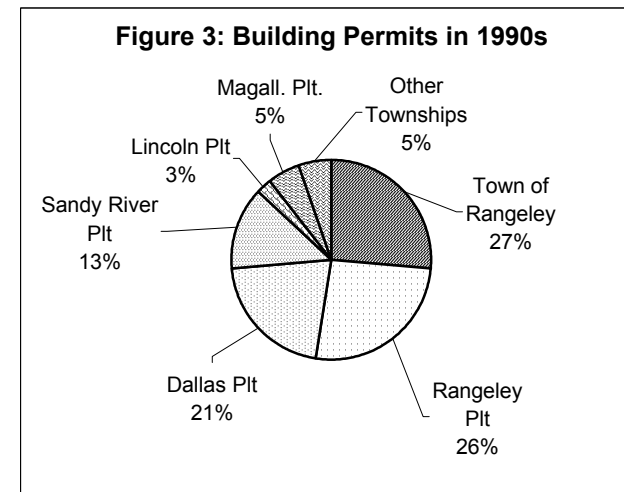
Keeping with tradition, more people have homes and camps in the study area than year-round population data reflect. Again, Rangeley, Dallas, and Sandy River have seen the greatest increases in dwellings since 1970 when all five plantations had roughly the same number (see Figure 2). The pace slackened somewhat in the 1990s, according to building permit data.

Still, during the 1990s, the ten-township study area averaged 28 building permits a year for new camps, mobile homes, or year-round homes or camps. Together, Rangeley (10/year), Dallas (8/year), and Sandy River (4.6/year) Plantations had the lion's share with 23/year. In comparison, the Town of Rangeley averaged 10 per year and the most populated township in the Commission's jurisdiction, Albany, averaged 8. Lincoln and Magalloway together averaged 3 per year and the other five study townships averaged 2.



Source: US Census Bureau and Land Use Regulation Commission

For every year-round resident gained over the last decade in Rangeley, Dallas, and Sandy River Plantations, 23 new homes or camps have been permitted.



³ The West Central Franklin County Census Tract includes: Townships D, E, and T6 North of Weld. North Franklin includes: Gorham Gore, Lowelltown, Skinner, Kibby, Jim Pond, Redington, Beattie, Chain of Ponds, Alder Stream, Tim Pond, Lang, Coburn Gore, Massachusetts Gore, Seven Ponds, Stetsontown, and Davis Townships. North Oxford includes: Bowmantown, Parmachenee, Oxbow, Lynchtown, Upper Cupsuptic, Parkertown, Adamstown, Richardsontown, C, C Surplus, Andover North Surplus, Andover West Surplus, Grafton, and Riley Townships.

Trend Toward Permanent Construction

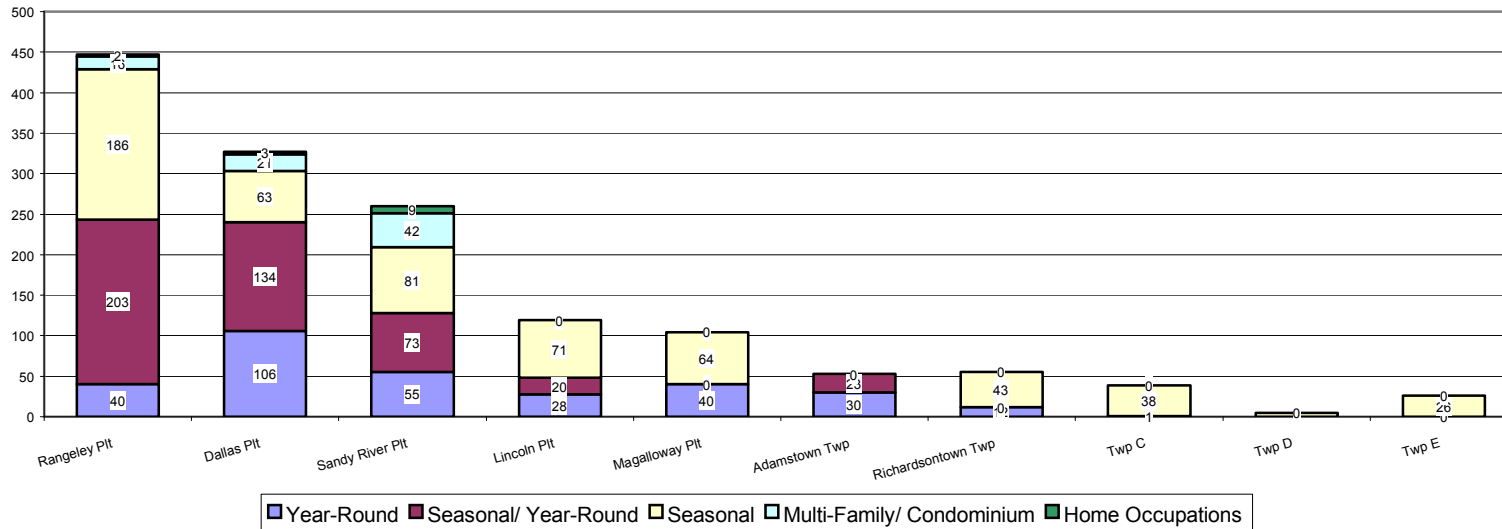
Dallas and Rangeley Plantations have the bulk of dwellings constructed for year-round use, if not actually occupied on a year-round basis (Figure 4). While Dallas had slightly more dwellings in 1970, extensive subdivision east of Mooselookmeguntic Lake in Rangeley Plantation has moved that community to the front in the number of dwellings (Figure 2). Sandy River follows Dallas in third place.

According to US Census data between 1970 and 1980, the proportion of seasonal dwellings stayed constant in the study area, about 82% of the total. But Figure 5 shows that the recent trend is toward more permanent

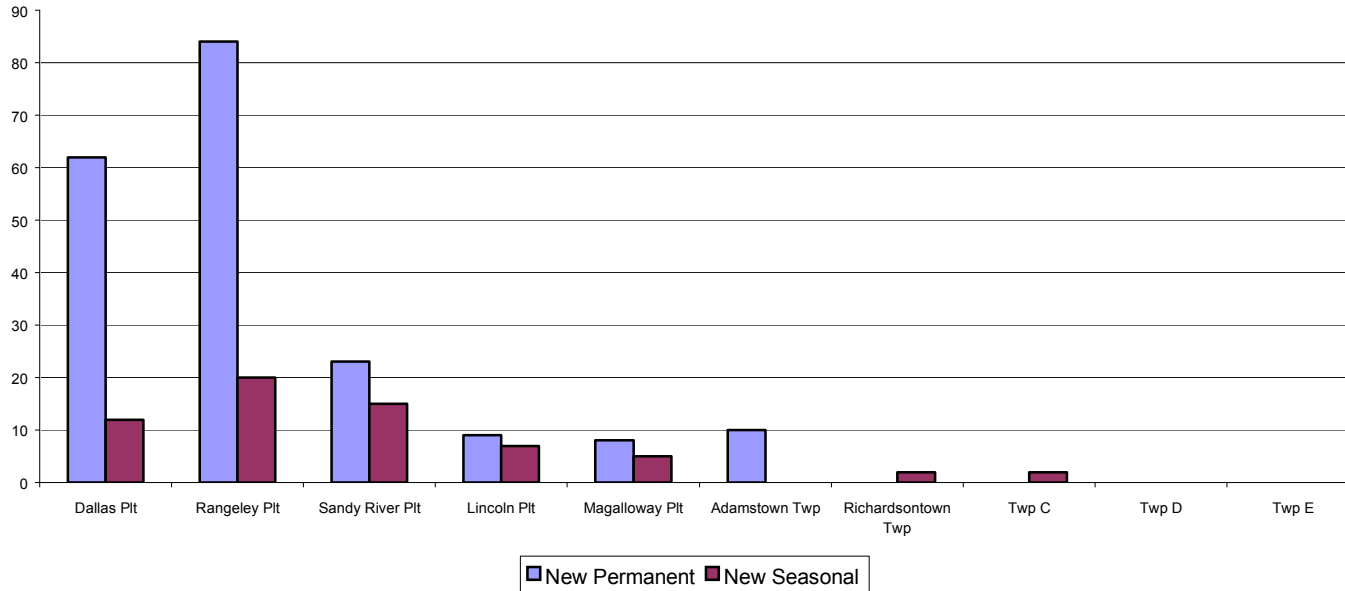
construction with foundations as more people build or convert camps to seasonal homes in the area. Presumably this trend will continue as the bulging baby-boomer generation enters its pre-retirement and retirement years.

Over three-quarters of building permits issued for new homes or camps in the past decade have been constructed in a manner that can accommodate year-round use.

Figure 4: Residential Structures (1995 LURC Inventory)



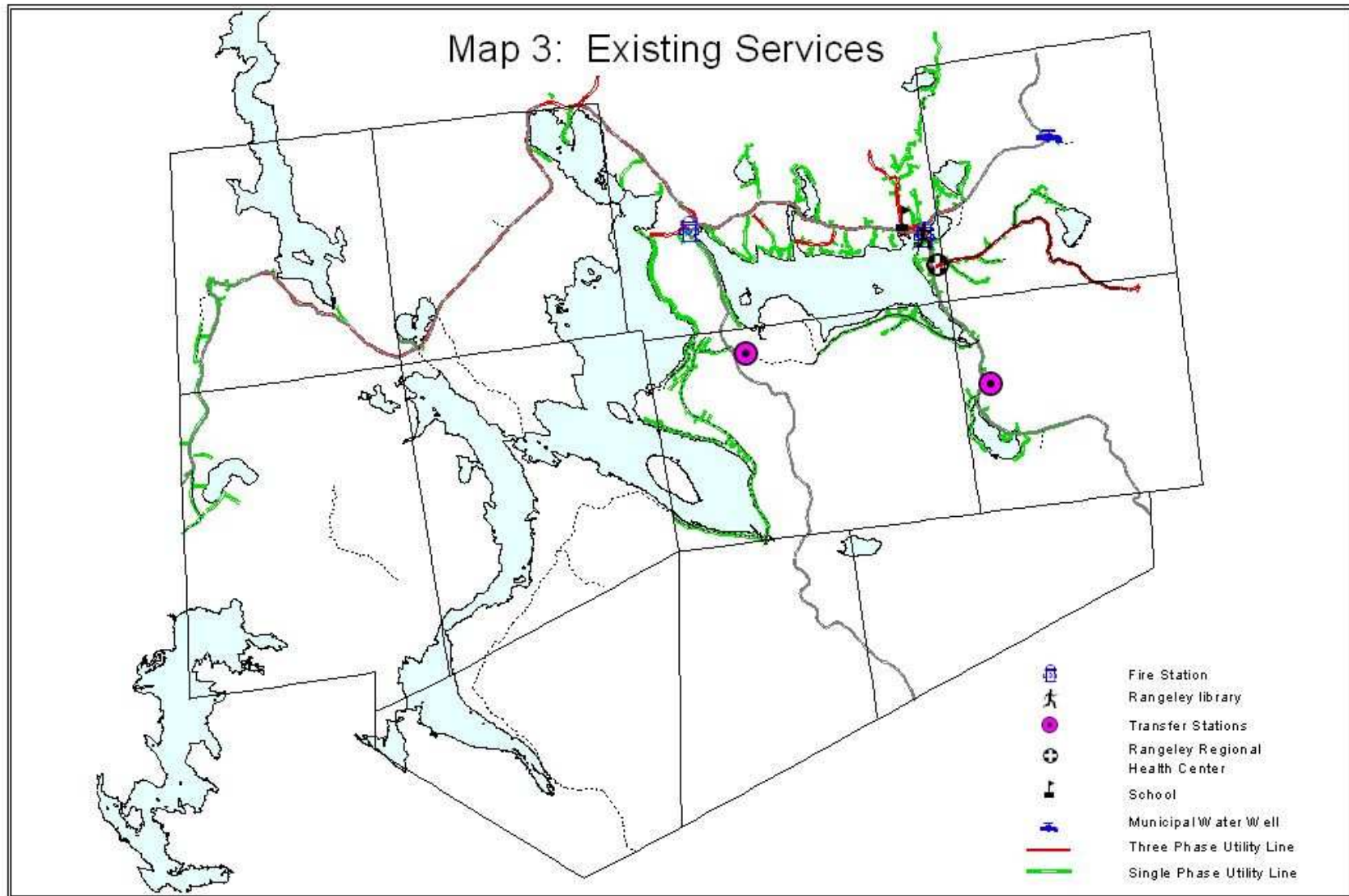
**Figure 5: Building Permits For New Dwellings (LURC data)
 (1/1990 to 8/1999)**



Development Patterns

Map 3 shows development patterns generalized by property parcels in the ten townships, along with public utilities and services. Most development is concentrated near the Town of Rangeley and state highways, or along lakeshores. Public services are minimal, primarily road maintenance, snowplowing, and transportation to the Rangeley Region School. The townships contract with the Town of Rangeley for fire protection. Rangeley and Sandy River Plantations have their own transfer stations. Some households in Dallas are connected to the Rangeley Water District system. The Rangeley Sanitary District serves only the Town of Rangeley.

Commercial enterprises are not extensive, even in the plantations closest to the Town of Rangeley. The following are some examples. Sandy River Plantation has Saddleback Ski Area, as well as most of the home occupations that were inventoried in 1995. Dallas has a restaurant and a golf course, the latter constructed without a permit (an After The Fact Permit application is under consideration). A sporting camp exists on Lower Richardson Lake (Lakewood, on the National Register of Historic Places) and another is being developed on Rangeley Lake. Three other sporting camp/housekeeping cabin facilities in Rangeley and Dallas Plantations were sold as individual camps.



