

REPORT OF THE LAMONE COMPREHENSIVE PLAN PLANNING COMMITTEE

To the Municipal Officers and Budget Committee of the Town of Lamoine:

Introduction and Mission:

The undersigned members of the Comprehensive Plan Planning Committee (the "Committee") were appointed by the Selectfolk in May of this year. The Committee was to determine the process for updating the town's comprehensive plan, and to determine the budget that will be necessary to do so. The deadline for the committee's conclusions is December 31, 2013.

The Work of the Committee:

The Committee, ably assisted by Town Administrative Assistant Stu Marckoon, held several meetings as part of its consideration of this matter. Minutes of these meetings are on the Town website.

- A. We held an organizational meeting on June 13, 2013 and outlined the work we intended to accomplish. The Committee selected Fred Stocking as Chair, with Kathie Gaianguest as Vice-Chair and Stu Marckoon as Secretary. Stu provided as background that the Lamoine Comprehensive Plan was approved in 1996 and is now considered outdated by the State of Maine. He provided each member with a copy of the 1996 Plan. Committee members determined that they would review the 1996 Plan and some recent plans developed by towns of similar size (Trenton and South Thomaston were mentioned). We planned to meet once to discuss this material in July and to plan our meeting with a municipal planning representative from the State in August.
- B. On July 25 we met and discussed the process and content of the various plans reviewed. We noted the tendency to turn comprehensive plans into descriptions of features of the Town, rather than discussion and recommendations regarding planning for the future. Plans also varied greatly in public input sought and received. They also varied in content, with some containing a Vision Statement for the town as well as required elements.

The State sent us electronic data on Lamoine in the twelve subjects that must be included in a comprehensive plan. The data provided is quite detailed in some areas, for instance wildlife habitat, but virtually non-existent in others, such as infra-structure and transportation. Whether the data is useful or complete, by rule it meets Lamoine's duty to provide data in the comprehensive plan, so long as the plan is completed within three years of receipt of the data by the State.

We also reviewed Chapter 208 of the regulations of the former State Planning Office, which sets out the requirements for plans by subject area in considerable detail. Each member of the committee reviewed a copy of this material to review prior to our meeting with a representative of the State in August.

- C. On August 7th, we met with McGregor (Mac) Stocco, who does municipal planning assistance on comprehensive planning from the newly created Department of Agriculture, Conservation and Forestry. Mr. Stocco discussed the history of municipal comprehensive plans in Maine and the relationship between Town action and State review. The Growth Management Act, dating from the 1980's established that towns could set limits on land uses, but could not do so arbitrarily.

Land use regulation must be consistent with a town's comprehensive plan. **Comprehensive plans must provide a factual basis and a community consensus for any management of growth and limitation of property rights.**

State law has at various times provided incentives, in terms of preferences for state grant funds, for towns with current comprehensive plans. However, the current State funding climate has virtually eliminated such grant funds, so this is no longer a compelling reason for a town to have a current plan.

Mr. Stocco further noted that State review of a town's comprehensive plan is not required. However, State review provides the town with a finding that the town comprehensive plan is consistent with State standards. In the absence of a State-approved plan, a Town's land use ordinances may be challenged and the Town may have the obligation to prove in Court that those ordinances and the comprehensive plan comply with State standards. It is this "consistency finding" which expired because it was issued more than 12 years ago. **Lamoine's 1996 Plan is still in effect, but it is no longer considered to be consistent with State standards, and is therefore open to attack.**

In addition, the data on which the 1996 Plan was based generally dates to 1990, and is considerably outdated.

As to process, Mr. Stocco noted that his office is required to provide information and technical assistance, as is the Hancock County Planning Commission (HCPC), which has a State contract to provide municipal planning assistance, even to non-member towns such as Lamoine. He suggested that specific information requests to the HCPC would be the best way to get assistance without fees. Clearly writing the bulk of the plan is something that needs to be paid for. In fact, Mr. Stocco encouraged use of unpaid volunteer resources, but only up to a point. He noted that complete reliance on volunteer help may introduce delay and other uncertainties into the project.

In terms of advice, Mr. Stocco stressed broad and inclusive community input, engaging students, teachers, all community groups, etc. at all stages of the process. The plan will be no good and will not have legitimacy if it is the product of only a few people without general input. He recommended engaging with various groups at their locations, i.e. going to them for their ideas and involvements, rather than depending on a few public hearings. He also noted that many comprehensive planning committees focus on data-gathering, as it is interesting and non-controversial. The result is that actual policy discussion of the really important issues in the town is minimized and dealt with only in the most general terms. He emphasized that the most successful plans are oriented toward using the data and community input to envision how the town can develop locally and within its region.

Finally, Mr. Stocco left us with two large bundles of material: "Comprehensive Planning: A Manual for Maine Communities," and "Updating your Comprehensive Plan, 50 Recommendations for Making Plan Updates More Effective." Stu indicated that the Hancock County Planning Commission had prepared a rough "Proposal for Comprehensive Plan Update Services."

The committee determined to review this material and meet again on September 12th to determine what more needs to be done before the committee completes its work.

- D. At the September 12th meeting, the Committee started with the question of whether work was needed. There was general agreement that a detailed examination of the 1996 Plan was outside of the scope of this committee. However, we noted that the changing demographics of the town, the declining school population, concerns about land /open space use, and the relatively slim recommendations set out in the 1996 Plan, all point to the need for a new plan. The Committee believes that the town would benefit from a current discussion about its future needs and directions.

