

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
BUREAU OF RESOURCE INFORMATION AND LAND USE PLANNING
93 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

January 23, 2023

Senator Stacy Brenner
Representative Lori Gramlich
Committee on Environment and Natural Resources
C/O Legislative Information Office
100 State House Station
Augusta ME 04333

ENR@legislature.maine.gov

Dear Senator Brenner and Representative Gramlich,

In accordance with 30-A MRSA §4331, the Municipal Planning Assistance Program within the Bureau of Resource Information and Land Use Planning in the Department of Agriculture Conservation and Forestry submits this report on the Evaluation of the Growth Management Program to:

The Joint Standing Committee on Environment and Natural Resources;
The Joint Standing Committee on Labor and Housing; and
The Joint Standing Committee on Appropriations and Financial Affairs.

I would be happy to provide your committee with a briefing on the enclosed evaluation of the growth management program or to attend a meeting to answer any questions it raises.

Sincerely,

Judith C. East
Director, Bureau of Resource Information and Land Use Planning

CC: DACF Commissioner, Amanda Beal
DACF Director of Policy and Community Engagement, Emily Horton
ENR Committee Analyst Daniel Tartakoff
ENR Committee Clerk Marianne MacMaster

JUDITH C EAST
BUREAU DIRECTOR
RESOURCE INFORMATION & LAND USE PLANNING
106 HOGAN ROAD, SUITE 8 - BANGOR ME 04401



PHONE: (207) 592-1724
FAX: (207) 287-2353
WWW.MAINE.GOV/DACF/

Municipal Planning Assistance Program Growth Management Program Evaluation

January 2023



Amanda E. Beal
Commissioner

Randy Charette
Deputy Commissioner



18 Elkins Lane
Augusta, ME 04333

(207) 287-3200
www.maine.gov/dacf

Contents

Introduction	3
State Coastal Policies (38 MRS §1801).....	4
State Goals (30-A MRS §4312)	4
Evaluation of Program – History to Present	4
Before the 2011 Program Evaluation.....	5
Since the 2011 Program Evaluation	6
Evaluation Criteria.....	6
Public Participation in Evaluation	6
Evaluation Criteria: 1 - Development Tracking	7
Findings and Recommendations - Development Tracking Criterion	9
Evaluation Criteria: 2 - Local and Regional Planning Activity.....	11
Findings and Recommendations – Local and Regional Planning Activity.....	13
Evaluation Criteria: 3 - State Financial Commitment to Growth Management	14
Related Support for Planning.....	17
Findings and Recommendations – State Financial Commitment to Growth Management.....	17
Final thoughts	18
Appendix A – Public Survey Results	19
Development Tracking	19
How well the Growth Management Law achieves the goals of the law.	22
Differences in land use development trends and patterns in communities with Comprehensive Plans and ordinances and those that do not.....	25
Level of financial support and incentives for planning.	29
Other Comments helpful in the Growth Management Law evaluation	32

Acknowledgments

We want to thank the hundreds of individuals and organizations in public, private, and non-profit groups who continue their commitments to planning for a better Maine. Sincere thanks to those who gave their most precious commodity, their time, to provide thoughtful responses to our survey.

Thanks to the following State DACF staff in preparing this report: Tom Miragliuolo, Joan Walton, Janet Parker, and Denice Baron. Thanks to Visit Maine for use of their photos.

Introduction

The purpose of the Planning and Land Use Regulation Law ([MRS 30-A, §4301 - 4457](#)), also known as the Growth Management Law as articulated by the legislature in [MRS 30-A § 4312](#), is:

To establish

- in each municipality of the State, local comprehensive planning and land use management.

To encourage

- municipalities to identify the tools and resources to effectively plan for and manage future development within their jurisdictions with a maximum of local initiative and flexibility; and
- local land use ordinances, tools, and policies based on local comprehensive plans.

To incorporate

- regional considerations into local planning and decision-making to ensure consideration of regional needs and the regional impact of development.

To provide for

- continued direct state regulation of development proposals that occur in areas of statewide concern that directly impact natural resources of statewide significance or that by their scale or nature otherwise affect vital state interests.

To encourage

- the widest possible involvement by the citizens of each municipality in all aspects of the planning and implementation process in order to ensure that the plans developed by municipalities have had the benefit of citizen input; and
- the development and implementation of multi-municipal growth management programs.