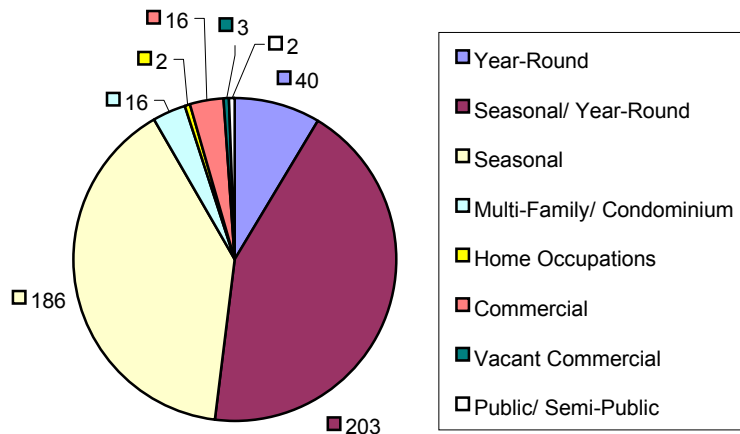
Land Consumption

Change used to be relatively slow in the Rangeley Region, but the building boom of the last 20 years has sped up the cycle. The Commission until recently did not record complete data on parcel size for building permits so one can only estimate the rate of land consumption.

For the data that is available, the size of developed parcels varies. For example, according to 32 permits out of 37 issued in Dallas between 1995 and 1999, three-quarters were 5-acre or smaller lots, and about half of these were 2-acre or smaller lots.

Assuming one acre for every primary structure – of which there were 2963 in the ten-township area in 1995, roughly 3000 acres are now developed. This is about 1.4% of the land area in the ten-township region.

Figure 6: Type of Structures (1995 LURC Inventory)



Land Ownership

Large timber management and power generation companies have traditionally held most of the land in the region in large blocks. This holds true today with the Pingree Family, Mead Corporation, International Paper Company, Dallas Company, Franklin Timber Company, and others still managing large tracts for timber and accommodating public use for outdoor recreation (see Map 4). No parcel maps are available for Lincoln and Magalloway Plantations, but only the settlement areas are in small parcels.

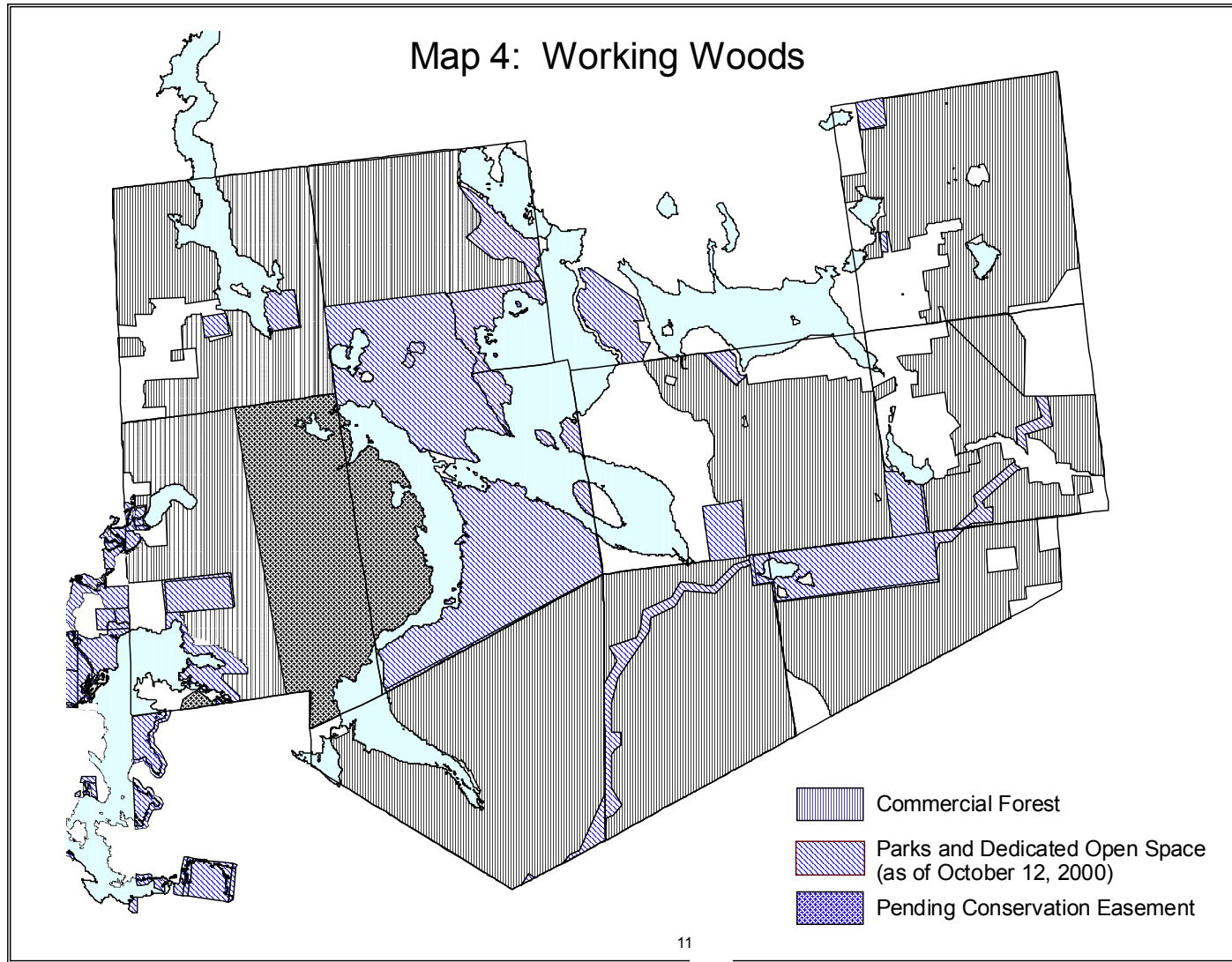
Most small parcels have been created in townships closest to the Town of Rangeley. Lease lots, of which there are many, are not reflected in this data.

Figure 7: Property Parcel Count By Parcel Size

	0 to 2 Acres	2.1 to 5 Acres	5.1 to 100 Acres	100.1 to 1000	>1000 Acres	Total Acres
Rangeley Plt	645	193	206	13	2	27,715
Dallas Plt	430	108	115	7	2	25,602
Sandy River Plt	343	68	116	12	6	20,897
Adamstown Twp	43	11	14	2	6	44,092
Richardsontown	0	1	2	1	1	5,875
Twp C	8	1	5	4	2	54,107
Twp D	5	0	0	1	3	22,763
Twp E	26	0	2	4	2	19,039
Total Count	1500	382	460	44	24	220,091

Land Conservation

The extraordinary landscape of the Rangeley Lakes area and a strong sense of stewardship have motivated several individuals, landowners, Rangeley Lakes Heritage Trust, and state and federal governments to conserve large important tracts of land (see Map 4).



Prospective Zoning Plan for the Rangeley Lakes Region

The Rangeley Lakes Heritage Trust and the state own about half the shorelands of Mooselookmeguntic Lake and Upper Richardson Lake, along with an extensive land area in between. Union Water Power Company worked to conserve shorelands of the Rapid River and Pond in the River before selling their remaining property to Florida Power and Light Company. The New England Forestry Foundation is currently raising funds to sell development rights for conservation for 100,000 acres owned by the Pingree Heirs within the Rangeley area. Jean Noyes swapped land with state agencies on Rangeley Lake to expand the Rangeley Lakes State Park. Many landowners worked with the National Parks Service to conserve the Appalachian Trail Corridor. And the US Fish and Wildlife Service is also working to conserve land around Umbagog Lake and the Magalloway River.

Other Initiatives

Town of Rangeley Comprehensive Plan & Land Use Regulations

The Town of Rangeley recently revised its comprehensive plan following the State's Growth Management Program. The State Planning Office is currently working with the community to bring the draft plan into consistency with the state program.

The future vision for the town described in the plan is largely consistent with this prospective plan. It focuses on the region's four-season recreational character and seeks to concentrate and strengthen the two economic centers (Rangeley and Oquossoc Villages). It seeks to retain the high quality of traditional, outdoor recreational opportunities and the natural resource setting, to be implemented by a range of lot sizes.

The Rangeley town plan is different from this plan in two ways. It explicitly favors clean, low-impact, non-location sensitive businesses over manufacturing/light industrial uses. It calls for a range of densities for the community's various zoning districts.

In regard to key policies, the plan appears to be consistent with this prospective plan, but lacks specificity for determining how effective these will be in practice. Two primary goals very closely parallel the intent of this Land Use Regulation Commission plan. These include:

- Concentrating growth in designated areas located close to the economic centers of the town; and
- Expanding the range of low-impact businesses allowed as home occupations as long as there are safeguards to protect neighboring properties.

A major difference between the two plans in policy direction is that Rangeley explicitly seeks to maintain rural areas primarily for natural resource and traditional rural uses while allowing some other compatible uses. The Land Use Regulation Commission prospective plan is silent on this issue, focusing only on locations where development is appropriate and providing incentives for locating there, e.g. it allows a greater amount of floor area and some retail traffic for major home occupations located in most development zones. It does not prescribe any additional disincentives for development in the management or protection zones.

The Rangeley town plan does not yet provide specific strategies for realizing its policy for limiting development in the woodland zone. This is one of the State Planning Office's major findings for which it is seeking change before determining the plan to be consistent. The next step for Rangeley will be to revise its zoning regulations to be in conformance with its new plan.

National Scenic Byway

The Maine Department of Transportation established Route 4 and Route 17 as state scenic highways in 1982. Recently, these routes achieved federal designation as the *Rangeley Lakes National Scenic Byway*. The scenic highway will be managed according to a corridor management plan that was developed by a committee of local citizens and representatives.

The corridor management plan contains general language about the management of future development, stating that *the villages within the*

Prospective Zoning Plan for the Rangeley Lakes Region

Byway will be the location for the majority of any future development that may occur. This policy is consistent with the Rangeley Lakes Prospective Zoning Plan that concentrates development in limited and discrete areas.

MDOT Access Management

The location of driveways and other entrances along state highways in the Rangeley region is an important issue. The spreading out of new development has slowed regional traffic in recent years, especially trucks hauling timber from the woods. For land managers this presents an efficiency issue, causing longer travel times to the mills. For all drivers, it makes the roads less safe. This is particularly a problem on stretches of Routes 17 and 4 where terrain and sight distances are dangerous to begin with.

Access standards were to be part of this plan, but they have been omitted because of recent legislation authorizing the Department of Transportation to strengthen its permitting process. The Department now requires landowners to obtain a driveway permit that only considers safe sight distances and drainage requirements.

After developing new regulations, Maine Department of Transportation will establish criteria and standards that also will ensure long-term maintenance of existing posted speeds along state or state-aid highways. This will primarily be accomplished by limiting the number of driveways that can be established in areas outside of village and urban areas. It will affect Routes 4, 17, and 16 in the Rangeley Lakes area.



View from the *Height of Land* on the Rangeley Lakes National Scenic Byway, Route 17

THE PLAN

Prospective Planning Principles

This prospective plan is guided by the following principles:

1. **CONSISTENCY WITH CLUP.** Be consistent with the vision, goals, and policies of the Commission’s Comprehensive Land Use Plan;
2. **PLACE-SPECIFIC.** Create zones that respond to the particular character of the Rangeley Lakes Region. Differentiate between plantations appropriate for growth - primarily plantations adjacent to service centers and organized communities - and those plantations and townships that are remote;
3. **LONG TERM VISION.** Promote land uses that reinforce the special character of the region over the long term and discourage or prohibit those that do not. Do not fuel speculative development, drain the economies of existing economic centers, fragment the working forest and ecosystems, or reduce resource protection;
4. **ROOM FOR REASONABLE EXPANSION.** Plan enough room for development in the next 20 years based upon the historical growth rate;
5. **FOCUS ON LOCATIONS FOR DEVELOPMENT AND MAKE PERMITTING EASIER AND EQUITABLE THERE.** Make it easier to develop in designated areas. Provide incentives and remove obstacles so that people do “the right thing.” Do not force landowners to designate their land for development. Above all, assure equitable results for all landowners, large and small; and
6. **STICK TO THE PLAN.** Make it more difficult to rezone areas outside of designated development zones unless extenuating circumstances, such as unforeseen public needs, emerge.

Otherwise, this plan, and the effort that went into it will not be an effective investment.

Jurisdiction-wide Vision

The Commission’s *Comprehensive Land Use Plan* provides direct and unambiguous guidance on vision:

The historical development pattern in which most new development occurs where principle values are least impacted should be reinforced.

