



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

AMANDA E. BEAL
COMMISSIONER

JUDY C. EAST
EXECUTIVE DIRECTOR

JANET T. MILLS
GOVERNOR

Memorandum

To: LUPC Commissioners

CC: Judy East, Executive Director

From: Corinne Michaud-LeBlanc, Senior Planner

Date: September 1, 2021

Re: Amendment B to ZP 659: Staff-initiated petition to rezone lands encompassed by the First Roach Pond Concept Plan (P-RP 009), Frenchtown Township, Piscataquis County

The Weyerhaeuser Company, LLC, (“Weyerhaeuser”, or “landowner”) owner of land included in the First Roach Pond Concept Plan (Concept Plan, or Plan), notified the Commission in December of 2020 that they did not wish to renew the Plan at the end of its 20-year term. The Plan and associated Resource Plan Protection subdistrict (P-RP) will therefore expire on January 24, 2022. Staff then prepared draft replacement zoning, which was presented at the June 8, 2021 Commission meeting. The draft zoning was posted to a 30-day public comment period, which closed on July 9, 2021. The replacement zoning is now ready to be presented to the Commission for a decision on adoption, and a draft decision document is attached.

Background

In 2002, the Commission approved a 20-year Concept Plan for land owned by Plum Creek Land Company, consisting of approximately 1,463 acres surrounding First Roach Pond in Frenchtown Township (Zoning Petition ZP 659 and Amendment A). The Plan area surrounds First Roach Pond, excluding the Kokadjo village development on the western end of the pond. The Plan extends from 500—2500 feet back from the shoreline, abutting T1 R13 WELS to the north, and reaching within 1000 feet of Lily Bay Township to the west and Shawtown Township to the east.

First Roach Pond is larger than 10 acres, and as such is designated a Great Pond. There are multiple minor flowing waters and mapped wetlands throughout the Plan area. Pre-existing shoreland development outside of the Plan area includes several commercial recreational lodging facilities in Kokadjo, the South Inlet Campground, and over 100 previously existing private camps. All of the development and conservation measures proposed in the Plan have been implemented. Specifically:

- Six planned subdivisions were permitted between 2002-2003, totaling 89 residential lots (Subdivision Permits SP 3271, SP 3272, SP 3273, SP 3277, SP 3281, and SP 3282). All lots have been sold, homeowners' associations have been formed, and common land has been conveyed.
- A pre-existing 12-acre lease lot continues to be leased to operators of the South Inlet Campground; which has its main operations on a State-owned parcel outside of the Plan area.
- Reconstruction of the public "Pulp Road Campsite" area and hand carry boat launch on the north shore (DP 4629).
- Placement of permanent, deeded conservation covenants on approximately 494 acres of timberland (Piscataquis County Registry of Deeds, Book 1376, Pages 74—73).
- Execution of a permanent conservation easement on 525 acres of land, managed by the State of Maine, Bureau of Parks and Lands (Piscataquis County Registry of Deeds, Book 1376, Pages 58—84; and Book 1418, Pages 208—219).

Proposed Zoning

When a Concept Plan and associated P-RP subdistrict expires, the Commission is tasked with rezoning the area previously covered by the P-RP subdistrict. The staff-initiated rezoning applies only to the land currently covered by the P-RP subdistrict. The process is outlined in Chapter 10 of the Commission's rules, Section 10.23,H,8:

"The provisions of an approved and recorded Resource Plan shall apply for the duration of the approved time period, except that any conservation measures taken to strike a reasonable and publicly beneficial balance in a lake concept plan shall continue to apply to the extent that they are covered by legal contract, deeded covenants, permit requirements, or other legal instruments. ...At the termination of a plan, the Commission will, in conformity with its comprehensive plan, statutes, and standards, designate appropriate zoning which is reasonably consistent with zoning in accordance with Section 10.08,A.

In the event that a plan is terminated, all transactions initiated as a component of the plan, including without limitation, the granting of conservation easements or restrictive covenants on subdivided lands will continue to apply to the extent that they are covered by legal contract, deeded covenants, permit or other legal requirements."

