

**Pre-Planning for Aroostook County Prospective Zoning
Workshop 1 Meeting Minutes
8:30 am – 12:30 pm; April 24, 2013
Approved May 15, 2013**

Conveners: Land Use Planning Commission and Northern Maine Development Corporation

Mike Eisensmith (for Robert Clark), NMDC

Jay Kamm, NMDC

Samantha Horn Olsen; Planning Manager, LUPC

Hugh Coxe; Senior Planner, LUPC

Billie MacLean, LUPC

Facilitator: Frank O'Hara, Planning Decisions

Recorder: Alison Truesdale, LandForms

Steering Committee members in attendance:

1. Paul Bernier (for Doug Beaulieu), Aroostook County Commission
2. David Cambridge, Katahdin Trust
3. Ked Coffin, Irving Woodlands
4. Fred Corey, Aroostook Band of Micmacs
5. Mark Draper, Tri-Community Land Fill
6. Ralph Dwyer, Ashland Town Manager
7. Sarah Medina, Seven Islands
8. Cheryl St. Peter, Fish River Lakes Leaseholders Association (also works at County Environmental Engineering, Inc.)
9. Tom Rumpf (for Bill Patterson), The Nature Conservancy

Other attendees:

1. Tom Clowes, NMDC Executive Board
2. Durward Humphrey, Commissioner, LUPC
3. James May, Commissioner, LUPC
4. Paul Underwood, Commissioner, LUPC
5. Steve Schley, Pingree Associates
6. Carl Sjogren, Prentiss & Carlisle
7. Elgin H. Turner, H.C. Haynes, Inc.

Agenda

Arrival

Welcome and Introductions;

Review agenda

Legislative background; LUPC process thus far

Review of prospective planning process

Opportunities and risks of regional planning for Aroostook

Q & A

Break

Discussion: what are the important elements of a process that will create a successful plan for the Aroostook region?

Tentative dates and agenda for workshop #2

OPPORTUNITIES

- Establish/protect wildlife habitat connectivity to Gaspé Peninsula
- Enfranchise local representatives
- Predictability for developers
- Revitalization; job growth
- Having a say in one's destiny
- Information
- Logical use of natural resources
- Special places conserved
- Economics: developing the "gateway to the Big Woods", without damage to the land
- Provide direction to economic development efforts
- Preserving traditional values, public access, economy, way of life
- Mining proposal
- More collaboration (e.g., trail and connections) among landowners, groups, LUPC
- Improve consistency between regulation of organized and unorganized areas
- Economic viability
 - Forest products
 - Fractured ownership
- Recreation activities
- Keep camp leases
- Seasonal camps on already-developed lakes
- Being open to new ideas
 - (e.g., using UT land for septic disposal of organic waste)
- Thinking across traditional boundaries (UT/organized; US/Canada)
- Taking advantage of opportunities that arise from greater communication, cooperation
- Setting a tone that invites development to Aroostook as long as the resources are not compromised
- Learning together; having a conscious conversation

RISKS/CONCERNS

- Accountability of elected officials (be careful with exceptions)
- Public perception
 - e.g., that we are "loosening standards"
- Failure; making things worse
- Not seeing every possibility
- Complexity; creating another bureaucracy
- Not enough resources
- Getting mired in conflict
- Communication (need to find out what residents are concerned about)
- Broad consensus not achieved

- Poor process
- Facilitation not honest (doesn't feel fair or safe)
- Plan sits on a shelf, isn't useful
- Plan isn't balanced
- Lack of information
- Fear of criticism

DISCUSSION: IDEAS FOR THE PLANNING EFFORT

Steering Committee (for planning effort):

- Establish Committee membership nomination/selection process. Recognize people's time limitations
- 10-12 members
 - avoid "blockers"
- Chair
 - should be widely respected
 - communicates with NMDC
 - provides leadership to committee
 - NMDC nominates, committee approves
- Create committee subgroups dedicated to specific topics
- Define stakeholders and their roles in the process
- Have meetings monthly in a central location
 - Use a video link if necessary