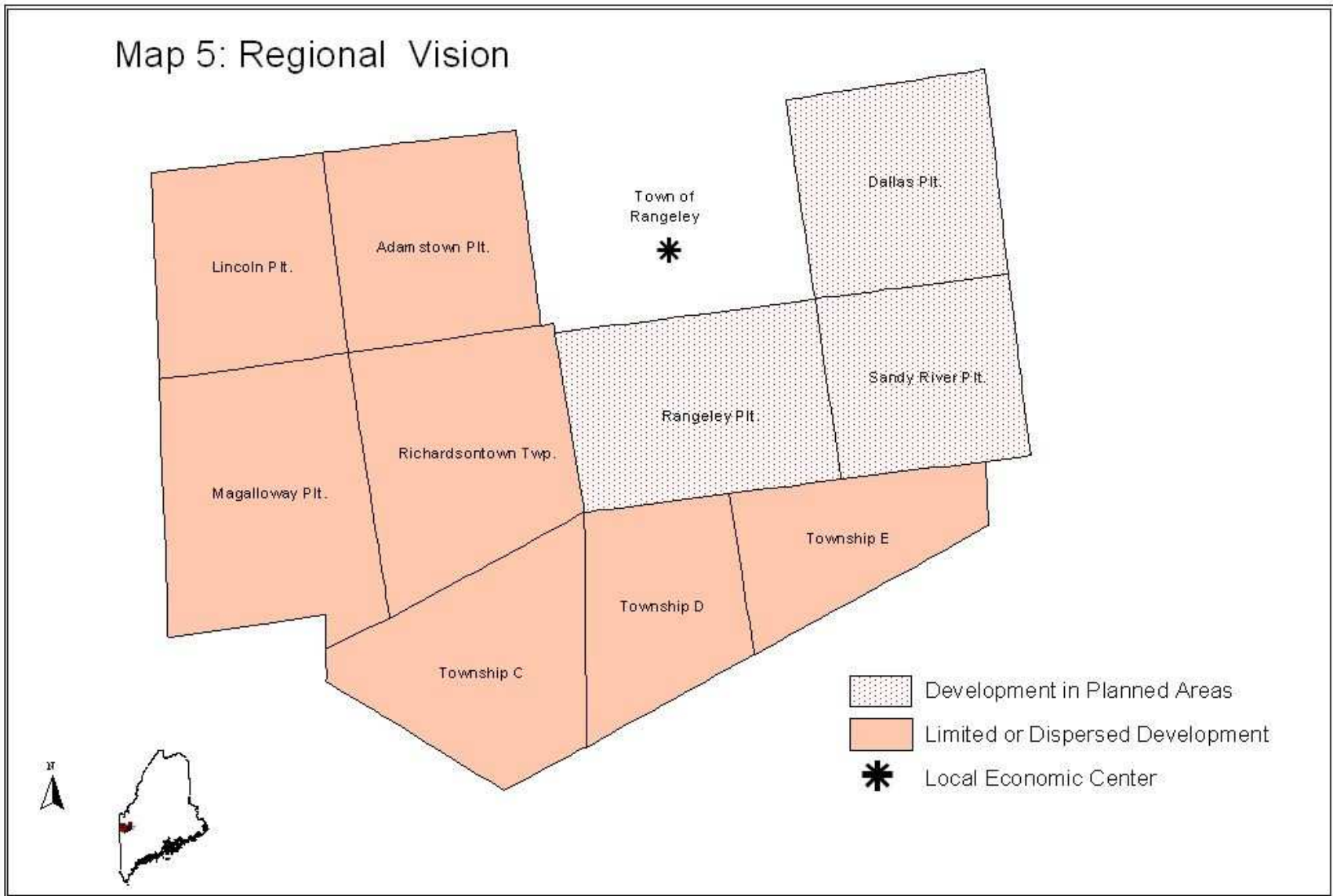
The historical development pattern of the Commission’s jurisdiction is comprised of *vast areas of relatively undeveloped land, with concentrations of development principally near organized areas and relatively few scattered dwellings elsewhere.*⁴

Regional Vision

Four-Season Gateway to Lakes & Woods

Generations from now, residents, corporate landowners, and visitors desire the primary identity of the Rangeley Lakes Region to still be a friendly, four-season community that derives its distinct character and heritage from abundant, undeveloped land managed for multiple, natural resource-based uses.

⁴ Pages 133-134.



Town of Rangeley: local economic center

The villages of Rangeley and Oquossoc will continue to be the primary service centers of the area. They offer a full range of affordable “local” goods such as groceries and hardware for residents and visitors alike, though staples such as bread, milk, and gas may be available within neighboring settlement areas. People will still travel to Farmington, Rumford, and Errol, NH, for more intensive shopping and services.

Adjacent plantations: focus of development

Most year-round, second home, and intensive recreational development will be located in settlement areas in the Plantations of Rangeley, Dallas, and Sandy River (and Town of Rangeley).⁵ Development will be at a pace consistent with historical development and resource values and located so as not to compromise special resource values or create sprawl and strip development. Residents will have flexibility in making a living through a variety of home occupations and businesses that do not compromise this outstanding natural setting.⁶ Land uses will be less intensive in character and scale than in the towns of Rangeley or Farmington.

Outlying townships: working woods

The remainder of the region -- distant from public services and sparsely developed -- will still be characterized by:

- large working forests and landholdings,

⁵ CLUP policy guides year-round residential, second home, and intensive recreational development to locations near organized towns or existing development centers in the Jurisdiction, particularly those that can be efficiently served by existing services, facilities, and utilities. It further encourages concentrated patterns of growth to minimize impacts on natural values and scenic character. Pages 138-140

⁶ CLUP policy encourages economic development in the towns, plantations, and townships identified as most appropriate for future growth. Use buffers, building setbacks, and landscaping, as well as adequate parking and traffic circulation, to minimize the impact of land use activities on one another and scenic quality. Page 141

- dispersed uses with light footprints offering a diversity of settings for outdoor recreation⁷ that have a minimal impact on resource values and land fragmentation and conversion,⁸ and
- small historical settlements with vitality but distinctly remote character and services.

The rate and intensity of development in these outlying areas will be consistent with natural and cultural resource values. Utilities, new public roads, and other accommodations facilitating year-round residency will intrude upon and change the character of remote and semi-remote areas outside of settlements.⁹

High Quality Lakes

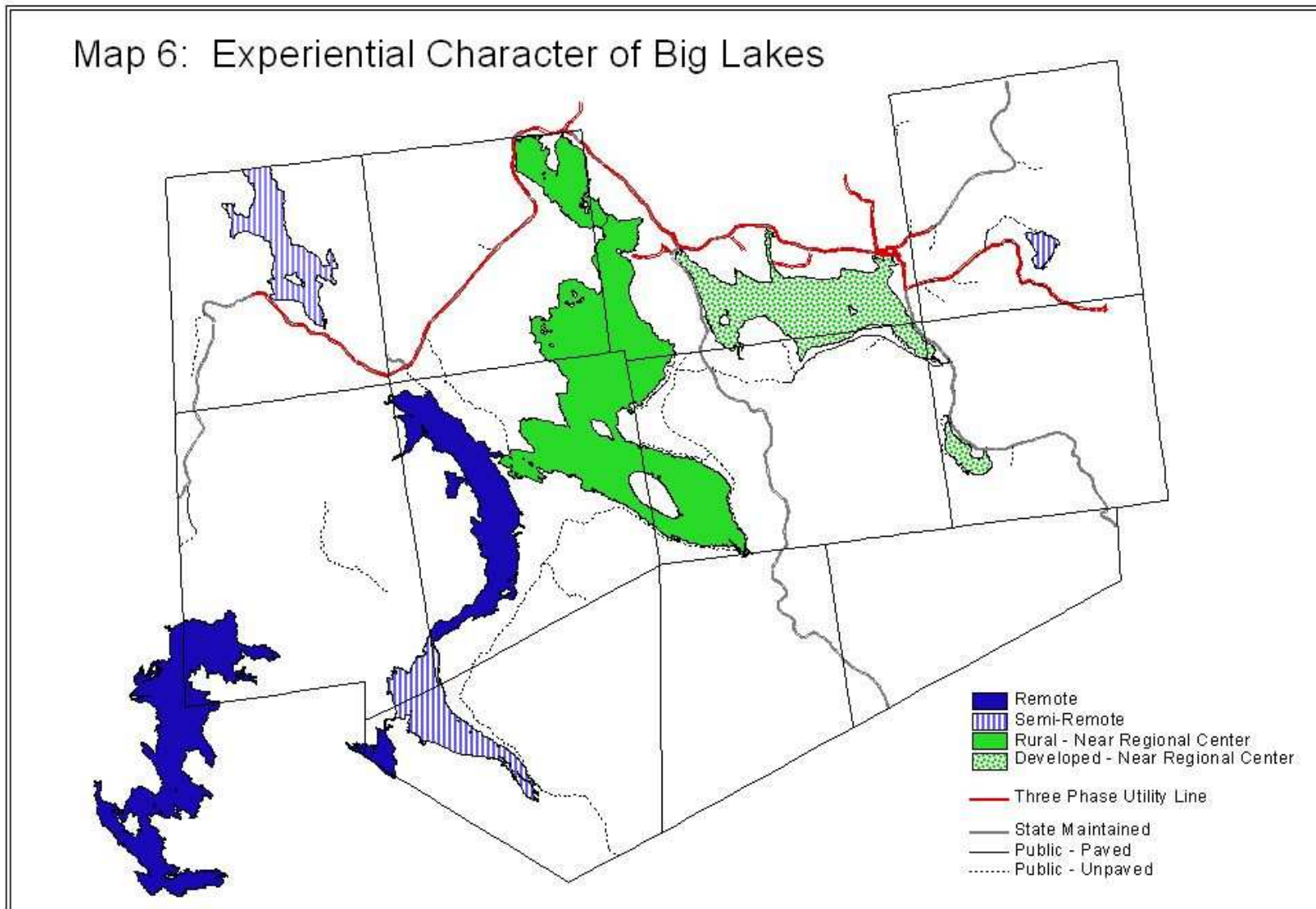
Generations from now, the Rangeley Lakes Region will still have high quality lakes offering an array of experiential settings. See Map 5 and Figure 8.

⁷ CLUP policy promotes a range of recreational opportunities, including less-intensive, non-exclusive facilities in areas outside of designated development centers and opportunities for primitive recreation without intrusion from more intensive forms of recreation. Consider traditional sporting camps as recreational and cultural resources, worthy of protection from incompatible development. Page 138

⁸ CLUP policy limits development to low-impact structures in areas where the principal values of the jurisdiction are threatened; encourages site designs that have a minimal impact on principal values of the jurisdiction, including clustering and open space preservation; and discourages unnecessarily large lot sizes. Page 141-142

⁹ CLUP policy calls for locating infrastructure so as not to inappropriately encroach upon or change the character of remote areas or produce an intensity that is inappropriate for a particular area. Page 142

Map 6: Experiential Character of Big Lakes



Prospective Zoning Plan for the Rangeley Lakes Region

Figure 8: Future Experiential Character of Rangeley Lakes

	Upper Richardson Lake, Umbagog Lake, Pond in the River	Lower Richardson Lake, Aziscohos L. (Lincoln Plt. only), Saddleback Lake	Mooselookmeguntic Lake Cuspsuptic Lake	Rangeley Lake Beaver Mtn Lake
Proposed Management Character	Remote Experience	Semi-Remote*	Rural – Near Regional Center	Developed – Near Regional Center
	Lake setting is characterized by essentially undeveloped shoreland used for low impact recreation. Few to no signs of seasonal development exist and backland is managed for forestry or other natural values. Access is primarily by boat.	Lake setting is characterized by no more than half the shoreland modified by dispersed pockets of low impact recreation uses and/or seasonal development. Evidences of the sights and sounds of shoreland development are moderate. Backland is a working forest. Road network is minimal or designed to limit sprawl.	Lake setting characterized by no more than half the shoreland substantially modified by a combination of seasonal and year-round development. Evidences of the sights and sounds of shoreland development are moderate. Backland development has substantial shoreland access.	Heavily developed lake setting with a combination of seasonal and year-round development in shoreland and some backland. Evidences of the sights and sounds of shoreland development are high. Backland development has substantial shoreland access.
Maximum development density/lake mile (based upon entire ownership & as site conditions allow)	1 camp per mile (for these lakes conservation is under negotiation or already secured)	13 camps/mile	13 camps/mile	13 camps/mile
Shore amount to remain undeveloped/conserved	Ideally: 95%	At least 50% in large blocks & retaining sensitive resources	50% (Substantial shorefront of these lakes is already conserved)	Less than 50% already
Subdivision and adjacency requirements	Not applicable because of conservation initiatives	Subdivision allowed w/out rezoning but for seasonal, low impact uses; adjacency not required	Rezoning required outside of prospective development zones	Rezoning required outside of prospective development zones. Cluster development required.
Rate of growth	Not applicable	One group of 20 units in 10 years	Controlled by size of zones designated for growth & exempt lot creation.	Controlled by size of zones designated for growth & exempt lot creation.
Required buffers between sporting camps, campgrounds, groups of rental cabins or camps	Not applicable	0.25 mile circular radius	Not applicable	Not applicable

*Additional provisions applicable to Semi-Remote Lake Zone (GP-2):

1. One unit per lot of record allowed as of August 1, 2000, same as existing P-AL district; new lots created under conditions stipulated herein.

2. New zone has 500 feet of depth from shore to foster creative development layouts.

3. Private boat launches for subdivisions only allowed when planned for common use and consistent with other LURC requirements

New Development Zones

After consulting with the public, local officials, and landowners about problems with existing zoning -- and in keeping with the regional vision, six new zones will be applied specifically in the Rangeley area. All are variations of existing zones, but the zoning descriptions are more explicit about where the zones can be applied, the kinds of land uses allowed, and performance standards required to make adjacent uses good neighbors.

These zones are designed as a whole system to reinforce development patterns in a manner consistent with the Regional Vision. It is important to note, however, that they are only one side of the equation because no changes are proposed for the Management Zone, with the exception of changes to the home occupation definition and standards. Consequently, development can conceivably, albeit slowly, spread into the Management Zone, to the extent those landowners sell off the working forest and shorelands of some of the smaller ponds. At this time, all of the industrial landowners plan to continue managing forestlands for timber over the long term.