Under the provisions of Section 10.23,H, staff have identified appropriate replacement zoning for the Plan area, based on development that has occurred, and the resources that are present. The following subdistricts, as described in the Commission's Chapter 10 rules, and that would otherwise apply to the Concept Plan area in the absence of the P-RP subdistrict are proposed:

- 1. Residential Development (D-RS).** In accordance with Section 10.21,M,1, the purpose of the D-RS subdistrict is "to set aside certain areas for residential and other appropriate uses so as to provide for residential activities apart from areas of commercial development. The intention is to encourage the concentration of residential type development in locations where public services may be provided efficiently or where residential development can be integrated with a recreational resource that is suitable for additional use associated with proximate residential development." In accordance with Section 10.21,M,2,a, the D-RS subdistrict shall include recorded and legally existing single family residential subdivisions, and the boundaries shall encompass the entire subdivision.

The proposed D-RS subdistricts within the Concept Plan area encompass the residential subdivisions that were permitted by the Commission and recorded in the Piscataquis County Registry of Deeds.

- 2. General Management (M-GN).** In accordance with Section 10.22,A,1, the purpose of the M-GN subdistrict is to permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that the resource protection afforded by protection subdistricts is not required. As detailed in Section 10.22,A,2, this subdistrict is applied to all areas not otherwise zoned for protection or development, covering areas that do not need special protection and that are appropriate for agriculture or forestry.

The proposed M-GN subdistricts within the Concept Plan area represent lands that do not otherwise warrant a development subdistrict, nor require any specific resource protections.

- 3. Great Pond Protection (P-GP).** As provided in Section 10.23,E,1, the purpose of the P-GP subdistrict is to regulate residential and recreational development on Great Ponds to protect water quality, recreation potential, fishery habitat, and scenic character. By definition, all areas within 250 feet of the normal high water mark of bodies of standing water 10 acres or greater in size are included.

The proposed zoning includes P-GP subdistricts on the shoreline of First Roach Pond in areas that are not otherwise superseded by zoning for residential development, wetland protection, or minor flowing water protection.

- 4. Shoreland Protection (P-SL2).** As provided in Section 10.23,L,1, the purpose of the P-SL subdistrict is “to regulate certain land use activities in certain shoreland areas in order to maintain water quality, plant, fish and wildlife habitat and in order to protect and enhance scenic and recreational opportunities.” As described in Section 10.23,L,2, this subdistrict includes areas within 75 feet, measured as a horizontal distance landward, of (a) the normal high water mark of flowing waters upstream from the point where such channels drain 50 square miles and (b) the upland edge of those freshwater wetlands identified in Section 10.23,N,2,a,(1),(c) and (2), and (3).

The proposed zoning includes 75-foot wide P-SL2 subdistricts for minor flowing waters and applicable wetlands. These streams and wetlands were mapped and zoned as P-SL2 prior to adoption of the Plan. There are no major flowing waters qualifying for a P-SL1 Subdistrict in the Concept Plan area.

- 5. Wetland Protection (P-WL1, 2 & 3).** As provided in Section 10.23,N,1, the purpose of the P-WL subdistrict is to conserve coastal and freshwater wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

Proposed zoning includes P-WL1, 2, or 3 subdistrict zoning for all wetland areas depicted on the National Wetland Inventory map, in accordance with definitions in Section 10.23,N,2.

Landowner Review

In December 2020, Weyerhaeuser notified the Commission that they did not wish to renew the expiring First Roach Pond Concept Plan, and staff began the process of identifying appropriate replacement zoning. Commission staff have been in contact with Weyerhaeuser throughout the rezoning process, and have notified them via email of the presentation of the draft zoning map for a decision on adoption at the September 2021 Commission Meeting.

An informational letter was sent to all other landowners within the Plan area on May 20, 2021, informing them about the expiration of the Plan. A copy of the proposed zoning was enclosed, as well as an explanation of the expected timeline and public comment process.

Public notice of the zoning petition and 30-day comment period was provided by publication in the Bangor Daily News, Moosehead Messenger, and Piscataquis Daily Observer; by U.S. Postal Service mail to the landowners within the Plan area to be rezoned, landowners within 1000 feet of the Concept Plan area, the Piscataquis County Commissioners, and the Greenville and Beaver Cove town offices; and by email to relevant State agencies. The draft map and proposal materials were posted on the Commission's website, along with instructions describing how to submit comments or obtain additional information.