The Legislature has established state goals to provide overall direction and consistency to the planning and regulatory actions of all state and municipal agencies affecting natural resource management, land use, and development. The intent is to promote and protect the health, safety, and welfare of the citizens of the State. The goals have been revised several times in recent years, including the last legislative session. As required by the United States Coastal Zone Management Act (CZMA) of 1972, PL 92-583, the Legislature directs state and local agencies and federal agencies, with responsibility for regulating, planning, developing, or managing coastal resources, to conduct their activities affecting the coastal area consistent with nine policies.

The twelve State Goals and nine State Coastal Policies are reproduced below.

State Goals (30-A MRS §4312)

1. To encourage **orderly growth and development** in appropriate areas of each community and region while protecting the State's rural character, making efficient use of public services and preventing development sprawl;
2. To plan for, finance and develop an efficient system of **public facilities** and services to accommodate anticipated growth and economic development;
3. To promote an economic climate which increases job opportunities and overall **economic well-being**;
4. To promote and work to ensure choice, economic diversity and affordability in **housing** for low-income and moderate-income households and use housing policy to help address disparities in access to educational, occupational and other opportunities;
5. To protect the quality and manage the quantity of the State's **water resources**, including lakes, aquifers, great ponds, estuaries, rivers and coastal areas;
6. To protect the State's other **critical natural resources** including, without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas, and unique natural areas;
7. To protect the State's **marine resources** industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public;
8. To safeguard the State's **agricultural and forest resources** from development which threatens those resources;
9. To preserve the State's **historic and archeological resources**;
10. To promote and protect the availability of **outdoor recreation** opportunities for all Maine citizens, including access to surface waters;
11. To encourage municipalities to develop policies that accommodate **older adults** with aging in place and that encourage the creation of age-friendly communities; and
12. To plan for the effects of the **rise in sea level** on buildings, transportation infrastructure, sewage treatment facilities and other relevant state, regional, municipal or privately held infrastructure, property or resources.

State Coastal Policies (38 MRS §1801)

1. **Port and harbor development.** Promote the maintenance, development and revitalization of the State's ports and harbors for fishing, transportation and recreation;
2. **Marine resource management.** Manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats, to expand our understanding of the productivity of the Gulf of Maine and coastal waters and to enhance the economic value of the State's renewable marine resources;
3. **Shoreline management and access.** Support shoreline management that gives preference to water-dependent uses over other uses, that promotes public access to the shoreline and that considers the cumulative effects of development on coastal resources;
4. **Hazard area development.** Discourage growth and new development in coastal areas where, because of coastal storms, flooding, landslides or sea-level rise, it is hazardous to human health and safety;
5. **State and local cooperative management.** Encourage and support cooperative state and municipal management of coastal resources;
6. **Scenic and natural areas protection.** Protect and manage critical habitat and natural areas of state and national significance and maintain the scenic beauty and character of the coast even in areas where development occurs;
7. **Recreation and tourism.** Expand the opportunities for outdoor recreation and encourage appropriate coastal tourist activities and development;
8. **Water quality.** Restore and maintain the quality of our fresh, marine and estuarine waters to allow for the broadest possible diversity of public and private uses; and
9. **Air quality.** Restore and maintain coastal air quality to protect the health of citizens and visitors and to protect enjoyment of the natural beauty and maritime characteristics of the Maine coast.

The Growth Management Law requires an evaluation every four years ([MRS 30-A § 4331](#)) of the state, regional and local efforts to achieve the purposes and goals of the law. This report provides that evaluation. It does so by looking at three criteria: the location of growth, the level of local and regional planning, and the state's financial commitment to growth management.

Evaluation of Program – History to Present

Past Growth Management Program Evaluations achieved the following:

- 1999 program evaluation laid the foundation for the State's Smart Growth initiative;

- 2003 evaluation called for additional reforms to prevent sprawl, including measures to address growth on a regional basis and to make public investments that support carefully planned growth;
- 2007 evaluation summarized improvements to the State’s review of comprehensive plans; and
- 2011 evaluation highlighted cuts in the State’s financial commitment and staffing and the importance of regional and local efforts.

As noted later in this evaluation, staff support to administer and implement the Growth Management Law declined precipitously in the 1990-2020 period. The 2011 evaluation was completed just before dismantling the former State Planning Office (SPO). The many functions of SPO were moved to several different state agencies or cut entirely. The former Land Use Team at SPO had administered the Growth Management Program. The Land Use Team was renamed the Municipal Planning Assistance Program (MPAP) and was moved to the Department of Conservation, and in 2013 when the Department of Conservation merged with the Department of Agriculture, MPAP became part of the Bureau of Resource Information and Land Use Planning (BRILUP) at the Department of Agriculture, Conservation and Forestry (DACF).