The new zones include the following:

Five Development Subdistricts

- ❖ D-GN2 Community Center
- ❖ D-GN3 Rural Settlement
- ❖ D-ES Extended Settlement
- ❖ D-RS2 Community Residential
- ❖ D-RS3 Recreational Residential

One Protection Subdistrict

- ❖ P-GP2 Semi-Remote Lake

Other Potential Development Areas

This Plan and proposed zoning maps are the result of talking at length with all of the owners of large tracts of land and at public meetings with owners of smaller parcels. One of these owners, Union Water Power Company, plans to submit a rezoning petition request for projects at Middle and Upper Dams on the Richardson Lakes before this prospective plan takes effect. The company's general plan and maximum densities for both areas were negotiated with multiple parties during the relicensing process for these dams under the Federal Energy Regulatory Commission. Because this occurred before the development of the new Semi-Remote Lake Protection subdistrict, which stipulates lighter densities, the landowner wishes to be considered under the old Commission rules.

Development of three additional areas - two in Dallas Plantation and one in Rangeley Plantation - was discussed but zoning designations were not applied at this time, pending further information by the landowners (see Map 6). This plan recognizes that these landowners may file requests for rezoning permits for selected locations within these areas during the twenty-year time frame. The Commission will approve such development proposals providing that they are consistent with the pattern of growth, kinds of uses, and amount of overall development specified in this plan and meet all zoning and regulatory requirements and statutory approval criteria.

All three areas are in the watersheds of ponds and lakes that are sensitive to eutrophication. For this reason, special attention must be paid to limiting phosphorus runoff by controlling development densities and minimizing the amount and location of impervious surfaces.

DALLAS PLANTATION

Dallas Company: Route 16

This area is adjacent to an Extended Settlement Zone on Route 16. The community has talked with the Dallas Company about zoning this area for light industrial use. This is one of the future uses that the company will

consider, along with low/moderate-priced housing. In either case, the company plans to site such development so that it minimizes the number of access points onto Route 16 and is set back far enough from the roadway to be screened from view by wooded vegetation. The company is also open to accommodating a connector road from Route 16 to Dallas Hill Road, to the extent that its development proposals facilitate such a connection and are economically feasible. Such a route existed in former times and made local circulation much easier without having to go through Rangeley Village in traveling from one part of Dallas to the other.

Franklin Timber Company: Dallas Hill Road

The Franklin Timber Company owns the planned development zone associated with Saddleback Ski Area and largely located in Sandy River Plantation. The company also has extensive, contiguous holdings in Dallas Plantation along the upper Dallas Hill Road and Saddleback Lake. The company may scale back its currently permitted, but unbuilt development at the mountain and locate it instead in the Dallas Road/Saddleback Lake area. Uses might include housing or commercial lodging establishments. A primary part of the company's vision is to locate such development in pockets near the road or back from the lake. The intention is to conserve the shoreland of the lake for common use and traditional public access.

RANGELEY PLANTATION

S.C. Noyes and Company: southeast corner of plantation on Cross Town Rd

The landowner and local assessors hope to use this property for gravel extraction and asphalt production to meet local needs. Rezoning from a General Management to Commercial-Industrial subdistrict will not be necessary unless permanent mineral processing equipment is planned. The General Management Subdistrict now allows gravel extraction meeting standards under five acres without a permit; and larger acreage with a permit, including portable equipment such as for asphalt batching.

An evaluation of potential project impacts and future reuse will be necessary before an assessment of the appropriateness of this location for Commercial-Industrial zoning can be made.

Amount of Development Planned for 20 years

The challenge of planning is to shape the course of development toward a desired outcome rather than merely to respond to demand and development pressures. This plan seeks to identify appropriate areas to concentrate development in a pattern that will conserve the highly prized natural features and traditional character of the Rangeley Lakes Region. See Map 7 on page 22.

The size of these areas was determined through discussions with local people and in keeping with a general *rule of thumb*. This rule of thumb is to provide enough room for the next twenty years to accommodate about as much development as occurred in the past two decades. This rule of thumb is consistent with State Planning Office policy for communities that are developing growth management plans.

In the last two decades, an estimated 650 residential dwellings or camps were constructed in the ten-township area. Assuming 2 acres per dwelling/camp, the planning area will need about 1300 acres of land zoned for residential and mixed uses.

No attempt has been made to apportion this potential development acreage among the townships. Rather, the strategy is to meet the desires of each community, keeping the overall acreage within the target goal and limiting intensive year-round development to Dallas, Rangeley, and Sandy River Plantations. Most of the land placed in development zones will accommodate residential development as well as home occupations (see descriptions of proposed development zones). Only a small acreage is proposed for mixed use in community centers or intensive commercial-industrial use.

Existing year-round development in D-RS zones in outlying plantations and townships have been replaced by either a D-GN3 zone – in rural settlement areas where limited growth is allowed – or D-RS3 zone on lakes and ponds where adjacent growth is not encouraged.

Plan Implementation

Monitoring Land Use Change

The Land Use Regulation Commission will monitor development trends, including the location, type, and volume of permits and rezoning petitions, on a regular basis to ensure that future development is consistent with the intent and substance of this plan. Interested parties will be kept informed of application activity through the Commission’s “Notice of Applications Received and Accepted For Processing,” generated on a weekly basis. The list of interested parties will include those who have asked to be on the list through this prospective planning process, including the Maine Department of Inland Fisheries and Wildlife, Maine Historic Preservation Commission, and Mooselookmeguntic Improvement Association.

The Commission will monitor two additional issues in response to public comments made during its deliberation on the adoption of this plan. The first involves the issuance of permits for home occupations in the General Management Subdistrict, particularly for special exceptions in Rangeley, Dallas, and Sandy River Plantations. This issue centers on whether home occupations in the M-GN will be complementary or detrimental to the long-term function of the management zone for forestry and agricultural uses and the avoidance of development sprawl.

The second issue relates to monitoring any new development on Lower Richardson Lake to determine its impact on the character of Upper Richardson Lake. This latter issue addresses the question of whether there is a need to treat both lakes as one “remote” lake because they are physically connected and both have outstanding resource values. Boating traffic generated by development on the lower lake will effect the upper portion in equal measure.

Plan Update

Staff will also identify changing circumstances that could not be foreseen in the development of this plan and report annually to the Commission on development trends and how well the plan is working. The Commission

will consider every five years whether an update is needed, but otherwise will make necessary changes during periodic updates of its jurisdiction-wide Comprehensive Land Use Plan.

While the plan provides a general guide for the next twenty years, it is not cast in stone. Zoning changes beyond those described above under “Future Development Areas” will be considered if the proposed developments meet general and prospective zoning review criteria.

Acquisition Priorities

In developing the plan, the Commission has identified some areas where priority attention should be directed for acquisition of development rights, conservation easements, or public ownership. Three of these were mentioned in the Basis Statement and Summary of Comments from the July 17, 2000 Public Hearing. These include Lower Richardson Lake, Azischohos Lake, and the remaining undeveloped shore of Beaver Mountain Lake.

Following through on its Lake Classification initiative of 10 years ago, the Commission has created the P-GP2 zone to allow limited development on Lower Richardson and Azischohos Lakes. These two lakes were considered as having potential for development during the lakes study. Through the comment process on this plan, several individuals and groups have indicated an interest in seeking conservation status for them. In addition, meeting participants in Sandy River expressed similar interest in the remaining developed land on Beaver Mountain Lake. Accordingly, the Commission will work with landowners, the Rangeley Lakes Heritage Trust, Land For Maine’s Future Board, and others to determine whether opportunities exist for public or private conservation of these areas.

Additional Regulatory Changes

During implementation of the plan, the Commission will explore three other regulatory changes that emerged through the public hearing process. The first involves the elimination of subdivision law exemptions. Land divisions under these exemptions are responsible for incremental

Prospective Zoning Plan for the Rangeley Lakes Region

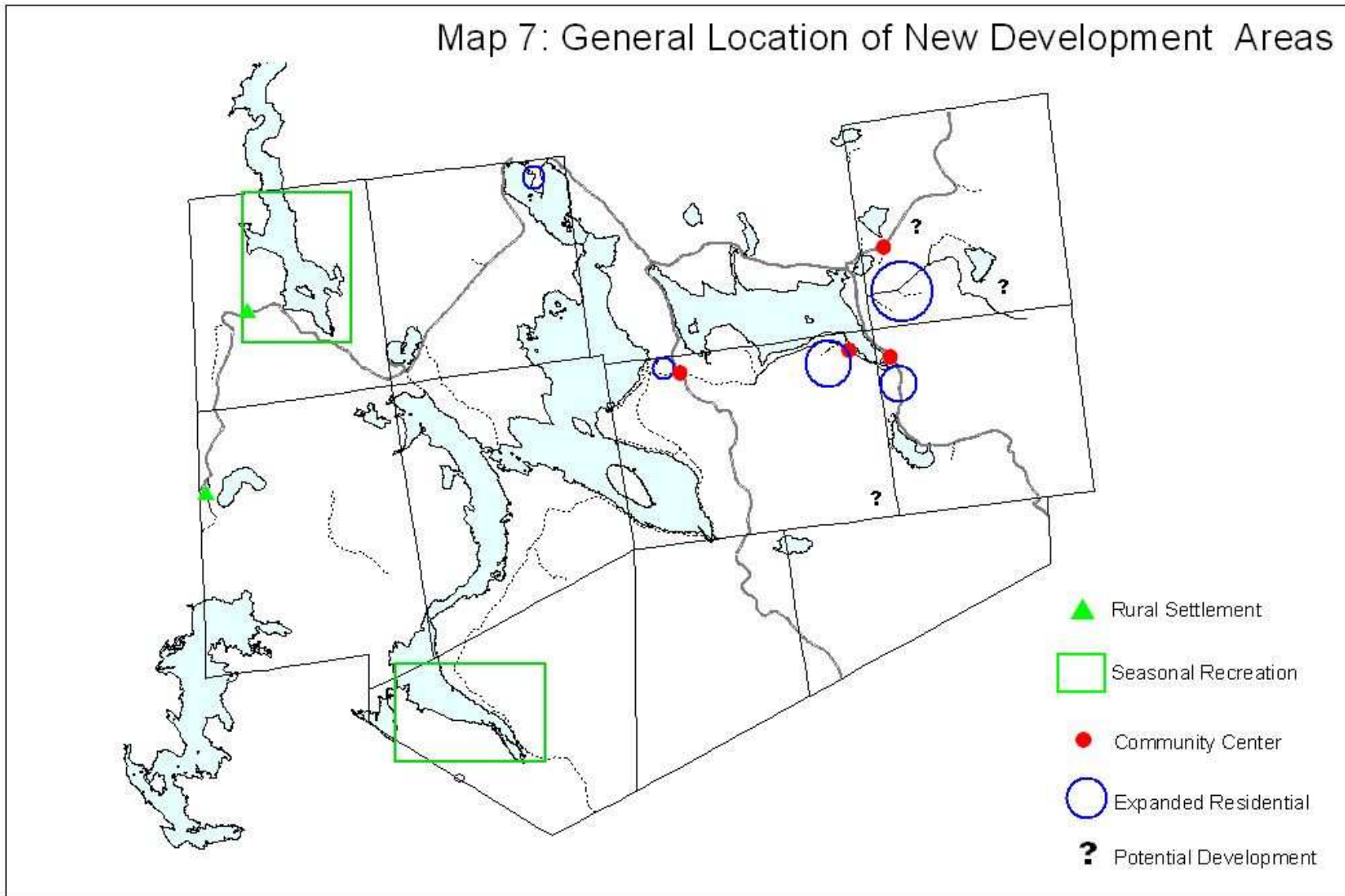
development and unplanned sprawl into outlying townships and backcountry areas. Because this issue would require a statutory change, the Commission may seek legislation in 2001 as part of the Administration's *Smart Growth* initiative.

Two other changes to the Commission's Rules will be pursued through working with interested parties to improve the Planned Development Subdistrict Rezoning process and enabling the development of "mother-in-law apartments" in the Residential Recreation Subdistrict (D-RS3).



The region's heritage is tied to its lakes and woods.

Map 7: General Location of New Development Areas



CONCEPTUAL DESCRIPTION OF ZONES

Community Center (D-GN2)

What is the essential character of this zone?

Livable community centers

These areas currently serve, or are planned to serve, as focal points for community life. They are characterized by a mix of compatible residential, commercial, and civic uses that foster social interaction, provide access to local goods and services, and are of a scale and type that reinforce the jurisdiction's rural character. This zone is not for isolated uses along highways or other locations outside of traditional or planned community centers or nodes of activity such as crossroads.

Why do we need this new zone?

The existing General Development Zone (D-GN) is too restrictive and the Commercial-Industrial Zone (D-CI) is too permissive.

The new zone allows slightly larger-sized commercial uses than is currently the case in the General Development Zone (D-GN). But it does not open the door to unlimited square footage and a broader range of uses than are compatible with residential uses, as does the existing Commercial-Industrial Zone.

How is the D-GN2 different from the existing D-GN?

It sets a firm limit on the size of commercial structures and specifies the types of uses permitted in community centers.

- ◆ Expands gross floor area of commercial uses from 2500 ft² to 4000 ft² for permitted uses and caps at 8000 ft², accompanied by specific conditions for special exceptions
- ◆ Specifies uses that are compatible with community centers and foot traffic, i.e. retail shops, restaurants, bed and breakfasts, professional and financial services, trades such as cabinetry or shoe repair, artisan shops and galleries
- ◆ Allows retail sale of gas (up to 2 pumps) as permitted use vs. special exception
- ◆ For use only in places appropriate for mixed community development

Where will this zone be applied?