Review Comments

The draft zoning map was sent to the Maine Historic Preservation Commission, Maine Natural Areas Program, Maine Department of Inland Fisheries & Wildlife, and the Bureau of Parks and Lands for review on May 13, 2021. No concerns or suggested edits were received.

The public comment period opened on June 10, 2021 and closed on July 9, 2021. Staff received inquiries from fifteen private landowners with general questions, comments, and requests for additional information. Additionally, staff were contacted by and supplied general information to the Piscataquis County Commissioners and the Natural Resources Council of Maine. Representatives from three Homeowners' Associations within the Plan area contacted staff with questions about changes in allowed uses on their land, and future subdivision permit amendments. No comments regarding changes to the proposed zoning were received, and no requests for a public hearing were received.

Staff Recommendation

Staff recommends that the Commission approve Amendment B to Zoning Petition ZP 659, a staff-initiated petition to rezone the area within the Concept Plan for First Roach Pond, in Frenchtown Township, Piscataquis County; from P-RP subdistrict to D-RS subdistrict, M-GN subdistrict, P-GP subdistrict, P-SL2 subdistrict, and P-WL1, 2, and 3 subdistricts.

Attachment A: Draft decision document for Zoning Petition ZP 659-B

Attachment B: Draft Frenchtown Township land use guidance map

Attachment A



JANET T. MILLS
GOVERNOR

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

AMANDA E. BEAL
COMMISSIONER
JUCY C. EAST
EXECUTIVE
DIRECTOR

COMMISSION DECISION
IN THE MATTER OF

Staff, Maine Land Use Planning Commission

Findings of Fact and Decision

AMENDMENT B TO ZONING PETITION ZP 659

The Maine Land Use Planning Commission (LUPC or Commission), at a meeting of the Commission held September 8, 2021, at Carrabassett Valley, Maine, after reviewing the draft land use guidance map, the petition, and supporting documents submitted by the staff of the Maine Land Use Planning Commission for Amendment B to Zoning Petition ZP 659, review agency and staff comments, and other related materials on file, and pursuant to 12 M.R.S. Sections 681 et seq. and the Commission's standards and rules, finds the following facts:

1. *Petitioner:* Staff (Attn: Corinne Michaud-LeBlanc)
Maine Land Use Planning Commission
22 State House Station
Augusta, Maine 04333-0022
2. *Date of Completed Petition:* June 9, 2021
3. *Location of Proposal:* Frenchtown Township, Piscataquis County, Maine
4. *Current Zoning:* Resource Plan Protection Subdistrict (P-RP)
5. *Proposed Zoning:* Residential Development Subdistrict (D-RS)
General Management Subdistrict (M-GN)
Great Pond Protection Subdistrict (P-GP)
Shoreland Protection Subdistrict (P-SL2)
Wetland Protection Subdistrict (P-WL1, 2, and 3)
6. *Proposed Area to Rezone:* 1,463 acres
7. *Affected Water Body:* First Roach Pond

The Commission has identified First Roach Pond as a management class 3, resource class 1B, accessible, developed lake with the following resource ratings: significant fisheries resources, significant scenic resources, significant shore character, and significant cultural resources.

