

**Lamoine Conservation Commission  
Town of Lamoine  
606 Douglas Highway  
Lamoine, ME 04605  
Minutes of the Meeting of February 11, 2004**

The meeting started at 7:05 p.m.

Commission Members Present : Fred Stocking (chair), Carol Korty, Donna Theall, Nancy Pochan, Raymonde Dumont (secretary).

Others present : Joan Bragdon, Jo Cooper, Ken Smith, Michael Garrett, Terry Towne, Don Cooper, Mary Roper, Charles Major.

**Panel Discussion on Comprehensive Planning.**

1. Fred Stocking, Attorney at Law

Fred reviewed the history of Comprehensive Planning, as first developed under Gov. McKernan's administration. The original concept included constraints and incentives; the current language is about growth management. Our own Comprehensive Plan (hereafter referred to as CP) was completed in 1993, and developed a vision for 10 years. However, currently there is no expiration date on Comprehensive Plans, though a bill is being considered which proposes 15 year to expiration. Currently, a few grants are limited to Towns that have a Comprehensive Plan. Also, zoning outside of the 250 feet of shoreline cannot be defined without a CP; impact fees for schools, roads, sewer etc... cannot be charged without a CP; and ordinances limiting the issue of building permits can only be written if the CP provides for this. Our own town ordinance itself requires compliance with the CP. Neither Charlie Major, nor Ken Smith, nor Fred Stocking have seen a law that requires that *all* ordinances comply with the CP. and approved in March, 1996.

2. Charlie Major, chair of the 1993 CP plan committee reviewed the process of previous CP.

A State bureaucracy had been set up to handle the CP process, and a priority list was developed by town size. Lamoine found itself at the top of the list for small towns, because of a recent 25 % growth in population (from 800 to 1000 residents). An \$8000 State grant was made available, which attracted proposals from consultants whose experience was not relevant to our situation; the town therefore appointed its own committee. The State also appointed a contact person, and Hancock County Planning Commission offered help. The first two proposals of a questionnaire were rejected, a third gathered lots of demographic data. The town at the time was remarkably homogenous. Eventually, an acceptable proposal was brought before the voter. A proposed residential area in Marlboro was voted down. The end result of the CP was a residential area at the Buttermilk Road, and an industrial /development area near Bangor Hydro. The remainder of the town was designated rural. The residential area involved some rules regarding cluster housing, water and sewer, keeping proximity to Ellsworth in mind. The development area proves to be located in the flood plain, on clay and swamp areas, but was nonetheless approved by the State, keeping the bypass road around Ellsworth to MDI in mind.

Fred raised the point of how little this CP has actually guided development in Lamoine since. Charlie Major commented that the residential sector's provisions were limited to affordable housing (trailers) on smaller lots in cluster. The water and septic aspects of cluster housing were never able to work (without town water and sewage) as they would have required displacement of water wells and septic systems outside the 10,000 sq ft lot, for which ordinances do not provide. Fred also noted that the incentives from reduced development costs provided by cluster housing are small, when (as in our ordinances) the minimum lot size is already small – 40,sq ft or 1 acre. At minimum lot sizes of 5 acres and more cluster housing is much more attractive to the developer.

3. Don Cooper is a transportation planner who has also been involved in land use planning. He relayed that grants of up to \$10,000 are available for update of CP, and require matching from local sources. However, funds are currently tight, and prioritization uncertain. Further, he noted that once initiated, the revision process invalidates the old CP and dictates a complete re-writing, which must be approved by the designated State overseer (or leave us without *any* CP). This process is quirky and subject to individual preferences of the overseers. While there is a requirement that the State respond to a town's proposal in a timely manner, 18-24 month waits are not uncommon. A bill providing that a 90 day delay in response would lead to automatic approval did not pass.

Don strongly recommended hiring an experienced consultant to deal with these intricacies. "They are paid to be frustrated", he said! Charlie Major warned that a consultant who knows how to work with a State bureaucracy may not necessarily give the *town* what it needs. Once a proposed CP has been developed, public hearings must be held. After this, the State reviews the plan, and only thereafter does it come before the voter for final approval.

*regarding*

Discussion was held current language required in a CP; about water supply rules as they apply to mobile home parks; about the expected spread of development ("megalopolis") in our area. Terry Towne pointed out that a CP can be seen as a business plan, addressing the future of our asset, land. He noted that while the State may be underfunded and understaffed, we have our own goals and dreams for the town's future. As for follow-up with a CP, a trained and experienced planning board and CEO are key. John Wuorinen mentioned a course by the Maine Municipal Association, and Don Cooper suggested this would be most useful if the Planning Board as a whole attended it, building a more coordinated approach. Ken Smith pointed out that there are few limits to development; Fred added that the vision of preserving habitat, soil, water, and open space cannot be addressed with ordinances, but would require a CP. Jo Cooper noted that zoning restrictions would be unpopular with Lamoine voters. Charlie Major suggested that all water and soil tests be kept in a central filing system in town, for better access to cross-referencing, and to increase public awareness of suspicious or critical points.

Carol Korty mentioned that College of the Atlantic has offered to work with the Town of Lamoine in its Land Use course. The Town of Tremont had previously participated with this course, and obtained useful data, in particular a *hypothetical map of the town at a future date, if fully developed according to current ordinances*. To begin our participation, a full CP Committee is not needed, but the town needs to indicate an interest, and provide a contact for the students. The LCC could take on this task. Michael Garrett predicted that the Planning Board would approve of the project, and John Wuorinen that the Board of Appeals would do the same. Jo Cooper felt the selectmen would approve of data gathering, but not of a "runaway" process with later costs attached, which appears not to be the case here. The point of the process is an **inventory of resources**.

Terry Towne discussed the usefulness of GIS maps with updated taxmap data. However, Fred mentioned this is a labor intensive process beyond our means. Mary Roper, who has taken a course on GIS, confirmed this. Charlie Major wondered about untapped data resources which could be utilized.

*discussion*

On May 13, there will be public ~~debates~~ of the various Boards, on long-range planning. It would have been elegant to use this forum for the students' final presentation of their project. However, the date is too soon and will not work.

AFTER THIS PANEL DISCUSSION, THE LCC PROCEEDED WITH ITS MONTHLY MEETING AGENDA.

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Minutes of the Previous Meeting : Approved by a vote of 4-0

Concerns of the Planning Board : still revolve around the changes proposed to the land use ordinance.

Aquifer research will need to be reviewed at the next meeting of LCC. Meantime, **Rae will contact John Peckenham**, for a mutual update. In particular, with elections of town officials coming up, the climate in town is in flux, though we remain committed to the project. A timeframe would be useful to know with respect to the start of a Masters student project. **Carol and Donna will intensify the search for grants**. Also, according to current ordinances, the LCC can solicit and receive grants, but it is unclear whether we can receive donations.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Raymonde Dumont  
Secretary  
Lamoine Conservation Commission