D-GN2 is envisioned for plantations where growth is deemed most appropriate according to the regional vision developed for the Rangeley prospective planning area. These include Dallas, Sandy River, and Rangeley Plantations.

Rural Settlement (D-GN3)

What is the essential character of this zone?

Small isolated settlements that work.

These areas are focal points for community life in isolated areas. They are generally small historical settlements with homes, home businesses, and a few civic buildings and commercial businesses. They may serve as gateways to the working forest and backcountry recreation areas.

Why do we need this new zone?

Residents in established settlements zoned M-GN want more ways to make a living without stimulating development.

Settlement areas in Lincoln and Magalloway Plantations are primarily zoned General Management (M-GN). This is because the structures were not close enough together to meet the criteria for the General Development (D-GN) or Residential (D-RS). Residents like being in the M-GN because the zone limits the threat of subdivisions and other development that, individually or collectively, could rapidly change the size, remote character, and public service needs of the community. They want, however, more flexibility for making a living in the settlement area than the M-GN allows.

How is it different from the existing General Development Zone (D-GN)?

It is smaller in scale than a community center and doesn't allow subdivision.

- ◆ Allows exempt divisions of property but not subdivisions
- ◆ Limits gross floor area of general commercial uses to 2500 ft² for permitted uses and caps at 4000 ft², accompanied by specific conditions for special exceptions
- ◆ Allows commercial recreation up to 8,000 ft² and sporting camps up to 15,000 ft² by special exception.

- ◆ Includes permitted uses such as home businesses, general stores, post office, elementary school, and small lodging facilities or restaurants.

How is the D-GN3 similar to the existing Management Zone (M-GN)?

It promotes natural resource-based uses.

- ◆ Allows exempt divisions of property but not subdivisions
- ◆ Allows forestry without a LURC permit

How is the D-GN3 different from the existing Management Zone (M-GN)?

It allows more options for making a living.

- In addition to commercial farming and forestry uses permitted in the management zone, the D-GN3 allows commercial recreation and general commercial uses that meet specified size limitations
- The D-GN3 also allows more space to be used for home occupations (50% rather than 25% of a dwelling)
- The D-GN3 provides standards for vegetation buffers, lighting, parking, and building layout and flexible building setbacks and lot frontage to ensure good neighbors

Where will this zone be applied?

D-GN3 is envisioned for plantations or townships that are some distance from regional centers and organized communities, where undeveloped character is valued and public services are minimal. These include Lincoln and Magalloway Plantations.

Extended Settlement (D-ES)

What is the essential character of this zone?

Concentrations of high impact uses.

This zone is designed for uses that are generally incompatible with areas where people live or congregate for social interaction, shopping, and other services. Uses that generate heavy traffic, have an unsightly appearance, or other adverse impacts will be concentrated in locations near settlement areas but close to transportation links; and will be appropriately designed so they are screened from public places and neighboring uses.

Why do we need this zone?

It will rationally locate high impact uses.

The new zone will provide specific guidance on appropriate locations for concentrating high impact uses characterized by heavy traffic, hours of operation, and unsightly appearance. It will separate such uses from residential uses but limit their dispersal and sprawl.

How is the D-ES different from the existing D-CI?

It provides specific locations and standards for uses that are necessary for a community but may conflict with residential uses.

- ◆ The D-ES includes uses not in the current D-CI, such as auto body repair and large scale retail gas sales, in addition to some uses that are in D-CI, such as light manufacturing and transfer stations
- ◆ The new zone specifies performance standards, such as screening, lighting, and highway access appropriate for such uses

- ◆ Specifies appropriate locations adjacent to or near existing settlement areas and transportation links, but not in a manner that will create strip development or sprawl.

Where will this zone be applied?

This zone will be used in plantations where growth is deemed most appropriate according to the regional vision developed for the Rangeley prospective planning area. These include Dallas, Sandy River, and Rangeley Plantations.

Community Residential (D-RS2)

What is the essential character of the zone?

Limited mixed use

This zone is designed to better integrate a mix of home-based occupations, residential dwelling types, and public uses that occur in a residential zone.

Why do we need this zone?

People in rural areas live where they work and work where they live.

There is a need for a primarily residential zone where an appropriate range of residential and other uses are allowed. Residential zones in rural areas are not simply bedroom communities of single-family homes. People work from their home and create businesses, such as bed and breakfasts, professional offices, firewood businesses, or golf courses that can fit in well with residential development.

How is the D-RS2 different from the existing D-RS?

- ◆ The D-RS2 specifies a range of appropriate home occupations that are compatible with residential areas rather than relying entirely upon the amount of interior space to define what is acceptable
- ◆ The zone allows certain commercial uses such as bed and breakfasts and golf courses in keeping with residential character; rather than placing such uses on a more intensive zone where less benign uses could be proposed later
- ◆ D-RS2 allows multi-family dwellings and community living facilities without having to rezone to D-GN2
- ◆ The zone includes standards for lighting and screening

Where will this zone be applied?

This zone is for use in plantations where growth is deemed most appropriate according to the regional vision developed for the Rangeley prospective planning area. These include Dallas, Sandy River, and Rangeley Plantations.

Residential Recreation (D-RS3)

What is the essential character of the zone?

Residential

The purpose of the Residential Recreation subdistrict is to allow seasonal and year-round recreational development in high value resource areas without compromising scenic and other aesthetic values. This district has a more restricted range of allowed uses than other districts in order to limit impacts such as noise and visual impacts.

Why do we need this zone?

It conserves the tranquility of high value resource areas.

Residents of residential areas located along shorelines and their backlands are interested in creating a zone that will be dedicated principally to seasonal and year-round, single-family detached homes. These property owners maintain that the restricted range of uses in this subdistrict promotes the character and values they came to the jurisdiction to experience. This zone would be similar to the Limited Residential Zone in the organized part of state.

How is the D-RS3 different from the existing D-RS?

- ◆ It does not allow public & institutional uses aside from local parks or carry-in boat access facilities; and limits private launches to one common facility per subdivision
- ◆ The D-RS3 zone limits home occupations to those with negligible impacts and provides explicit standards for them
- ◆ The zone includes standards for lighting and screening

Where will this zone be applied?

Plantations where growth is deemed most appropriate according to the regional vision developed for the Rangeley prospective planning area. These include Dallas, Sandy River, and Rangeley Plantations.

Semi-Remote Lakes (P-GP2)

What is essential character of the zone?

Semi-remote, low impact recreation

Development along Management Class 3 lakes in the Rangeley area will be for seasonal and recreational uses and constructed to be in harmony with the undeveloped shoreline of these lakes and with other values such as fisheries and solitude. Development shall be designed and sited to conserve large expanses of undeveloped shoreline and protect traditional uses and values such as sporting camps and beaches.

Why do we need this zone?

To determine what we mean by “potentially suitable for development”

Four lakes in the Rangeley Region were classified Management Class 7 pending completion of this regional plan. Two of these – Aziscohos and Lower Richardson Lakes – will now be reclassified as Management Class 3 because they are high value, accessible, and potentially suitable for development. This zone will specify the kind, amount, and rate of development that will be allowed in keeping with their semi-remote character. The other two -- Upper Richardson and Mooselookmeguntic Lakes – will remain as Class 7.

How is the zone different from the existing P-GP?

It limits development to seasonal recreational uses and allows subdivision.

- ◆ Permits subdivision as a permitted use without need to rezone
- ◆ Limits subdivision rate to no more than 20 units in 10 years
- ◆ Specifies development density at a permitted maximum of 13 units per mile of developable shoreline
- ◆ Permanently conserves at least 50% of shoreline in large contiguous blocks that protect sensitive resources, semi-remote character, and traditional uses
- ◆ Increases depth of zone to 500 ft to allow for creative development design
- ◆ Allows sporting camps and campgrounds as a permitted use rather than special exception
- ◆ Requires a ¼-mile radius buffer around commercial sporting camps, campgrounds, and groups of cabins
- ◆ Does not permit retail stores and restaurants
- ◆ Discourages year-round residency through prohibition of public utilities and permanent foundations.

Where will this zone be applied?

Aziscohos Lake within Lincoln Plantation and Lower Richardson Lake in Township C.

DEVELOPMENT STANDARDS

Why do we need these standards?

To limit impacts that jeopardize jurisdiction values

Currently, LURC has few standards to guide the design of development. This can lead to inconsistency in processing similar applications. In addition, certain qualities that people value highly, such as dark night skies, are not safeguarded. At many Rangeley meetings, people consistently told staff that they don't want to see or hear development. Further, if an acceptable way to accomplish this objective can be developed, many would like the visual appearance of new development to fit the traditional character of the Rangeley area, much as we now do with sign regulations.

What will the standards accomplish?

Screening – revised standards to provide a more effective vegetative buffer width for development in rural areas

Non-residential parking – new standards to ensure that parking areas are located and designed to minimize their visibility and environmental impacts and function safely

Lighting – new standards to ensure that exterior lighting sources are shielded

Height/dimensional standards – revised standards to reinforce local settlement patterns and make height appropriate for fire fighting equipment

Generalized design review – new standards to ensure that the scale, mass, and rooflines of new commercial and institutional development complement existing historical architectural styles

CRITERIA FOR REZONING

Why do we need these criteria?

So we can “stick to the Plan.”

This Plan and proposed regulations are a departure from how the Commission has done its business the last twenty-five years. When the jurisdiction was zoned in the 1970s, subdistricts were established to include only existing development. Then when change was proposed, the Commission would react to individual proposals for rezoning and development. That was the best way to work at the time.

Now that we have closely looked at a whole region and determined where the growth should occur for the next twenty years, the Commission needs to operate differently. In short, there’s plenty of room in which to work, so let’s be careful about changing the layout.

What will the criteria accomplish?

No person, plan, or organization can exactly foresee the future so there are criteria that guide proposals for change. This plan isn’t perfect, times change, and new ideas emerge. Two general criteria and three specific to prospectively planned areas will guide the Commission in determining the acceptability of rezoning changes under the plan. These criteria are as follows:

JURISDICTION-WIDE

Consistency with the Plan – A proposed change must be consistent with the general provisions of the Plan, statutes, and rules.

Community Need and No Adverse Impact – The applicant must demonstrate a need for the change in the community and that it will have no adverse impact on existing resources or uses.

ADDITIONAL CRITERIA FOR PROSPECTIVELY ZONED AREAS

Unforeseen Circumstances – The Commission will rezone areas if a landowner can demonstrate that the Commission did not foresee the amount, type, or character of development needed in the area.

Contiguous Development Districts – If new development areas are needed, they should be adjacent to existing development. A haphazard growth pattern can increase costs over the long term and contribute to sprawl.

More Effective Approach – A zoning change may provide a better approach to achieving the goals of this plan and the Commission’s Comprehensive Land Use Plan.

Appendix A: Summary of Meetings

Rangeley Region
Prospective Planning and Zoning Project
HIGHLIGHTS OF RANGELEY MEETINGS

Lincoln and Magalloway Plantations

June 9, 1999 (21 year round residents)

1. Growth. Growth isn't appropriate in this part of the region where remote character is a primary value. Local residents and others especially value the remote character of Aziscohos Lake and Magalloway River. Change the title on the maps from *Future Growth Plan* to *Future Land Use Plan*. Don't fuel speculative development. Want to make sure that local people still can use sites on lakes that are traditionally frequented, if more campsites/development must occur.
2. Subdivisions. LURC shouldn't allow subdivisions in Lincoln and Magalloway. Residents were angry that they had to fight LURC a couple of years ago when an applicant proposed rezoning for a subdivision that would have doubled the population. Development should be much more gradual and fit remote character and limited services.
3. Public Services. Services are limited in remote areas. Visitors in the backcountry expect plantation EMT's to arrive quickly in emergencies – but it takes at least an hour to get in there, even if the unit is readily available. Impacts from remote campsites/development also include noise and other nuisances. Landowners should oversee public use sites full time not just weekdays.
4. Zones. Residents are happy living in the Management Zone because it doesn't encourage growth, but wish they had more flexibility in the kinds of uses permitted. Want home businesses and small businesses that allow local people to make a living and that fit local character.
5. Permitting. Some expressed frustration with LURC permitting. Cited inconsistency in how LURC approves building lots. A local family owned a lot for some time and was told that the lot was too small and

unbuildable. Someone else bought it and got LURC approval. Local people believe that the answer should be the same no matter who applies.

June 23, 1999 (14 residents)

1. Preferred Uses. The group discussed the kind of businesses that fit local character and needs. The following uses were preferred:
 - gift and bait shops
 - small restaurants, but no drive throughs
 - convenience stores w/ gas
 - commercial housekeeping cabins
 - small motels (not more than 10 to 20 units like the one in Errol)
 - bed and breakfasts
 - fly casting schools but not children's camps unless they have their own medical services
 - home occupations

One person stated that the plantations need to move toward a recreation-based economy, citing Bethel as a community to watch. Attendees generally agreed that they don't want this area to become like "The Forks" with a proliferation of commercial outfitters. They don't want to lose the area's unspoiled character. Already they have people in their backyards on the Magalloway River. Would rather encourage light, informal uses, truly dispersed, slow-paced, non-commercialized, such as forestry, touring cabins, seasonal camps. Sarah Medina from Seven Islands attended and explained the Pingree Heir's interest in development options, noting that the company may not do anything, at least in the near future. People expressed general support for low impact use.