Administrative History

8. *Zoning Petition ZP 659*. On January 9, 2002, ZP 659 was approved, authorizing a 20-year Concept Plan for First Roach Pond (Concept Plan, or Plan), and a change in subdistrict boundaries to create a 1,463-acre (P-RP) Resource Plan Protection subdistrict. The Plan included 79% of the shoreline along First Roach Pond and the North Inlet of First Roach Pond; and extended from 500—2500 feet back from the shoreline. The Plan area abuts the town line with T1 R13 WELS to the north, and reaches within 1000 feet of Lily Bay Township to the west and Shawtown Township to the east. The Concept Plan and associated P-RP subdistrict went into effect on January 22, 2002.
9. *Elements of the Concept Plan*. The Plan contained provisions for the management, regulation, and protection of the property for continued forest management activities and traditional recreational activities. The Concept Plan also guided future development within the Plan area. Specifically, the Concept Plan provided for:
 - A. Six planned subdivisions, totaling 89 residential lots (see subdivision permits SP 3271, SP 3272, SP 3273, SP 3277, SP 3281, and SP 3282 below).
 - B. Placement of permanent, deeded conservation covenants on approximately 494 acres of timberland (Piscataquis County Registry of Deeds, Book 1376, Pages 74—73).
 - C. Execution of a permanent conservation easement on 525 acres of land, to be managed by the State of Maine, Bureau of Parks and Lands (Piscataquis County Registry of Deeds, Book 1376, Pages 58—84; and Book 1418, Pages 208—219).
10. *Peninsula Subdivision*. The Commission approved subdivision permit SP 3271 on January 9, 2002. This permit authorized the creation of a 7-lot residential subdivision on the north shore of First Roach Pond. A Certificate of Compliance (COC) was issued for the subdivision on August 29, 2002, and all lots have been conveyed.
11. *West Shore Subdivision*. The Commission approved subdivision permit SP 3272 on January 9, 2002. This permit authorized the creation of a 5-lot residential subdivision on the west shore of First Roach Pond. A COC was issued for the subdivision on April 10, 2002. All residential lots have been conveyed, as well as 22 acres of homeowners association (HOA)-owned common land.
12. *South Shore West Subdivision*. The Commission approved subdivision permit SP 3273 on January 9, 2002. This permit authorized the creation of a 16-lot residential subdivision on the south shore of First Roach Pond. A COC was issued for the subdivision on April 10, 2002. All residential lots have been conveyed, as well as 18.6 acres of HOA-owned common land.
13. *North Shore West Subdivision*. The Commission approved subdivision permit SP 3277 on August 14, 2002. This permit authorized the creation of a 32-lot residential subdivision on the north shore of First Roach Pond. A COC was issued for the subdivision on October 25, 2002. All residential lots have been conveyed, as well as 39 acres of HOA-owned common land.
14. *Amendment A to Zoning Petition ZP 659*. The Commission approved Amendment A to ZP 659-A on May 21, 2003. The amendment approved the addition of 10 acres to the Plan area, abutting the north shore center subdivision. The additional acreage allowed for an increase in the total number of lots in the north shore center subdivision, and required corresponding reductions in the number of planned lots on the south shore of First Roach Pond.

15. *West Shore Back Lots Subdivision.* The Commission approved subdivision permit SP 3281 on May 21, 2003. This permit authorized the creation of a 9-lot residential subdivision on land adjacent to the west shore subdivision. A COC was issued for the subdivision on August 27, 2003, and all lots have been conveyed.
16. *North Shore Center Subdivision.* The Commission approved subdivision permit SP 3282 on May 21, 2003. This permit authorized the creation of a 20-lot residential subdivision on the north shore of First Roach Pond. A COC was issued for the subdivision on August 27, 2003. All residential lots have been conveyed, as well as 6.3 acres of HOA-owned common land.
17. *Transfer of Ownership.* The Weyerhaeuser Company acquired the lands within the Plan area on November 8, 2016, via an instrument of merger with Plum Creek Maine Timberlands.
18. *Expiration of Concept Plan.* As provided for in the Concept Plan,

“If the landowner(s) or the Commission do not wish to renew the Plan, or cannot agree upon the terms of a renewal, the Commission will, in conformity with its Comprehensive Land Use Plan, statutes, and standards, designate appropriate zoning subdistricts for those areas encompassed by this Plan to become effective upon expiration of this Plan.”

In December of 2020, the Weyerhaeuser Company notified the Commission that they did not wish to renew the Plan when it expires on January 24, 2022, and staff began the required process to identify replacement zoning.
19. *Landowner Review.* Beginning in December 2020, conversations about the rezoning were held with Weyerhaeuser. A draft proposed zoning map was shared with Weyerhaeuser in early May of 2021, followed by several video conferences. Weyerhaeuser requested clarification of labels and legends on the draft map. In mid May 2021, an informational letter was sent via regular postal mail to all landowners within the Concept Plan area, informing them of the rezoning process and upcoming presentation of the draft map at the June Commission Meeting. No comments or requests were received in response to the informational mailing.