Stonington

Before the 2011 Program Evaluation

In 1988, through the Planning and Land Use Regulation Act, the Legislature established the Growth Management Program and set out a broad strategy to promote Maine’s overall economic well-being through orderly growth and development and to protect its natural and cultural resources. It also created a framework for local land use planning to efficiently use public services and protect Maine’s rural character by preventing development sprawl. Local planning, initially mandated by the Law, has been voluntary since 1992.

In 1995, the program’s administration was moved from the Department of Economic and Community Development to the State Planning Office. SPO focused on reducing sprawling development and its frequently unacknowledged costs by helping towns and regional organizations integrate Smart Growth principles into their plans. SPO worked with the Legislature as it created the Community Preservation Advisory Committee and enacted key legislation to coordinate state investments with local growth plans and give grant funding preference to programs and projects that discourage sprawl.

A 2006 legislatively directed review of the Growth Management Law led the State to undertake two important changes to the program. The first was to streamline the rules by which local comprehensive plans are written and reviewed. The second was to focus the state review of local plans on issues of statewide significance. These objectives culminated in 2007 with the adoption of a new Comprehensive Plan Review Criteria Rule ([Chapter 208](#)).

The new rule was intended to simplify the review process and free up local and state resources. The intent was to reduce the number of volunteer hours needed to write a plan, hopefully allowing more

interest and energy to work for local adoption and implementation. The more straightforward planning process was expected to allow municipalities to reduce or eliminate the cost of planning consultants. As this evaluation and the many comments received in the 2022 survey reveal, this expectation was not fully realized.

Since the 2011 Program Evaluation

The State Planning Office was eliminated on July 1, 2012. As noted above, SPO's Land Use Team was renamed the Municipal Planning Assistance Program. Its staff was reduced from 4.5 to 4, and the program was moved to the Department of Conservation. The Department of Conservation was eliminated in 2013 and merged with the Department of Agriculture. Staff reductions at MPAP continued with additional cuts bringing the staff level down to 3 and then to 2 when the MPAP Director position was eliminated in 2016.

In July 2022, the legislature restored the MPAP Director position and added two temporary planning positions. At the time of this writing, those positions have yet to be filled. It is anticipated that positions will be filled in early 2023. This lack of capacity accounts for why the program evaluation, required every four years, has not been completed since 2011. With this evaluation and the restoration of some staff capacity, the program will get back on the every-4-year schedule of evaluations.

Evaluation Criteria

The evaluation of the Growth Management Law requires public input opportunities and objective, quantifiable criteria to evaluate the program ([MRS 30-A § 4331](#)). It also requires that the evaluation analyze the state's financial commitment to growth management.

Thus, the three criteria used in this evaluation include:

- Development tracking;
- Local and regional planning activity; and
- State financial commitment for the growth management program.

[MRS 30- §4331](#) of the Growth Management Law requires the Department to seek public input in evaluating the growth management program.

Public Participation in Evaluation

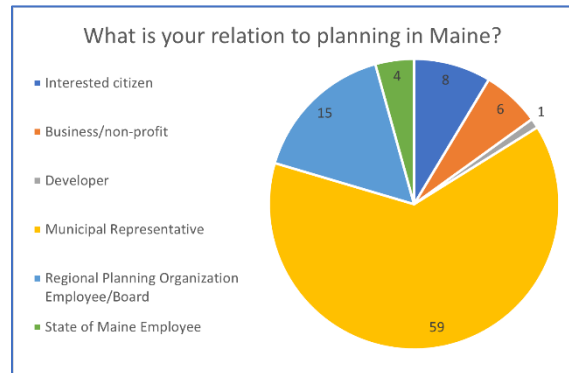
To gather the requisite - and very helpful - public input, MPAP conducted a survey to gauge opinions regarding the usefulness of each evaluation criterion within MRS 30-A §4331. The opportunity to respond to this survey was provided from late November to mid-December of 2022. Notice was circulated across the email networks of the Maine Association of Planners, Regional Planning Organizations, the Climate Change Adaptation Providers Network, all municipal lists of the Maine Municipal Association, Build Maine, and

Staff at MPAP would like to thank the many organizations and networks for their assistance in circulating the survey and those who took the time to provide their input.