2. Standards. Make sure that remote and local character is conserved through standards. The group favored limiting noise and night lighting, and ensuring that architecture, materials, and setbacks fit in. Keep businesses relatively small.
3. Services. Attendees liked the "code of the woods" idea, commented that self reliance is an important part of being in remote areas.

Prospective Zoning Plan for the Rangeley Lakes Region

4. Land Stewardship. Litter and refuse are a problem with campers in remote campsites. Don't permit them unless landowners/managers accept responsibility for oversight. Want land managers to retain public shore access in remote areas, especially places traditionally used by local people.
5. Minimum Lot Size. Want a minimum lot size that fits local character. Many people favored 5 acres per unit but some felt this would make lots too expensive for local young people to afford. Three acres seemed more reasonable to most, though one person thought it should be one.
6. Zones. Like "rural settlement" and "remote recreation" districts, but don't see the need for a "rural highway" district locally because of the extensive shoreland zone along Rte 16 between Wilson's Mills and Magalloway.

Sandy River Plantation

August 23 1999 (27, mostly year round residents)

1. Process. Inform all landowners of next meeting. Hold public hearing at a time when seasonal residents can attend -- if not summer, then on a weekend.
2. Zones. Need an alternative to existing "general development" zone that allows slightly larger structures than currently is the case. Don't need convenience stores in "community settlement" district (current residential zone) if are allowed in two other zones, i.e. "community center" (current general development) and "rural settlement" (new zone). Gas stations belong in either "rural settlement" or "rural highway" (new zones). Residential zone on shore of Long Pond should be stricter, limited to primarily single family homes and camps.
3. Locations. Consensus was reached on limiting commercial development to a particular part of the plantation. General support expressed for such a zone at the intersection of Route 4 and South Shore Road, though some attendees had reservations about wetlands and the lake. One

person suggested putting the land at the transfer station in an industrial zone.

4. Standards. Strong support for standards limiting noise, night lighting, traffic impacts, air and water quality impacts, environmental harm in general, and making sure new development fits with the appearance of traditional development in the area.
5. Other Issues. Make sure zoning changes do not cause property taxes to bear the impact of speculative land values. Assessors now assess based on current use. Make sure that prospective zones will be flexible enough to respond to new ideas or needs, though attendees generally agreed that zoning petitions should not be easily approved after prospective zoning occurs. One attendee asked for information on the number of zoning permits over the last several years.

September 13, 1999 (21 year round and seasonal residents)

1. Regional Issues. Don't permit development that will sap the vitality of existing development, i.e. Rangeley Downtown and Oquossic.
2. Shoreland Residential Zone. When asked whether the group had a collective opinion about whether a new residential shoreland zone should be created, one person said she worried about making the zone too restrictive. Her children may want to create a bed and breakfast at some time, for instance. Another asked if LURC makes a distinction between camp rentals and bed and breakfasts, and was told that LURC does not get involved in whether people rent their camps to the public, but regulates B & Bs currently as a home occupation, and is considering changes. The group decided it wanted more time to think about whether another residential zone should be created.
3. Favored Uses. The group reviewed the responses of the first 14 people from Sandy River Plt who had completed the checklist concerning preferred uses for the zone changes. It was noted that people seem to be filling the checklist out based upon what they want locally not what the jurisdiction should allow in general in each zone. One person noted the apparent lack of interest in a "rural highway" zone based upon the kinds of uses that people had checked. One person asked if produce stands

Prospective Zoning Plan for the Rangeley Lakes Region

mean only site-grown produce; and noted one could probably not make a go of such an operation without bringing in produce.

4. Small Group Discussions. People attending the meeting broke into 4 groups to review a draft zoning map that Leslie Ferguson, the assessors' representative on this issue, had put together after talking with landowners about their ideas. The group reports follow:

Group I.

Instead of "community center" (current general development), make the stretch along Route 4 from Greenvale Cove to Socher Drive residential because of its environmental sensitivity. Why not put the two potential campground areas in a "remote recreation" district (new zone). Make sure that all commercial uses are well buffered. Consider not including the Beauregard property (So Shore and Route 4) in a community center zone because of its sensitivity. LURC staff noted that the zoning change to D-GN has already occurred, but only for a portion of the land.

Group II.

Members of this group think that there should be no change in character for Beaver Mountain Lake zoning. It should stay residential.

Group III.

This group generally agreed with Leslie's map. But they would allow more types of business to occur in residential areas along Route 4 from the Ellis to Webber properties, provided that on-site parking and time of operation limitations apply. Businesses such as art galleries should be allowed. Prefer larger lot sizes for remaining developable land on Long Pond (Beaver Mountain Lake) so that undeveloped character is conserved.

Group IV.

This group also generally agreed with Leslie's map, but are concerned that homes in commercial areas would be taxed at the commercial value. LURC staff noted that this is one reason for calling the development zones "settlement" and "community

center" rather than "commercial" because the jurisdiction is primarily residential settlement areas with compatible businesses. One person in this group mentioned to staff also the idea of indexing lot sizes to the size and impact of businesses, rather than having an arbitrary minimum.

Rangeley Plantation

August 16, 1999 (39, mostly year round residents)

1. General discussion. Several attendees voiced their displeasure with government in general, LURC, and the Town of Rangeley. Many stated that they feel that only year-round residents should have a say about zoning districts. Some were displeased that LURC had not sent notices to residents about the meeting. This meeting was the first time many had heard that LURC was considering changes of a larger scale than former LURC staff member Will Johnston had mentioned. The group requested that meeting notices be sent ahead of the next meeting to all landowners. In response to the staff's request for ideas about the kinds of uses and zones that Rangeley Plt people desire, the group agreed that LURC should put descriptions of the proposed new zones in writing.
2. Regional Vision. One person spoke against the draft regional vision that proposes that commercial business serving regional needs are best concentrated in the Town of Rangeley downtown and Oquossic. He believes that the Town of R. has run out of room for such business. Competition is good. Wants a grocery store in Rangeley Plt. The speaker's ideas were not generally supported. One person spoke of the conflict between development and his desire that the plantation's "wilderness" character endure. Others are more concerned about making sure the place is a "living, breathing community."
3. Issues. People generally agreed that regulations and enforcement should be fairly applied; and that new uses should not drive up property taxes (examples cited include: cemeteries, private schools demanding special education assistance).

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4. Zones. People generally agreed that commercial development should be concentrated in the vicinity of Route 17 and Herbie Welch Road, though not strung along Route 17 because of its status as a scenic highway.

August 30, 1999 (56+, about half and half year round and seasonal residents, 1-2 from other communities)

1. Enforcement. While many supported the general direction that LURC is headed with zoning changes, they do not feel LURC should move ahead unless changes are accompanied by stronger enforcement. What good is planning without enforcement? They cited loopholes in subdivision law that a landowner on Cupsuptic Lake has used to create a subdivision that LURC had turned down.
2. Process. One speaker believes that the 20-year planning timeframe is too short; and that more townships belong in the study area. Urged staff to be as precise and specific as possible without being inflexible in detailing allowed uses. The context for planning should be the region not just a single plantation.
3. Zoning changes. Perhaps as many as half of those who attended agreed that the system should stay the same -- existing standards offer enough protection, such as prohibiting gravel extraction in residential districts and requiring shoreland buffers. Suggested that noise should be handled through nuisance laws. Asked whether the plantation has the option to keep system as is. Staff replied that revisions to development district regulations will probably change because people at other meetings generally agree that some changes are essential. Zone locations don't necessarily need to change in R. Plt. but people need to understand that criteria for approving rezoning petitions will be more difficult to meet in future if this planning effort is to be worthwhile.

About half (or so) agreed that residential zone should be more restrictive in shoreland areas to maintain the non-commercial, 'get away from it all' character of these areas. Many favored allowing only single family homes/camps in such areas, excluding home occupations and other businesses. Supporters of changes in the regulations cited performance standards that would be helpful, including: noise, odor, water quality,

and traffic.

One person spoke in favor of allowing child and elderly day care in residential areas, (making no distinction between shore and upland residential areas). Beauty parlors and home offices were cited as acceptable home occupations by some.

4. Local input. People appreciated the opportunity to share their opinions with LURC, the community having asked for some time to do so.

Townships: C, D, E, Adamstown, and Richardsontown

August 24, 1999 (11 landowners, including 1 year round and 8 seasonal residents)

1. Utilities. One person questioned whether restrictions on utilities should be mandatory, but could see appropriateness of limiting them at South Arm Campground.
2. Locations for development. The group generally agreed that they want the lakes to stay the same. Some questioned why Lower Richardson has to accept more development when Upper Richardson will get little more. Why shouldn't development, if any has to occur, be distributed between both, still conserving their remote character?

If development has to occur on Lower Richardson Lake, the group preferred remote campsites to additional camp lease sites, but want campsites restricted to places without archeological or historical values (e.g. avoid Whitney Point, Richardson Farm). If camps are developed, existing camp owners would prefer them to be located in pockets, but not so close together that they detract from remote experience. Would like to see a schematic drawing of how camps can be sited; Seven Islands subdivision on Aziscohos Lake was cited as a model. Prefer camps to sporting camp development and housekeeping cabins. A certain type of housekeeping cabin operation may be appealing, e.g. rental camps like Macannamak camps on Haymock Lake.

Prospective Zoning Plan for the Rangeley Lakes Region

3. Management. If remote areas are developed, LURC needs to ensure strong landowner oversight of users to avoid behaviors that are out of keeping with the remote experience.
4. Densities. The group questioned the wisdom of having smaller minimum lot sizes in the proposed “remote recreation” district than in the “rural settlement” district.
5. Performance standards. Don’t want to hear or see development!! Believe that relaxed clearing standards for sporting camps or rental camps would be unfair.
6. Enforcement. Want effective enforcement citing Cupsuptic Lake development as an example. Want adherence to standards, too, by state agencies. One attendee gave the example of MDOT road improvements where a stream has gradually been obliterated on Route 16.
7. Union Water Power Co. Zoning revisions may penalize UWP because company has already given up easements and agreed to development densities through FERC relicensing process. To avoid problems, UWP may proceed with development applications under existing rules before any zoning changes are made.

Dallas Plantation

August 31, 1999 (8 residents, 2 corporate landowners, 2 Madrid residents)

1. Problems with existing system. Rezoning takes a long time to go through. The uncertainty/lack of specificity about what is allowed is difficult.
2. Capital improvement planning. One assessor asked who would pay for capital improvement planning. Cited the Saddleback Road as a problem for the plantation because Sandy River gets the tax revenues while Dallas has to maintain the road.
3. Process. One person asked how much local opinion would count in the Commission’s deliberations. Staff replied that the Commission takes a

particular interest in local opinions and wants to hear them first, but welcomes and must take into account all opinions.

4. Zoning Locations. Assessors had talked to Dallas Company about putting some of the company’s land into commercial use on Route 16. A company representative reported that the company is now thinking about housing that is affordably priced in that location. One person suggested that any new development should locate as close to the Town of Rangeley as possible. Another advised against permitting backland development around lake shores, i.e. Loon Lake.
5. Issues. Don’t make changes that will increase property values and make things less affordable. Consider centralizing septic systems and green space in developments. Make lots large enough to anticipate septic system failures. Don’t impact how people make a living in their homes.

August 31, 1999 (special committee meeting: 4 residents, 1 corporate landowner)

1. Zoning locations. The committee came up with options for the application of new zones throughout the community. LURC staff will put the zones on a map for the committee to review at its next meeting.

October 6, 1999 (special committee meeting: residents, 1 corporate landowner)

1. Planned development zone. Existing zone is too cumbersome. Requires too much up front investment before rezoning determination. Why can’t a landowner prepare a conceptual master plan with phases, and do more detailed studies as development permits are sought for each phase? Apply the General Development zone instead, but with the master plan caveat. Saddleback is permitted for about 540 homes now. Allow some flexibility in siting some of these in Dallas Plantation instead of in the existing Planned Development area.
2. Connector road. In the long term, the community wants a connector road between Saddleback Road/Dallas Hill Road and Route 16. Plan

Prospective Zoning Plan for the Rangeley Lakes Region

future growth areas so that landowners are encouraged to work toward this goal as development occurs.

3. Growth area priorities. Priority areas for growth include: the area south of Dallas Hill Rd. adjacent to the Town of Rangeley and Sandy River Plt.; the area between Saddleback Lake and Route 16 (where connector road would be located); and the area closest to Saddleback Ski Area. The committee proposed other areas as well.
4. Public facilities. Plan ahead for a post office, in the vicinity of the Town Office, in case the community grows substantially as well as for more public works.
5. Golf courses. Should be allowed in residential zones.

DISCUSSIONS WITH INDIVIDUAL LARGE LANDOWNERS/MANAGERS IN RANGELEY AREA

(Seven Islands, IP, Mead, Dallas Co., Franklin Timber Co., S.C. Noyes and Co., Cuisineau)

The representatives of one or more companies brought up the following points:

1. Flexibility. Provide incentives/options so landowners can hang on to their lands without subdividing. Allow more flexibility for uses in the existing management zone that are compatible with forestry management, i.e. enough dispersed, low impact recreation density to be more attractive than creating 2 in 5 year subdivisions. Cite having to subdivide if want to establish and lease a system of remote rental yurts or cabins for touring cross-country skiers or snowmobilers. Give landowners the option of defining density in exchange for enhancement of public values. Consider allowing large landowners the ability to sell or trade development rights for application in places where growth is deemed appropriate. Consider allowing more intensive development (such as condos) than currently is allowed in appropriate areas in exchange for money for public purchase of an area with higher resource value.