Proposal

20. The Land Use Planning Commission staff seek to rezone the 1,463-acre Resource Plan Protection (P-RP) subdistrict currently applied to the Concept Plan area, due to impending expiration of the Plan. Staff have prepared a draft zoning map, which illustrates the proposed zoning changes described further below.
21. Staff have identified appropriate replacement zoning for the Plan area, based on development that has occurred, and the resources that are present. The following subdistricts, as described in the Commission’s Chapter 10 rules, and that would otherwise apply to the Concept Plan area in the absence of the P-RP subdistrict are proposed:
 - A. Residential Development (D-RS). In accordance with Section 10.21,M,1, the purpose of the D-RS subdistrict is “to set aside certain areas for residential and other appropriate uses so as to provide for residential activities apart from areas of commercial development. The intention is to encourage the concentration of residential type development in locations where public services may be provided efficiently or where residential development can be

integrated with a recreational resource that is suitable for additional use associated with proximate residential development.”. In accordance with Section 10.21,M,2,a, the D-RS subdistrict shall include recorded and legally existing single family residential subdivisions, and the boundaries shall encompass the entire subdivision.

The proposed D-RS subdistricts within the Concept Plan area encompass the residential subdivisions that were permitted by the Commission and recorded in the Piscataquis County Registry of Deeds.

- B. General Management (M-GN). In accordance with Section 10.22,A,1, the purpose of the M-GN subdistrict is to permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that the resource protection afforded by protection subdistricts is not required. As detailed in Section 10.22,A,2, this subdistrict is applied to all areas not otherwise zoned for protection or development, covering areas that do not need special protection and that are appropriate for agriculture or forestry.

The proposed M-GN subdistricts within the Concept Plan area represent lands that do not otherwise warrant a development subdistrict, nor require any specific resource protections.

- C. Great Pond Protection (P-GP). As provided in Section 10.23,E,1, the purpose of the P-GP subdistrict is to regulate residential and recreational development on Great Ponds to protect water quality, recreation potential, fishery habitat, and scenic character. By definition, all areas within 250 feet of the normal high water mark of bodies of standing water 10 acres or greater in size are included.

The proposed zoning includes P-GP subdistricts on the shoreline of First Roach Pond in areas that are not otherwise superseded by zoning for residential development, wetland protection, or minor flowing water protection.

- D. Shoreland Protection (P-SL2). As provided in Section 10.23,L,1, the purpose of the P-SL subdistrict is “to regulate certain land use activities in certain shoreland areas in order to maintain water quality, plant, fish and wildlife habitat and in order to protect and enhance scenic and recreational opportunities.” As described in Section 10.23,L,2, this subdistrict includes areas within 75 feet, measured as a horizontal distance landward, of (a) the normal high water mark of flowing waters upstream from the point where such channels drain 50 square miles and (b) the upland edge of those freshwater wetlands identified in Section 10.23,N,2,a,(1),(c) and (2), and (3).

The proposed zoning includes 75-foot wide P-SL2 subdistricts for minor flowing waters and applicable wetlands. These streams and wetlands were mapped and zoned as P-SL2 prior to adoption of the Plan. There are no major flowing waters qualifying for a P-SL1 Subdistrict in the Concept Plan area.

- E. Wetland Protection (P-WL1, 2 & 3). As provided in Section 10.23,N,1, the purpose of the P-WL subdistrict is to conserve coastal and freshwater wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

Proposed zoning includes P-WL1, 2, or 3 subdistrict zoning for all wetland areas depicted on the National Wetland Inventory map, in accordance with definitions in Section 10.23,N,2.