Responses were constructive, insightful, and detailed and will improve the operation of the law and its future implementation. *Thank you!!*

state agency contacts who provide data to, and review the Comprehensive Plans of, municipalities. The survey got 96 responses. The relation of respondents to planning in Maine is depicted below.

Detailed results can be found in the Appendix of this evaluation. Summaries and shared insights are provided in the review below as they relate to each evaluation criterion. Appendix A reproduces the many insightful comments from the interested parties on suggested changes to the Growth Management Program and the Law itself and recommendations to further improve Maine’s Comprehensive Plan Review Criteria Rule ([Chapter 208](#)). This evaluation provides recommendations to improve the Growth



Management Program. As the 131st Legislature convenes, there are also significant changes to the Growth Management Law being proposed by multiple interested parties.

Evaluation Criteria: 1 - Development Tracking

Development tracking represents one way to assess the success of local growth management strategies and the effectiveness of the law overall. Development is a crucial element affecting many, if not all, of the goals of the law (i.e., encouragement of orderly growth and development, support of a vibrant economy, protection of water quality and quantity, protection of critical natural resources, provision of affordable housing, protection of the State’s rural character, and the efficient use of public services).

The availability of data to track development and the capacity to maintain it is limited. Two methods of tracking development were reported in 2011: changes in impervious surfaces and building locations and trends in new electrical service connections. Each has its limitations, and since 2015, impervious surfaces and building locations are no longer maintained.

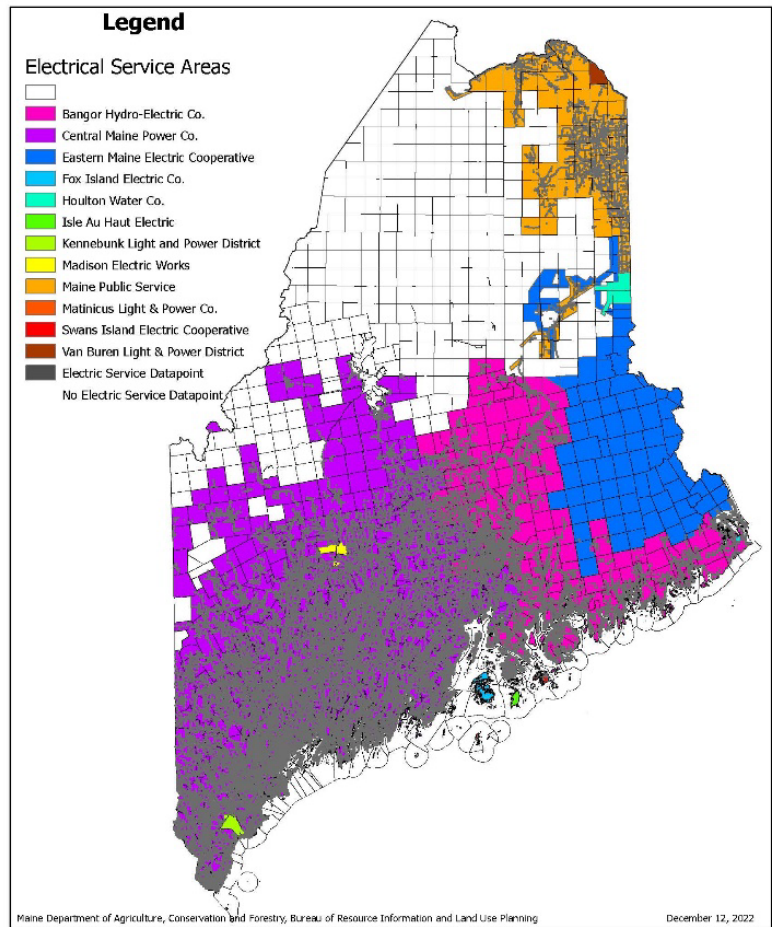
MPAP continues to identify new methods to make development tracking more accessible and meaningful at the local and regional levels. Survey input was helpful on this subject. The two methods, changes in impervious surfaces and new electrical service connections, are analyzed below.

Change detection of impervious surfaces and building locations. This project, undertaken in partnership with the Maine Department of Inland Fisheries and Wildlife, was established to offer a detailed look at patterns of development with analysis at statewide, regional, and local levels. The final data for this project was proposed to be delivered in the late summer of 2011. However, the project was abandoned due to staff reductions at DIFW and a recommendation to use a national structures layer produced by Microsoft Corp. Like any structure layer assembled from satellite imagery, the accuracy of the Microsoft building footprints data (<https://github.com/Microsoft/USBuildingFootprints>) is inaccurate in areas with dense forest cover. Since Maine is approximately 90% forested, this layer is of limited utility, particularly in rural areas.