Similarly, this committee cannot prescribe the work or process of a committee which may be appointed in the future and charged with updating the 1996 Plan. On the other hand, without some general sense of the scope of work, it is difficult to come up with a budget. Review of the HCPC proposal provided some framework. The Committee also reviewed a possible timeline prepared by the Chair (a revised version of this timeline, modified to show activity by July to June fiscal years is attached). There was considerable discussion of the logistics of gathering citizen input, and the advantages and disadvantages of relying on volunteer efforts as opposed to hiring consultants.

The Committee agreed to meet one more time to consider a final report and budget. There was general agreement to the attached time-frame. It assumes approval of the Comprehensive Plan update at Town Meeting in the Spring of 2014. The balance of the 2013-2014 fiscal year would see appointment and organization of a Comprehensive Plan Update Committee, with minimal associated expense.

The next two fiscal years would see the bulk of the activity of the project. Based lightly on HCPC proposal the Committee projected that the work of each of these two years might require \$7,500.00 in funds for consultants (\$6,000.00 each year) and other services and town activities. After that time, the project will either have been completed or in the final stages, requiring minimal expense.

The Committee agreed to meet on October 23rd to consider a draft final report and put together a budget to append to that report. This report followed from that meeting.

Recommendations of the Committee:

The Committee makes the following recommendations to the municipal officers and budget committee of the Town of Lamoine:

1. The Town of Lamoine should undertake to update its Comprehensive Plan, which was approved in 1996. The primary reasons for this are:
 - A. The data and citizen input that went into the 1996 Plan are now over 20 years old;
 - B. Changing demographics, most notably including an increase in older citizens and a decline in school-age children, as well changes in technology, the local economy, and surrounding areas, require revisiting some assumptions about Lamoine's future;
 - C. The 1996 Plan is no longer considered to be consistent with State standards, making Lamoine's land use ordinances more vulnerable to lawsuits;
 - D. A renewed whole community discussion of the future of Lamoine may lead to plans and projects which will benefit its citizens; and

- E. Approval of an updated Comprehensive Plan, which might include a Vision for Lamoine, would inform town officials as new challenges present themselves.
- F. The attached proposed timeline (Attachment A) sets out one model for how the process of updating the 1996 Plan might be conducted within a reasonable period of time, while assuring adequate citizen input.
- G. The attached proposed budget (Attachment B) calls for \$15,000 in Town funds for the project.

Respectfully submitted, this 23rd of October, 2013

The Lamoine Comprehensive Plan Planning Committee

Fred Stocking (Chair)

Kathie Gaianguest (Vice-Chair)

Merle Bragdon

Amy Duym

Perry Fowler

Valerie Sprague

Joe Young

Attachment A: Proposed Timeline

Attachment B: Proposed Budget

Attachment C: Appendix of materials reviewed by the Committee and available at the Town Office

Attachment A

Proposed Timeline for Updating the Lamoine Comprehensive Plan

July, 2013 to June, 2014

(Organizational Stage)

March or April, 2014-

Project of Updating Comprehensive Plan is approval by Town Meeting, followed by announcement via all Town outlets, e-mails, website, quarterly.

June, 2014-

Committee appointed by Selectfolk.

Committee holds organizational meeting.

The budget for the 2013- 2014 activity outlined above should be minimal

July, 2014 to June, 2015

(Information Gathering Stage)

July-August, 2014-

Committee familiarizes itself with 1996 Comprehensive Plan, state regulations and information collected by the Comprehensive Plan Planning Committee.

September- December, 2014-

Committee schedules a meeting with all town committees and organizations. Each group to be encouraged to publicize the meeting and get its constituency to attend.

January- February, 2015-

Committee designs survey of Town and negotiates with potential contractors

March-April, 2015-

Survey circulated, collected and compiled and contract signed with contractor

May-June, 2015-

Hold one public meeting and analyze Lamoine data from State and contractor.

Activities in 2015 might take one-half of the allotted budget, say \$7,500

July, 2015 to June, 2016
(Plan Development Stage)

July-October, 2015-

Create a draft list of important policy issues and publicize it throughout the Town.

Analyze gaps in data and make plans to gather needed data.

October-November, 2015-

Hold a second public meeting to debate the list of policy issues

December, 2015-

Begin to draft policies

January-March, 2016-

Finalize policy drafts, distribute and publicize them throughout the Town and hold a third public meeting.

April-June, 2016-

Drafting of plan by committee and contractor and Public Hearing.

Activities in 2015- 2016 would include drafting and take the rest of the allotted budget, say \$7,500

July, 2016- June 2017
(Approval Stage)

July-August, 2016

Approval by Town and submission to State

Activities in 2016- 2017 would include needed Town follow-up and should be minimal

Attachment B

Proposed Budget for Updating the Lamoine Comprehensive Plan

Contract Consultant, 2014- 2015.....	\$6,000.00
Contract Consultant, 2015- 2015.....	\$6,000.00
Miscellaneous Expenses**	<u>\$3,000.00</u>
Total:	\$15,000.00

** Miscellaneous Expenses cannot be specifically listed at this time, as the final Comprehensive Plan Committee will need to determine its own needs. Examples of what Miscellaneous Expenses might include: costs of community outreach, for example outreach to K-12 students, community organizations, and seasonal residents; costs of holding special community events and using electronic technologies to seek community input; costs of events or contests to make the process more interesting (and fun), such as photo, essay or art contests or displays throughout the community.

Attachment C

Appendix of Materials Reviewed by the Committee and Available at the Town Office

Town of Lamoine Comprehensive Plan, adopted March 5, 1996

State of Maine Comprehensive Plan Review Criteria Rule (State Planning Office, Chapter 208)

Updating Your Comprehensive Plan (State Planning Office, April, 2003)

Comprehensive Planning for Maine Communities (Evan Richert and Sylvia Most, 2005)

**Draft Proposal for Comprehensive Plan Update Services (Hancock County
Planning Commission, August, 2013)**