Public Notice and Comment

22. On June 9, 2021, at a virtual monthly business meeting, staff requested that the Commission direct it to post Amendment B to Zoning Petition ZP 659 for public comment. The Commission unanimously approved the request.
23. Notice of the zoning petition and 30-day comment period was provided by publication in the Bangor Daily News, Moosehead Messenger, and Piscataquis Daily Observer; by U.S. Postal Service mail to the landowners within the Plan area to be rezoned, landowners within 1000 feet of the Concept Plan area, the Piscataquis County Commissioners, and the Greenville and Beaver Cove town offices; and by email to resource agencies and interested persons. The draft map and proposal materials were posted on the Commission's website, along with instructions describing how to comment on the draft map and how to obtain additional information.
24. The public comment period opened on June 10, 2021 and closed on July 9, 2021. Staff received inquiries from fifteen private landowners with general questions, comments, and requests for additional information. Additionally, staff were contacted by and supplied general information to the Piscataquis County Commissioners and the Natural Resources Council of Maine. Representatives from three homeowners' associations within Frenchtown Township contacted staff with questions about changes in allowed uses on their land, and future subdivision permit amendments. No comments regarding changes to the proposed zoning were received, and no requests for a public hearing were received.
25. *Agency Review.* Copies of the zoning petition materials were sent to the Maine Bureau of Parks and Lands, Maine Department of Inland Fisheries and Wildlife, Maine Natural Areas Program, and Maine Historic Preservation Commission for review. No concerns or suggested changes were received.

Commission Analysis and Findings

Consistency with Relevant Statute and Rules

26. The Commission's statute, 12 M.R.S. §685-A (1), provides that "the Commission, acting on principles of sound land use planning and development, shall determine the boundaries of areas within the unorganized and deorganized areas of the State that fall into land use districts and designate each area in one of the following major district classifications: protection, management and development."
27. The Commission's statute, 12 M.R.S. §685-A (8-A), and Section 10.08,A of the Commission's *Land Use Districts and Standards*, provide that "a land use district boundary may not be adopted or amended unless there is substantial evidence that: The proposed land use district is consistent with the standards for district boundaries in effect at the time, the comprehensive land use plan, and the purpose, intent and provisions of this chapter; ..."
28. The boundaries of the replacement zones for the concept plan area were determined based on existing development patterns, approved subdivision boundaries, and the location of important natural resources. The Commission finds, based on the methodology used to establish the

boundaries, the replacement zones are consistent with the purposes and descriptions of the Commission's existing subdistricts as provided in the Commission's Chapter 10, Sub-chapter II.

29. The Commission's Comprehensive Land Use Plan (CLUP) includes goals and policies to:
- A. Conserve, protect and enhance the forest resource in a way that preserves its important values, including timber and fiber production, ecological diversity, recreational opportunities, as well as the relatively undeveloped remote landscape that it creates. (Section 1.2,II,F)
 - B. Conserve the natural resources that are fundamental to maintaining the recreational environment that enhances diverse, abundant recreational opportunities. (Section 1.2,II,I)
 - C. Preserve, protect and enhance the quality and quantity of surface waters and groundwater. (Section 1.2,II,K)
 - D. Conserve and protect the ecological functions and social and economic values of wetland resources. (Section 1.2,II,L)
30. The Commission finds that the rezoning, as proposed, is consistent with and carries out the policies of the Commission's *Comprehensive Land Use Plan*, in that the management subdistrict, as applied, has as its purpose the protection and appropriate utilization of forest resources and the protection subdistricts, as applied, have as their purposes the conservation of land and water resources warranting protection.
31. Regarding the statutory purpose and scope, the Commission finds that its determination on consistency with the CLUP establishes consistency with the purpose and scope of the statute under which the CLUP must be adopted. This finding is based on the following:
- A. The purpose and scope of Ch. 206-A are embodied virtually verbatim in the broad goals of the CLUP, and
 - B. In accordance with the statute, "[t]he [C]ommission must use the [CLUP] as a guide in ... generally fulfilling the purposes of this chapter." 12 M.R.S. §685-C(1)

Appropriate Management and Protection of Resources

32. The Commission's statute, 12 M.R.S. §685-A (8-A), and Section 10.08,A of the Commission's *Land Use Districts and Standards*, also provide that "a land use district boundary may not be adopted or amended unless there is substantial evidence that:...[t]he proposed land use district has no undue adverse impact on existing uses or resources, or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area."
33. Pursuant to Chapter 10, Section 10.23,H,8 of the Commission's rules: [a]t the termination of a plan, the Commission will, in conformity with its comprehensive plan, statutes, and standards, designate appropriate zoning which is reasonably consistent with zoning of equivalent areas.
34. Under the proposed rezoning, the existing P-RP subdistrict will be replaced by the M-GN subdistrict, D-RS subdistrict, and the Protection subdistricts P-GP, P-SL2, P-WL1, P-WL2, and P-WL3, all of which previously applied to the Concept Plan area and are appropriate for the

protection and management of existing uses and resources in the absence of the P-RP subdistrict. The Commission finds that the proposed subdistricts are consistent with the zoning of equivalent areas throughout the Commission's service area.