New electrical service connections. Data provided by Maine’s two largest electrical utilities, Central Maine Power Company and Versant Power, updated annually, distinguishes between residential and commercial hook-ups and creates a data layer available through the Maine GeoLibrary Portal (DEVTRAC). DEVTRAC is currently housed in the Maine Office of Geographic Information Systems (MEGIS) [data catalog](#).

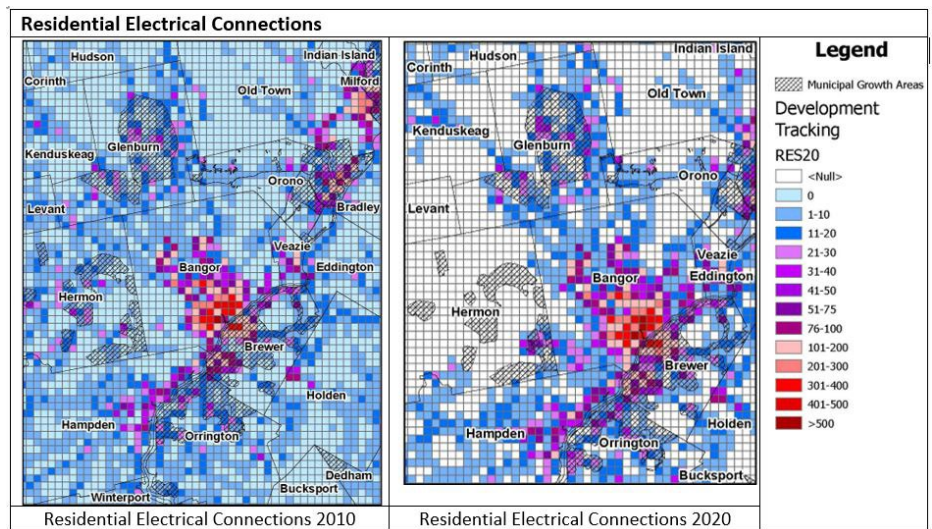
The electrical service information is not a statewide layer; as depicted at right, it is incomplete concerning the services provided by cooperatives and municipal-owned electric utilities (Eastern Maine Electric Cooperative, Houlton, Van Buren, Kennebunk Light & Power, Madison Electric Works, Matinicus, Monhegan, Fox Island, Isle au Haut). In addition, the data is depicted in 500-meter grid square blocks of electric utility service drops (detail in the Bangor area shown below) to protect the privacy of individual property owners. Also, while the electric utility service drop data (DEVTRAC) is available at MEGIS, it requires sophisticated GIS knowledge to render it useable for geographic and trend analysis.

Development Tracking in Electrical Service Areas



The maps below depict the trend in electrical service connection changes in the Bangor area and include an overlay of the locally designated growth areas (cross-hatching) in each community. This depiction demonstrates further limitations with this development tracking data method:

- Lack of data for some geographic regions over time. For example, service connection data from the towns of Levant and Hermon were present in 2010 but absent in 2020; and
- Lack of statewide coverage of locally



designated growth areas. For example, growth area mapping data is missing from the towns of Bangor, Veazie, Hampden, Holden, and Kenduskeag.

Survey respondents who used the electrical service connection data noted these limitations in their comments – see Question 2d comments in Appendix A.

Another method to track development, suggested by one survey respondent, is to map E-911 address locations. The map at right depicts the E-911 address points in a small area of Bangor within the 500-meter grid squares of electrical service connections. This map, overlain on an aerial photo, clearly depicts the areas of higher density (red and purple tones) and lower density (yellow and blue tones). It also illustrates that multiple units in high-density areas have the same E-911 address and is, therefore, still a blunt instrument to track development over time. It would not capture the contribution of infill development in growth areas, for instance, a desirable outcome in reducing development sprawl.

