
PUBLIC COMMENTS RECEIVED FOR PROPOSED RULE REVISIONS:
SUBDIVISION TECHNICAL ISSUES

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

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October 2, 2015

Stacie Beyer
Land Use Planning Commission
106 Hogan Rd., Suite 8
Bangor, ME 04401

RE: Proposed Rule Revisions: Subdivision Technical Issues

Dear Stacie,

On behalf of Maine Audubon and our 20,000 members and supporters, I am submitting comments on the Proposed Rule Revisions: Subdivision Technical Issues. Before I get into the details of the comments, I want to recognize and thank staff and commission members for the amount of time invested in discussing subdivision issues. We greatly appreciate how inclusive and open the process has been.

Staff and I have reviewed the draft revisions and have a particular concern with the proposed changes regarding slope. In Sections 10.25, D (4)(e), Q(3)(d)(3), and R(2)(a)(1)(b), requirements regarding slopes are being relaxed. The effect of this relaxation is to open up steeper areas for development.

Development in these areas poses several challenges and risks. These areas potentially have provided large blocks of unfragmented habitat from roads and development. Unfragmented habitats are a limited and decreasing resource and highly valuable for wildlife which is even more important as the climate continues to change. When habitats are fragmented their size is reduced, habitat is lost and edge habitat is increased. All of these changes reduce the quality of habitat for area-sensitive wildlife species, such as the Northern parula warbler, and wide ranging species, such as bobcat.

Development on steeper slopes increases the risk of erosion, runoff and sedimentation putting aquatic habitat at risk.

Development also brings with it the construction of road-stream crossings. In general, road-stream crossings can result in decreased water quality from sedimentation and the warming of cold water streams by decreasing shade around a stream. Road-stream crossings in higher elevation areas will impact headwater streams which in turn will impact water quality lower in the watershed. Headwater streams are highly valuable to aquatic species, such as wild brook trout, and are particularly important to keep cold and free of sedimentation.

LUPC's vision recognizes the interplay of development and ecological values, "The legislature finds that it is desirable to extend principles of sound planning, zoning and subdivision control to the unorganized and deorganized townships of the State: To preserve public health, safety and general welfare; to prevent inappropriate residential, recreational, commercial and industrial uses detrimental to the proper use or value of these areas...and to preserve ecological and natural values." We urge LUPC to resist making changes to current slope requirements as such changes put ecological and natural values at risk.

In terms of the other technical rule changes, they generally fall outside our area of expertise.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Burns Gray". The signature is written in a cursive style with a large initial "J".

Jennifer Burns Gray
Staff Attorney and Advocate