35. The facts are otherwise as represented in Amendment B to Zoning Petition ZP 659 and supporting documents.

Based on the above Findings of Fact, the Commission makes the following conclusions:

1. The proposed land use districts are consistent with the standards for district boundaries currently in effect, the comprehensive land use plan, and the purpose, intent and provisions of 12 M.R.S. §681 et seq.; and
2. The new district designation is more appropriate for the protection and management of existing uses and resources within the affected area.

Therefore, the Commission approves the petition of the Maine Land Use Planning Commission staff to replace the Resource Plan Protection subdistrict with other appropriate zoning in Frenchtown Township, per the accompanying map.

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

DONE AND DATED AT CARRABASSET VALLEY, MAINE, THIS 8TH DAY OF SEPTEMBER, 2021.

By: _____
Judy C. East, Executive Director

The changes in subdistrict designations are effective on January 24, 2022¹.

¹ In accordance with the concept plan approved by the Commission in ZP 659, replacement zoning for those areas encompassed by the concept plan become effective upon expiration of the plan.

Attachment B

Frenchtown Twp.



TA R13 WELS

Piscataquis County



Land Use Guidance Map

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

Legend

DEVELOPMENT SUBDISTRICTS

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

MANAGEMENT SUBDISTRICTS

- M-GN: General

PROTECTION SUBDISTRICTS

- P-GP: Great Pond
- P-MA: Mountain Area
- P-RR: Recreation
- P-SL2: Shoreland - 75'
- P-WL1: Wetlands of Special Significance
- P-WL2: Scrub-shrub Wetlands
- P-WL3: Forested Wetlands

DRAFT

For complete descriptions of those areas included within the various subdistricts, and the associated regulations, refer to the Commission's Chapter 10 rules: Land Use Districts and Standards. Where any inconsistencies exist between the district boundaries, as shown on this map, and those described by the Commission's Land Use Districts and Standards, the latter shall govern.

