
COMMISSION DECISION
IN THE MATTER OF
ZONING PETITION ZP 707

Staff Recommendation
September 9, 2009

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10. CONCLUSIONS

Based on the above Findings and the facts and supporting documents as represented in the administrative record of Zoning Petition ZP 707, the Commission reaches the following Conclusions:

- A. The Concept Plan and the associated P-RP Subdistrict are consistent with the standards for district boundaries, the Commission's Comprehensive Land Use Plan, and the purpose, intent, and provisions of Ch. 206-A (the Land Use Regulation Law).
- B. The Concept Plan and the associated P-RP Subdistrict satisfy a demonstrated need in the community or area and have no undue adverse impact on existing uses or resources.
- C. The Concept Plan and the associated P-RP Subdistrict are more appropriate for the protection and management of existing uses and resources within the affected area.
- D. The land use standards contained in the Concept Plan serve the purpose, intent and provisions of Ch. 206-A and are consistent with the Commission's Comprehensive Land Use Plan.
- E. The Concept Plan and the associated P-RP Subdistrict satisfy the Criteria for Review of Ch. 10.23,H.
- F. Specifically:
 - (1) The Concept Plan, taken as a whole, is at least as protective of the natural environment as the subdistricts which it replaces. In the case of concept plans, this means that any development gained through any waiver of the adjacency criterion is matched by comparable conservation measures.
 - (2) The Concept Plan includes in its purpose the protection of those resources in need of protection.
 - (3) The Concept Plan strikes a reasonable and publicly beneficial balance between appropriate development and long-term conservation of lake resources.
 - (4) The Concept Plan's conservation measures apply in perpetuity.
- G. The Commission has fully considered the standards set forth in Ch. 10.25,A (Review Standards for Structures Adjacent to Lakes) of the Commission's rules in reaching its conclusions regarding the criteria for adoption or amendment of land use district boundaries.

Therefore, the Commission approves the petition of Plum Creek Maine Timberlands, L.L.C. and Plum Creek Land Company to rezone 380,074 acres to a Resource Plan Protection (P-RP) Subdistrict per the maps attached hereto as Appendix A of Attachment B, and make effective the attendant *Concept Plan for the Moosehead Lake Region*.

In accordance with 5 M.R.S.A. section 11002 and Maine Rules of Civil Procedure 80C, this decision by the Commission may be appealed to Superior Court within 30 days after receipt of notice of the decision by a party to this proceeding, or within 40 days from the date of the decision by any other aggrieved person.

DONE AND DATED AT BANGOR, MAINE THIS 23RD DAY OF SEPTEMBER, 2009.

By: _____

Catherine M. Carroll, Director

This change in subdistrict designation is effective on October 8, 2009.

Attachments

- A: Summary Map of the Concept Plan and the Resource Plan Protection (P-RP) Subdistrict
- B: Concept Plan for the Moosehead Lake Region
(Adopted September 23, 2009, Effective October 8, 2009)