Communication with outside groups and individuals

- Committee members can make effort to reach out to individuals
 - use memberships, regional representatives for outreach
- LUPC and NMDC will coordinate communication with tribal government
 - Tribes need to consult government-to-government
- Public comment time not necessary at all meetings, but otherwise appropriate
 - Have larger public meetings and smaller focus groups (e.g., for landowner issues, recreation planning)
 - Steering Committee can invite specific interests to present information to subcommittees
- Use public hearing process at key points:
 1. Initial information/ideas gathering
 2. Decision points
 3. Final product
- Use the press
- Use web sites, social media, person-to-person outreach
- Put informational flyers in tax bills for seasonal residents?
- Committee should approve minutes prior to meetings and prior to public dissemination
 - drafts still subject to FOIA

- minutes should only include decisions, key points; next steps
- Recorder and facilitator should be separate people

Decision-making

- Consensus decision-making – or –
- Use modified consensus process
 - Establish a conflict resolution process
 - For example, chair has discretion to resolve blocks; or use “stand aside” process
 - A consensus document is desirable for LUPC approval
- Have independent facilitation
 - Have a transparent process
 - Be clear about who’s managing the process
- Agree on the facts before discussing policy/planning issues
- Involve different perspectives
 - business
 - environment
 - landowners
 - residents

Planning Process

- Share information from past plans/studies
 - Examine the time horizons of past plans and take them into consideration
- Invite key groups to present their expertise at a meeting
- Identify information gaps
- Look across geo-political boundaries
 - road system, paper plant, electric power lines – all located outside the County, but have direct effects within the County
- Create a map of conserved areas that shows different types of protection
 - Use the GIS layers being developed by the state
- When and how should process/plan be amended?
 - Committee recommends and votes on amendment; NMDC board approval?
- Plan should be:
 - streamlined
 - easy to understand
 - easy to implement
 - goals and messages should be clear

Plan Approval Process

- Process should address authority of this committee relative to NMDC board, County Commissioners
 - NMDC board as checkpoint?
 - Steering Committee?

- NMDC presents plan to LUPC and public

NEXT STEPS

Tentative Dates and Agenda for Future Workshops

Workshop #2: May 15

Based on Workshop #1 discussion, the facilitators will create a “straw man” proposal for an Aroostook community-guided planning process and mail it to committee members prior to Workshop #2.

NMDC will try to find a small woodlot owner to serve on the pre-planning committee.

Agenda:

- Review, reshape, elaborate on, add detail to, and sharpen the straw-man proposal.

Workshop #3: June 4 (or by email)

Agenda:

- Finalize and approve a document or agreement that sets out, for the land use planning phase, the committee structure and decision-making process.

HANDOUTS

COMMUNITY-GUIDED PLANNING AND ZONING for REGIONS WITHIN MAINE'S UNORGANIZED TERRITORIES

Overarching Principles

The Commission has adopted the following principles to guide any community-guided planning and zoning effort:

1. The process must be locally desired and driven;
2. The process must allow for broad participation by all with an interest in the region;
3. The resulting zoning must address property owner equity through consideration of the distribution of development subdistricts both geographically and across large land holdings within a single ownership;
4. Taken together, all community-guided planning and zoning efforts must balance regional uniqueness with jurisdiction-wide consistency in regulatory structure and predictability for property owners; and
5. Any plan and zoning proposed must be consistent with the LUPC's statutory purpose and scope and rezoning criteria¹.

Participation

A successful community-guided planning and zoning effort will provide opportunities for a broad spectrum of residents, property owners, and interested parties to participate, as well as allow for respectful consideration of divergent views.

The Commission will encourage a coordinated effort involving multiple organizations and interests and believes the minimum participants for a valid process are:

- Property owners – residents, individuals, families, seasonal owners, lessees, trusts, corporate owners
- County commissioners and officials
- Regional planning and economic development organizations
- Neighboring organized towns and service centers
- Service providers (road owners, solid waste disposal, emergency services, utility)
- LUPC (see *Commission Involvement and Review* below)

Other interests should also be allowed to weigh in, including but not limited to:

- State agencies (DACF, MDOT, MDIF&W, DECD)

¹ 12 M.R.S. §§ 685-A(8-A). Criteria for adoption or amendment of land use district boundaries.

- Chambers of Commerce
- Environmental organizations
- Citizens from other locations in Maine
- Industry organizations

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.

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