2. Backcountry/shoreland recreation. Define the limits of backcountry capacity based upon available research. Keep development well back from water and ensure common land on the shore, i.e. don't load up backland density with only a small amount of common land. Cluster to increase density. Allow landowners who own land on more than one body to trade off densities among the properties to concentrate on those where development is most appropriate and allowed.
3. High Mountain Areas. Consider an approach like NH's which allows companies to put low impact rental cabins/yurts for hikers above 2700' following state guidelines and through a review process rather than having an outright prohibition.
4. To sell or lease. Landowners face the dilemma of what to do with high value lands. If they lease, they get requests to allow electrification. If they try to sell large tracts, they have difficulty finding a buyer because of the uncertainty of LURC permitting. If they sell off lots or lease lots to camp owners, they come under pressure to make the road public and sell off more land. They must also respond to requests from communities to set aside land for public facilities and community expansion.
5. Traffic/Highway Access. Landowners are encountering more problems for trucks from highway development in difficult places such as Route 4 in Sandy River. Increased conflicts also arise from sharing highway with more motorists, e.g. need a truck route around Height of Land but can't afford to build one – irony: paper company built the original route.
6. Other problems. Favor going to an organized community when locating a major forest-processing facility because they don't have to contend with public outcry against the project and they frequently garner local support. Find permitting process to be faster in New Hampshire than in Maine communities or LURC.
7. Public Use Accommodation Zone. Create a zone where landowners can accommodate dispersed recreational development such as lease camps, sporting camps, remote rental camps, and campgrounds/campsites.

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Because landowners cannot determine which specific parts of their lands along a lake, for instance, are the right places for such a zone, consider zoning the whole shore or assigning density allocations to each lake management class.

8. Resource Processing Zone. Create a zone where primary and secondary resource processing enterprises, along with support housing and services, can be developed by a company. Current planned development district has too many problems for such use, but it, or another zone, could be revised for this purpose.
 9. Incentives rather than penalties. Landowners who have kept their lands in forestry use have been penalized as restrictions have tightened over the years. Those who have already developed have benefited while those who have thus far conserved their lands are penalized. Densities should be prorated among landowners to offset unfairness. Protect against the shadow effect of conserved or public lands, i.e. the argument that a place should be protected since it is next to lands that have been conserved.
 10. Subdivision. Avoid fragmentation by putting an upper limit on the size of lots subdivided for development use, rather than establishing only minimum lot sizes.
 11. Permit by rule. The Commission directed the staff to pursue more opportunities for permit by rule. Staff has not done so. Want permit by rule for projects that do not have permanent footprints and for small accessory structures such as woodsheds.
 12. Development locations. The locations under discussion for prospective zoning changes include:
 - Dallas Pt: east side of Rte 16 in Dallas Plantation – Dallas Co.; Saddleback access road vicinity – Franklin Timber Co. (Saddleback)
 - Sandy River Pt.: south east shore of Long Pond – Cuisineau
 - Lincoln Pt: shore of Aziscohos Lake – Pingree Family/Seven Islands
- Richardson Twp: Upper Dam – Union Water Power Company
 - Twp C: Middle Dam – Union Water Power Company; shore of Lower Richardson – Pingree Family/Seven Islands

Appendix B: Survey Highlights

Summary of Selected Questions From Public Opinion Surveys

Compiled by H. Dominie, Maine Land Use Regulation Commission

12/18/00

Post Hearing Draft – Version 12/22/09

Appendix D – Rangeley Prospective Zoning Plan

	Residents	Seasonal Residents	Visitors
<p>Most valued attributes (in order of importance and with response rates)</p>	<p><u>Maine Audubon*</u> (that make Rangeley attractive place to live)</p> <ol style="list-style-type: none"> 1. Lifestyle/quiet living (92%) 2. Natural beauty (83%) 3. Remoteness (22%) 4. Community (20%) 5. Outdoor activities (12%) <p><u>Town of Rangeley</u> (attractive features that are important)</p> <ol style="list-style-type: none"> 1. Lakes and ponds (100%) 2. Mountains (98%) 3. Wildlife (87%) 4. Forests (86%) 5. Rural scenes (76%) 	<p><u>Maine Audubon*</u> (that make Rangeley attractive place to live)</p> <ol style="list-style-type: none"> 1. Peace & quiet (51%) 2. Outdoor recreation (48%) 3. Natural beauty (44%) 4. Winter activities (30%) 5. Lakes (15%) <p><u>Town of Rangeley</u> (attractive features that are important)</p> <ol style="list-style-type: none"> 1. Lakes and ponds (98%) 2. Mountains (94%) 3. Forests (89%) 4. Wildlife (82%) 5. Rural scenes (74%) <p><u>Union Water Power Co.</u> (reasons for campowner purchase of property)</p> <ol style="list-style-type: none"> 1. Clean water lakes/river (87%) 2. Attractive scenery (77%) 3. Little to no development (69%) 	<p><u>Maine Audubon*</u> (that make Rangeley attractive for tourism)</p> <ol style="list-style-type: none"> 1. Town character & location 2. Natural beauty of area 3. Lakes (summer); Outdoor recreation (fall) 4. Wildlife <p><u>Rangeley Chamber</u> (single most outstanding impression)</p> <ol style="list-style-type: none"> 1. Scenery (55%) 2. Wildlife (13%) 3. Peace & quiet (12%) 4. Lakes (9%) 5. Friendliness (8%) <p><u>Union Water Power Company</u> (factors important to decision to visit)</p> <ol style="list-style-type: none"> 1. Clean water (88%) 2. Light to no development (72%) 3. Attractive scenery (66%) 4. Enjoying company of group (53%) 5. Good wildlife viewing & fishing (52%)

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List of Surveys

1. Rangeley Lakes Region Chamber of Commerce, 1990-91, Number of summer responses: about 734; number of winter responses: about 300
2. Union Water Power Co., Upper and Middle Dams Storage Project, 1998, Number of returned mail surveys: 471
3. Maine Audubon Society, Conservation Works Survey, 1998, Return rates: residents 22% (out of 1,100 mailed), seasonal residents 32% (out of 200 mailed), tourists: 318 sampled
4. Town of Rangeley, Comprehensive Plan Survey, 1986, Return rates: residents 33%, seasonal residents 25%

IN MOST CASES, ONLY THE TOP FIVE RESPONSES ARE INCLUDED. Open-ended questions, where respondents filled in their own responses, are signified with an asterisk. Responses are noted where they differed by season during which group was polled.

Summary of Selected Questions From Public Opinion Surveys

Compiled by H. Dominie, Maine Land Use Regulation Commission

12/18/00

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Appendix D – Rangeley Prospective Zoning Plan

	Residents	Seasonal Residents	Visitors
Attributes that are undesirable	<u>Maine Audubon*</u> (for lifestyle) <ol style="list-style-type: none"> 1. Access to facilities (51%) 2. Local economy/low wages (50%) 3. Weather (18%) 4. High cost of living (17%) 5. Taxes (13%) 	<u>Maine Audubon*</u> (for lifestyle) <ol style="list-style-type: none"> 1. Weather (47%) 2. High Cost of Living (36%) 3. Crowds (27%) 4. Traffic/Noise (16%) Needs Amenities/Services (16%) <u>Union Water Power Co.*</u> Campowners who felt recreation activities of others detract from their experience (62% of total): <ol style="list-style-type: none"> 1. Vehicular traffic, i.e. dust (44%) 2. Jet skis (22%) 3. Motor boat noise (5%) Seaplanes practicing (5%) 4. Other 	<u>Maine Audubon*</u> (for tourism) <ol style="list-style-type: none"> 1. None (summer); Long trip, too remote (fall) 1. Motor noise on lakes (summer); Poor roads, traffic, no major access (fall) 2. Need more rainy day activities (summer); None (fall) 3. No variety in restaurants (summer); Too crowded (fall) 4. Long trip, too remote (summer); Need more rainy day activities (fall) 5. Decline in environment (summer/fall)
Changes needed for Rangeley area to be more desirable:	<u>Maine Audubon*</u> (place to live) <ol style="list-style-type: none"> 1. Better paying jobs (25%) 2. Improve roads (9%) 3. Nothing (6%) Improve services (6%) Lower taxes (6%) 	<u>Maine Audubon*</u> (place to live) <ol style="list-style-type: none"> 1. Do not overdevelop (17%) 2. Nothing (14%) 3. More in-town amenities (10%) 4. Lower taxes (7%) 5. Improve Saddleback (5%) 	<u>Maine Audubon*</u> (recreation destination) <ol style="list-style-type: none"> 1. Do not change anything 2. More rainy day, indoor activities (summer); Control growth & commercialism (fall) 3. Improve dining options (summer); Advertise more (fall) 4. Do not allow motorized vehicles on lakes (summer); Outdoor recreation (fall) 5. Create & maintain trails (summer); Improve dining options (fall)

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3. Maine Audubon Society, Conservation Works Survey, 1998, Return rates: residents 22% (out of 1,100 mailed), seasonal residents 32% (out of 200 mailed), tourists: 318 sampled
4. Town of Rangeley, Comprehensive Plan Survey, 1986, Return rates: residents 33%, seasonal residents 25%

IN MOST CASES, ONLY THE TOP FIVE RESPONSES ARE INCLUDED. Open-ended questions, where respondents filled in their own responses, are signified with an asterisk. Responses are noted where they differed by season during which group was polled.

Summary of Selected Questions From Public Opinion Surveys

Compiled by H. Dominie, Maine Land Use Regulation Commission

12/18/00

Post Hearing Draft – Version 12/22/09

Appendix D – Rangeley Prospective Zoning Plan

	Residents	Seasonal Residents	Visitors
Recreational qualities needed to maintain area as desirable place:	<u>Maine Audubon*</u> 1. Natural beauty (30%) 2. Trails (27%) 3. Water quality (26%) 4. Snow sports (22%) 5. Environmental quality (15%); Keep development out (15%)	<u>Maine Audubon*</u> 1. Environmental quality (42%) 2. Access to land & lakes (35%) 3. Snowmobile trails (23%) Hiking trails (23%) 4. Stop shore development (13%)	
Recreational activities to develop:	<u>Maine Audubon*</u> 1. Indoor activities for adults & children (60%) 2. More trails (33%) 3. Improve Saddleback Mt. (25%) 4. Nothing (13%) 5. Improve tourist accommodations (5%); More restaurants (5%)	<u>Maine Audubon*</u> 1. Indoor activities for adults & children (24%) 2. Organized games (16%) Nothing (16%) 3. Improve Saddleback (12%) Create bicycle lanes (12%)	<u>Maine Audubon*</u> 1. Do not change anything 2. More guided tours 3. Create & maintain trails 4. More flat hiking (summer) Local environmental guides (fall) 5. Shuttle to AT (summer); More equipment rental (fall) <u>Union Water Power*</u> (changes in kind of recreation facilities) Winter: No change (82%) 1. Trail-related (43%) 2. Keep area same as it is (13%) Summer: 1. Keep area pristine/no new business (5%) 2. Everything is OK, no changes (4%)

List of Surveys

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1. Rangeley Lakes Region Chamber of Commerce, 1990-91, Number of summer responses: about 734; number of winter responses: about 300
2. Union Water Power Co., Upper and Middle Dams Storage Project, 1998, Number of returned mail surveys: 471
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Appendix D – Rangeley Prospective Zoning Plan

	Residents	Seasonal Residents	Visitors
Does Rangeley need additional economic development?	<u>Town of Rangeley</u> Yes 71%	<u>Town of Rangeley</u> Yes 48%	
Type of Economic Development to Encourage:	<ol style="list-style-type: none"> 1. Recreation & tourism (54%) 2. Industrial (49) 3. Commercial/retail (41%) 4. Forest products industry (27%) 5. Other (9%) 	<ol style="list-style-type: none"> 1. Recreation & tourism (62%) 2. Forest products industry (36%) 3. Commercial/retail (31%) 4. Industrial (28%) 5. Other (14%) 	
Location of commercial development	<ol style="list-style-type: none"> 1. Appropriate in some areas (64%) 2. Not appropriate in Rangeley (20%) 3. Appropriate for Rangeley (16%) 	<ol style="list-style-type: none"> 1. Appropriate in some areas (63%) 2. Not appropriate in Rangeley (20%) 3. Appropriate for Rangeley (17%) 	
Has Rangeley changed in character during last ten years?	<u>Town of Rangeley</u> Yes 90% for better 52% for worse 96%	<u>Town of Rangeley</u> Yes 67% for better 31% for worse 25%	
Does Rangeley need stronger land use regulations to guide development?	<u>Town of Rangeley</u> 82% yes	<u>Town of Rangeley</u> 77% yes	
Would it be reasonable to adopt development guidelines to maintain town character?	89% yes	91% yes	
Do you favor restricting certain activities in areas important to wildlife?	<u>Town of Rangeley</u> 84% yes	<u>Town of Rangeley</u> 85% yes	

List of Surveys

1. Rangeley Lakes Region Chamber of Commerce, 1990-91, Number of summer responses: about 734; number of winter responses: about 300
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Summary of Selected Questions From Public Opinion Surveys

Compiled by H. Dominie, Maine Land Use Regulation Commission

12/18/00

Post Hearing Draft – Version 12/22/09

Appendix D – Rangeley Prospective Zoning Plan

	Residents	Seasonal Residents	Visitors
Are multi-family units or condominiums appropriate for Rangeley?	<u>Town of Rangeley</u> 1. No (46%) 2. In some areas (46%) 3. Yes (8%)	<u>Town of Rangeley</u> 1. No (54%) 2. In some areas (37%) 3. Yes (9%)	
Attributes that make Rangeley (visually) unattractive	<u>Town of Rangeley</u> 1. Junk (74%) 2. Run down buildings (70%) 3. Lakeshore development (64%) 4. Clear-cuts (53%) 5. Signs (25%)	<u>Town of Rangeley</u> 1. Lakeshore development (64%) 2. Junk (58%) 3. Clear-cuts (57%) 4. Run-down buildings (52%)	
Should building appearance, in regard to economic development, be regulated?	<u>Town of Rangeley</u> 77% yes. If so, where? 1. Townwide (67%) 2. Village areas (48%) 3. Lakeshore (25%) 4. Other (8%)	<u>Town of Rangeley</u> 78% yes. If so, where? 1. Townwide (59%) 2. Village areas (52%) 3. Lakeshore (28%) 4. Other (7%)	

List of Surveys

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1. Rangeley Lakes Region Chamber of Commerce, 1990-91, Number of summer responses: about 734; number of winter responses: about 300
2. Union Water Power Co., Upper and Middle Dams Storage Project, 1998, Number of returned mail surveys: 471
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Appendix E

The Commission’s Policies Concerning Deeryards



Twice, the Commission has comprehensively reviewed and discussed its deer wintering area program in response to specific concerns and changes affecting the program. No other aspect of the Commission's programs has elicited such singular attention over the years, a measure of the value of the affected resources to all parties.