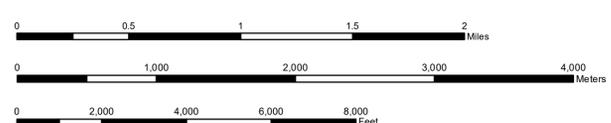
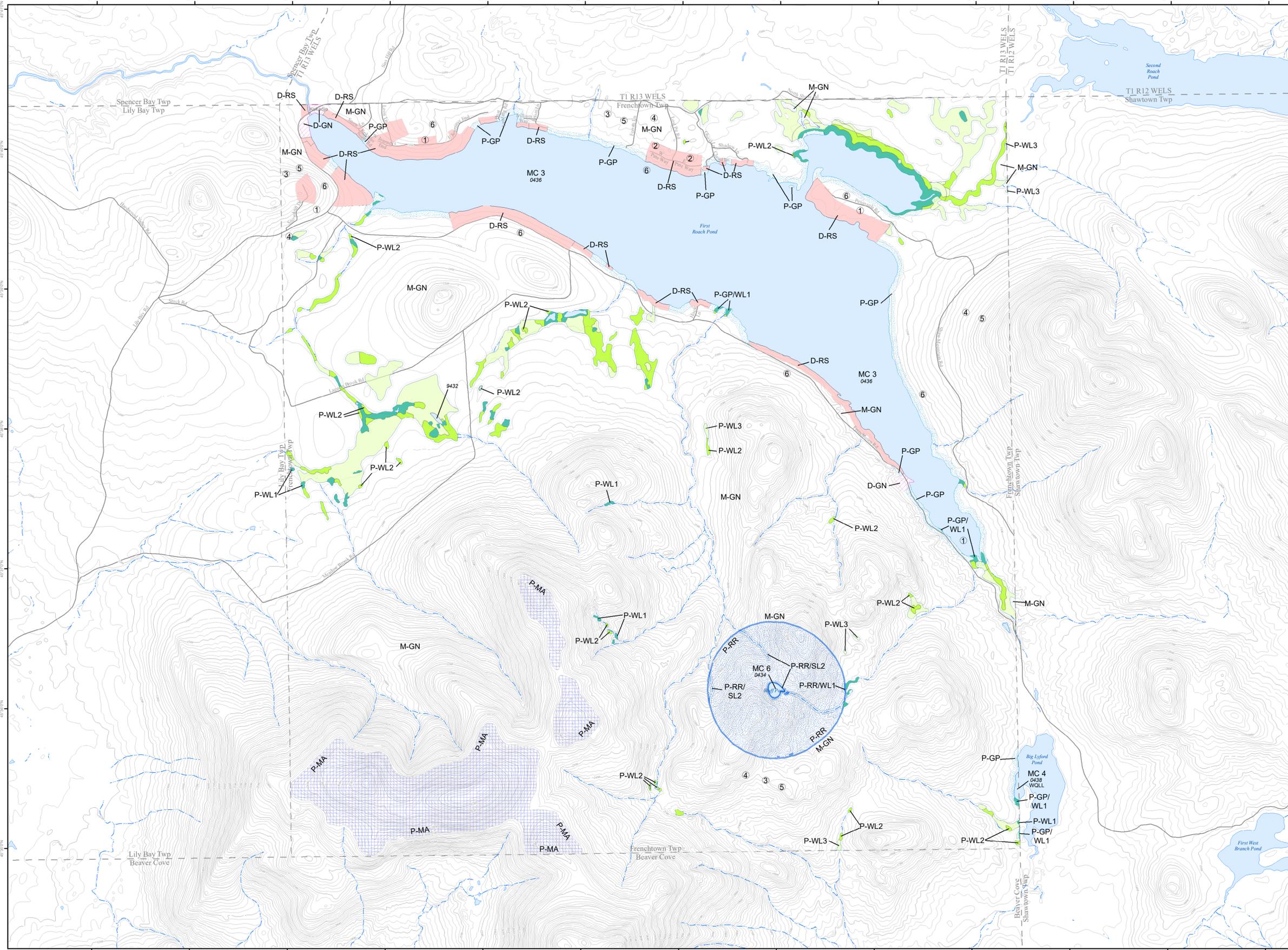
For simplicity, this map does not show all the Wetland Protection Subdistricts for areas identified pursuant to Section 10.23,N,2 such as the beds of rivers, lakes, and other water bodies, and freshwater wetlands within 25 feet of stream channels. Nevertheless, these areas are within P-WL Subdistricts. In addition, this map does not show the Shoreland Protection Subdistricts along stream channels flowing through wetlands. Nevertheless, these areas are within P-SL2 Protection Subdistricts. If the locations of flowing waters or bodies of standing water existing on the ground differ from those shown on the map, then, pursuant to 12 M.R.S., Section 685-A(2)(G), P-GP, P-RR, P-SL, P-WL, and other subdistrict boundaries that are based upon the location of such waters shall, as appropriate, be deemed to follow the flowing water or body of standing water existing on the ground.

This Land Use Guidance Map was adopted by the Maine Land Use Planning Commission on **08/03/2005**, and became effective on **08/18/2005**.

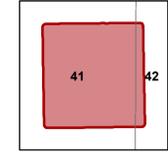
This map is certified to be a true and correct copy of the Official Land Use Guidance Map of the Maine Land Use Planning Commission.

By: Caroline M. Carroll, Director, Maine Land Use Planning Commission.

Amendments			
Location #	Zoning Permit	Effective Date	Remarks
1	ZP659	01/24/2002	P-RP 009 Expires January 24, 2022
2	ZP659A	06/05/2003	P-RP 009 Expires January 24, 2022
3	ZP707	10/08/2009	Adoption of digital NWI wetlands
4	ZP707A	08/19/2010	P-RP 014 Expires October 8, 2039
5	ZP707B	07/30/2020	P-RP 014 Expires October 8, 2039
6	ZP659B		P-RP 014 Terminated DRAFT - P-RP 009 Expiration



DeLorme map locus



USGS 7.5' quad index



① Map amendment location

▲ Point at which a river drains 25 square miles - symbol points upstream (12 M.R.S. Sec. 682-B(4))

9999 MIDAS number: Unique number assigned to each standing body of water in Maine.

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

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