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DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
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Memorandum

To: LUPC Commissioners
From: Samantha Horn, Planning Manager
Ben Godsoe, Senior Planner
Date: June 15, 2018
Re: Proposed Revisions to Application of the Adjacency Principle

At the June 20, 2018 Commission meeting, the Commission will hold a public hearing about proposed rule revisions related to refinement of the adjacency principle. As part of the hearing, staff will summarize the draft materials and talk about the process moving forward. This will be followed by an opportunity for members of the public to provide testimony.

Included at the end of this memo are several links to the Commission's website that lead to materials relevant for the public hearing. Because of the volume of comments received to date in this process, the rulemaking documents are not attached directly to this memo.

Background

Refinement of the adjacency principle has been called for in the Commission's Comprehensive Land Use Plan since the 1980s, and there have been efforts to address the shortcomings of the one mile rule of thumb for specific uses or locations since that time. In 2016, the Commission directed staff to take a more comprehensive approach by reviewing where all types of development could locate. Over the course of the last two years, the Commission has received extensive feedback from stakeholders and residents through a public survey (notice was mailed to all identified property taxpayers in the areas served by the Commission and broadly distributed to email contact lists; over 2,000 responses), and through focus group meetings with people knowledgeable about economic development, service provision, issues important to property owners, recreation, and wildlife. In August 2017, the Commission received public comment on its review of the adjacency principle at a monthly meeting, and did so again in April 2018. Also in April, Commission staff held two public information sessions in Bingham and Millinocket about the proposal, and since then have met with individuals, or groups of people, upon request (e.g., staff gave a presentation for the Hancock County Commissioners, and met with a group of residents in Lexington Twp). Staff have also reached out to municipal officials in towns near the Commission's service area to notify them about the process and ask for feedback about the proposed changes.

Guide to materials on the website

Following are some weblinks to materials on the [Commission's website](#) that help explain the different components of the current proposal, and to written comments submitted so far in the process:

- An [Executive Summary](#) that provides an overview of the proposed rule changes, as well as a [redline document that illustrates specific proposed changes](#);
- A document that describes [conceptual changes to the Commission's standards for residential subdivision layout and design](#);
- A document that describes proposed [activity standards for commercial uses and home occupations](#), which will be converted into rule language for the Commission to consider for posting to public comment at the meeting on August 8, 2018;
- A [timeline](#) illustrating steps in the process, from the beginning of the subdivision rule revision effort in 2014 through the end of the rulemaking process;
- Because there have been extensive public comments in the review process so far, and because the official public record will remain open for almost four months – until September 24, 2018 – comments have been posted on the website in groups:
 - [Comments about the proposed planning framework and general policy direction](#), submitted between August 11, 2017, and September 1, 2017;
 - [Comments about proposed conceptual changes to application of the adjacency principle](#), submitted between April 11, 2018 and May 29, 2018;
 - [Comments about proposed rule revisions](#) submitted between May 30, 2018, and June 15, 2018.