The first review, undertaken in 1981, resulted in a document which set forth the Commission's policies regarding a number of issues associated with the deeryard zoning program. The second review was initiated in 1988. It resulted in a policy document addressing a number of issues and several rule changes.

The findings of these two reviews have been integrated and updated and are presented below.

A. THE TAKINGS ISSUE

In 1980, the Commission's deer wintering area zoning program was constitutionally challenged in court. After examining all of the constitutional issues involved, the Maine Supreme Judicial Court upheld the concept of using zoning to protect wildlife populations and the Commission's deer wintering area zoning in particular.

B. BURDEN ON LANDOWNERS

The Commission's review of the deeryard program included extensive consideration of whether restrictions on the level of activity permitted in P-FW zones create an undue burden for landowners. The Commission recognizes that the harvesting of trees within P-FW Subdistricts carries higher administrative and operating costs than comparable operations in M-GN zones, and that removal restrictions limit the short-term return from these areas. Nevertheless, it finds that deer and timber management are not mutually exclusive and that these costs are neither excessive nor unjustified. The Commission acknowledges that many deeryards do not represent ideal situations with respect to management — many are even-aged, overmature, or both. But productive timber management in deeryards is possible with proper planning. Unfortunately, many landowners have not availed themselves of the various options provided by the deeryard program, such as harvesting by plan agreement, harvesting by LURC permit, or harvesting under a long-range management plan.

Not finding existing management options inflexible or overly limiting, the Commission does not consider zoning additional acreage unduly burdensome. Nonetheless, it recognizes that there are bound to be cases in which harvesting in excess of I&FW guidelines is justified based on special site conditions or other factors. It encourages landowners to utilize the permitting process to seek approval for harvesting in these cases.

The Commission recognizes the special economic hardships which, under particular circumstances, may be caused by rigid adherence to deer yard zoning criteria and cutting prescriptions, particularly for the small landowner. Accordingly, the Commission accepts that it has an important role to play in striking a reasonable balance between the needs of deer and the needs of landowners. In seeking to strike that balance in a fair way, the Commission will exercise care to prevent any landowner from being unduly burdened for the protection of the deer resource.

The Commission will be responsive to concerns expressed about undue economic hardship and will determine, on a case-by-case basis, whether a particular deer yard zone is necessary and reasonable in terms of its benefits to the public as against its economic or other burdens on the landowner. Thus, in cases where an unfair or unreasonable burden on a landowner is shown, the Commission will reconsider and, where appropriate, remove all or part of the deer yard zoning.

Having considered a variety of other approaches to responding to potential economic hardship issues caused by deer yard zoning, the Commission believes this case-by-case weighing process is the only one which allows for reasonable flexibility and responsiveness where needed without creating arbitrary and rigid rules for responding to economic hardship problems. In sum, the Commission believes that making the process more flexible and less rigid, rather than the opposite, is the proper response to this concern. This response, coupled with the other policies articulated below, should provide a fair deer yard program without imposing unreasonable economic hardships on landowners.

C. THE BUDWORM PROBLEM

The budworm outbreak of the 1970s and early 1980s created a conflict between the public's desire to protect important resources such as deer yards and the landowner's legitimate interest in salvaging budworm infested timber. This conflict was particularly acute because areas which comprise the best deer shelter tend to be composed of dense, even-aged over-mature spruce and fir, the very forest components which are most susceptible to budworm. The Commission decided that it will not require the protection of deer cover which is composed of stands of dead or dying trees, even though these may be of some continuing benefit in protecting deer. In most such instances, the Commission will allow cutting of deer shelter areas. However, in cases where dead and dying trees are a relatively small component of a stand which otherwise is reasonably healthy, the Commission may decide to restrict harvesting so as to avoid destruction of the value of the residual stand as deer shelter.

D. ADMINISTRATIVE BURDENS IN MANAGING DEER YARDS

There have been isolated instances where landowners have complained of significant costs and delays in awaiting approvals for cutting in deer yards. In response, the Commission streamlined its administrative

processes and relies upon the wildlife biologists of the Department of Inland Fisheries and Wildlife to work out an acceptable cutting agreement in the field with the landowner in a timely manner. If landowners experience administrative problems or delays with this system, the Commission or its staff should be so informed immediately so that efforts may be made promptly to expedite the process.

E. DEER YARD ZONING CRITERIA

The criteria used by LURC to identify deer yards have been the subject of much discussion but little criticism. The only significant criticism has been that, in focusing on protection of currently used deer yards, the Commission has not provided for the identification and protection of deer yard needs 10 to 20 years into the future. However, extending the program to cover "prospective" deer yards would be speculative and impractical. Moreover, experts indicate that deer tend to yard up in the same areas year after year. Accordingly, the Commission's program will remain focused on currently used and needed deer yards, while recognizing that, if circumstances change and deer alter their yarding habits over time, the Commission should remain flexible in altering deer yard zones accordingly.

In 1990, the Commission added a number of informational requirements to the criteria for applying protective zoning to proposed deeryards. The additional information is used to provide a broader context in which to consider individual rezoning proposals — to enable a determination that the new zone is necessary and thus more appropriate than the current zone.

The Commission also considered whether other issues should be addressed in the rezoning criteria. Landowners feel that the economic and management impacts of deeryard rezoning proposals should be reflected directly in the rezoning criteria. The Commission recognizes the costs associated with its regulation of deeryard zones. It also recognizes the costs associated with unregulated use of resources. In the case of deeryards, these would include the decline in deer population caused by the unrestricted harvesting of deeryards and economic losses associated with the decline in passive and active recreation revolving around deer. Rather than evaluate costs to the landowner against costs to society on a case-by-case basis as part of each rezoning application, the Commission has factored these considerations into the standards governing activities in deeryards which allow continuing timber management of deeryards.

The Commission believes this is the appropriate approach to economic considerations, excepting perhaps cases involving protection zoning which encompasses most of a small ownership, for two reasons. First, the determination of what constitutes an unacceptable economic burden is a very complex, and somewhat subjective, calculation. Second, the Commission had difficulty envisioning a case in which unrestricted timber management could justifiably override deer management, thus it anticipated denying a rezoning proposal on that basis only as a rare exception to the rule.

The Commission also contemplated whether to incorporate consideration of the impact of deeryard rezonings on the wood supply in the rezoning criteria. It resolved that establishment of a limit on the amount of land that can be included within the P-FW Subdistrict in LURC jurisdiction was the most appropriate means of addressing this issue. This limit and the details of its application are described later in this document.

F. DEER YARD CUTTING PRESCRIPTION CRITERIA

The cutting prescriptions for deer yards, as provided under the guidelines of the Department of Inland Fisheries and Wildlife (DIFW), generally appear to allow for a reasonable degree of cutting on a sustained yield basis balanced with a reasonable degree of long term deer yard protection. In the past, however, there has been some confusion regarding how the cutting prescriptions are arrived at. In response to the Commission's request, DIFW has developed and made available written guidelines regarding management of deer wintering areas which are the basis for developing cutting prescriptions.

G. FUTURE STUDY NEEDS

The Commission wishes to encourage studies by DIFW and others on the effects on the deer herd of various deer yard management techniques, including alternative cutting prescriptions. The Commission recognizes that such studies will necessarily take a number of years and require a long term commitment. As such studies get underway and yield results, the Commission wishes to be informed of their progress.

The Commission also encourages additional studies by DIFW to identify other wildlife values of deer yards as well as other significant wildlife and fishery habitats appropriate for P-FW zoning protection.

H. DEERYARD REZONING PROCESS

In 1990, the Commission made some changes to the deeryard rezoning process. These changes were designed to promote cooperation and coordination between DIFW and the landowner, while providing equal opportunities for evaluation of the suitability of an area for deeryard zoning. Landowners are either given the opportunity to attend DIFW's ground survey of an area under consideration as a deeryard, or they are granted the right to petition the Commission for reconsideration of a deeryard rezoning if they have information suggesting that zone criteria were not met. This approach is designed to give landowners equal opportunity to evaluate the scientific basis for the proposed zone, and minimize factual disputes by promoting exploration of an area by both parties at the same time.

I. SCOPE OF THE DEERYARD REZONING PROGRAM

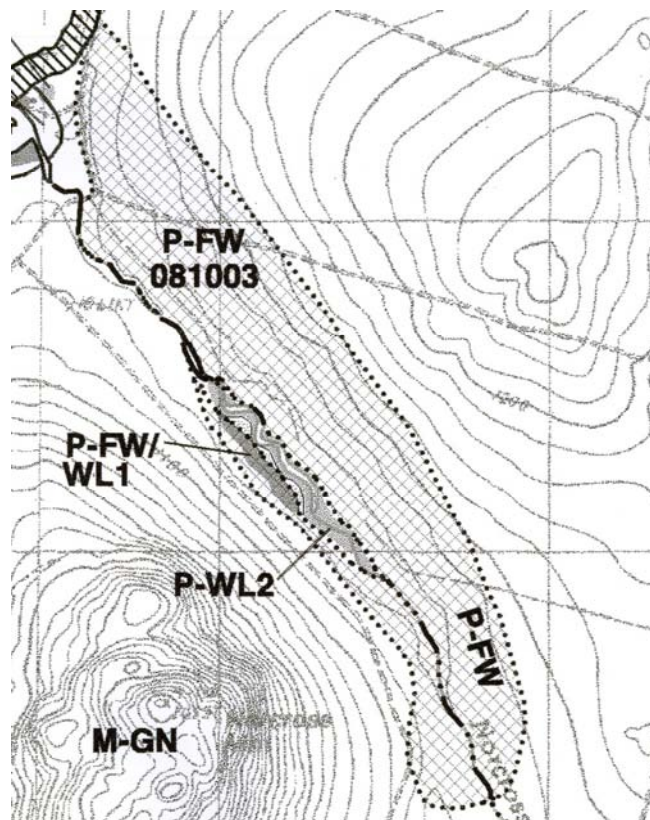
Landowner concerns with the deeryard program have focused on the rezoning of land from Management Districts to Protection Subdistricts. These concerns were precipitated in large part by the addition of considerable new acreage to the deeryard program in the latter part of the 1980s. DIFW believes that additional deeryards are needed to support the deer population in LURC jurisdiction. The discovery and documentation of new deeryards by DIFW support this contention. The Commission believes that an increase in the acreage of zoned deeryards is justified. Deer are valued highly by people in this state and their wintering habitat should be provided a reasonable level of protection. At the same time, given the uncertainties associated with a species living at the northern edge of its range and the need to reasonably consider other needs, such as the wood supply provided by these areas, the Commission is persuaded to define the scope of

the deeryard protection program by establishing that zoned deeryard acreage shall not exceed 3.5% of each Deer Management District. A 3.5% cap allows for considerable, but not unlimited, expansion of the program.

The Commission recognizes that the 3.5% cap does not reflect DIFW's estimate that 5% of the landbase will be used for winter shelter by the target deer population. Nevertheless, the Commission's mandate is different from DIFW's, and directs it to provide for the multiple use of resources in its jurisdiction. The cap reflects the Commission's feeling that protection of deeryard acreage to a level of 3.5% most appropriately balances competing uses of a highly valued land resource. If the limit is reached in a particular Deer Management District, the rezoning process will focus on replacing lower priority deeryards with higher priority deeryards.

J. PERMANENCE OF P-FW ZONES

In 1990, the Commission established a clearer process for reviewing the status of deeryards that are believed to be no longer used by deer. It felt the standard for removal should be strict because the deeryard program is designed to be a long-term habitat protection program, but recognized that removal of land from the P-FW designation is appropriate in some cases. Therefore, the removal criteria specify that a deeryard must not have been used by deer for ten years to qualify for removal. If this criteria is met, DIFW and the landowner will be given the opportunity to present cases to the Commission regarding the appropriateness of retaining P-FW zoning, and the Commission will make the final decision. Alternatively, a deeryard zone may be removed without extensive documentation of no use if both DIFW and the landowner agree that removal of land from the P-FW designation is appropriate.



Sample LURC Zoning Map Showing a Zoned Deer Yard

Appendix F

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