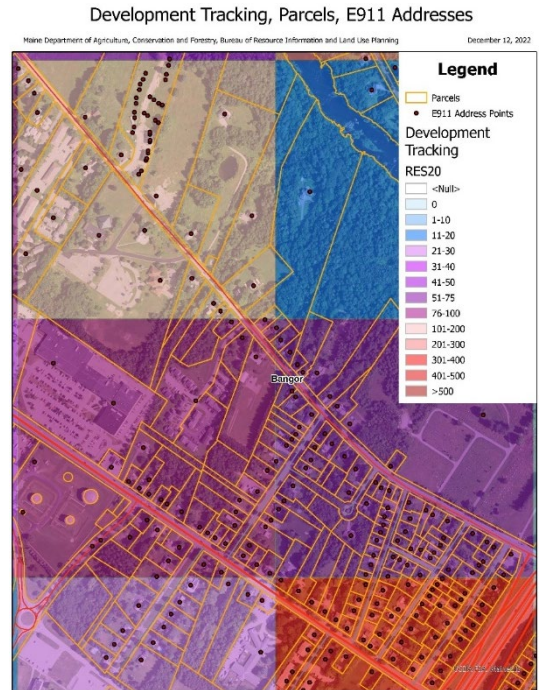
There are many comments in response to the survey question about these and other types of data to track development trends. See Question 2d comments in Appendix A. We learned that most respondents had not used the electrical service connections data layer. Many did not know it existed, and others used it in the past but commented that it is “*not very useful at the local level where the precise location of the structures is very important.*” About half of the respondents indicated that data on the change in electrical service connections would be moderately or very useful. Several commented, however, that their most effective method to track development is local building permit data mapped by map and block. See charts tabulating responses to Questions 2a, b, and c in Appendix A.

The University of Maine and NOAA are releasing an updated high-resolution landcover dataset in 2023. This dataset may become the best resource for tracking land use change statewide.

Findings and Recommendations - Development Tracking Criterion

A statewide dataset of building permits would be ideal for tracking development over time. Larger cities like Auburn commented that they could do this within their boundaries. In addition to having the capacity to geographically track building permits, larger cities have digital parcel maps and GIS staff who can manipulate them. A statewide data set of building permits is infeasible at this time, given the lack of data and staff to assemble what is available.

Similarly, not all communities have digital parcel maps, most do not have the GIS capacity to manipulate them, and there is no statewide parcel coverage that integrates the digital parcel data when it does exist. Furthermore, this parcel data is not maintained in any comprehensive way as parcels are changed and divided.



These geospatial data gaps highlight an important point. It is not feasible nor necessary for all data assembly to take place at the state level. Regional building permit tracking in high-growth counties may be possible with cooperation and additional funding at the regional level. GIS mapping for many small municipalities is also most efficiently provided by Regional Planning Organizations. The patchwork and variability of parcel mapping accuracy and data issues (contiguity, maintenance, and updates) is a significant issue that goes beyond the scope of this analysis. Addressing it would contribute significantly to the success of tracking development on a regional and statewide basis.

To fulfill the mandate to report and evaluate the Growth Management Program to the legislature, MPAP needs additional GIS staff and mapping capacity to:

- reach out to all electric utilities to complete statewide coverage of electrical service connections;
- assemble a statewide coverage of locally designated growth areas;
- collect and organize data to support the assessment of land use change;
- provide technical assistance to regional and municipal users to interpret the data;
- develop online map viewers to allow non-GIS users to access development trend data; and
- research national and regional datasets to assess the extent and integrity/applicability of structures, land cover, and impervious surfaces to track development in Maine.

Building this capacity could provide a start toward the assembly and maintenance of a statewide coverage of parcel data in coordination with MEGIS.



Downtown Portland

Evaluation Criteria: 2 - Local and Regional Planning Activity

The term “consistency” in the Growth Management Law refers to a ruling pursuant to [Chapter 208](#), the Comprehensive Plan Review Criteria Rule, or “Criteria Rule,” that a municipality’s Comprehensive Plan meets the requirements of the Law ([MRS 30-A, §4347-A](#)).

Incentives to prepare a Comprehensive Plan *consistent* with the Growth Management Program are provided in [MRS 30-A, §4349-A](#), State Capital Investments, in which towns are given preference in a variety of state funding programs if they have locally adopted and *consistent* Comprehensive Plans. The Criteria Rule was changed in 2007 to establish a 12-year ‘shelf life’ for Comprehensive Plans to ensure that incentives for state funding are targeted to municipalities with Comprehensive Plans that are grounded in current data and recent public input.

A municipality is not required to prepare a Comprehensive Plan. However, if that municipality has a zoning, impact fee, or rate of growth ordinance, those ordinances must be consistent with a locally adopted Comprehensive Plan. [MRS 30-A§4352](#)

Since the 2011 Growth Management Program Evaluation, 149 comprehensive plans have been submitted for state review. These break down as follows:

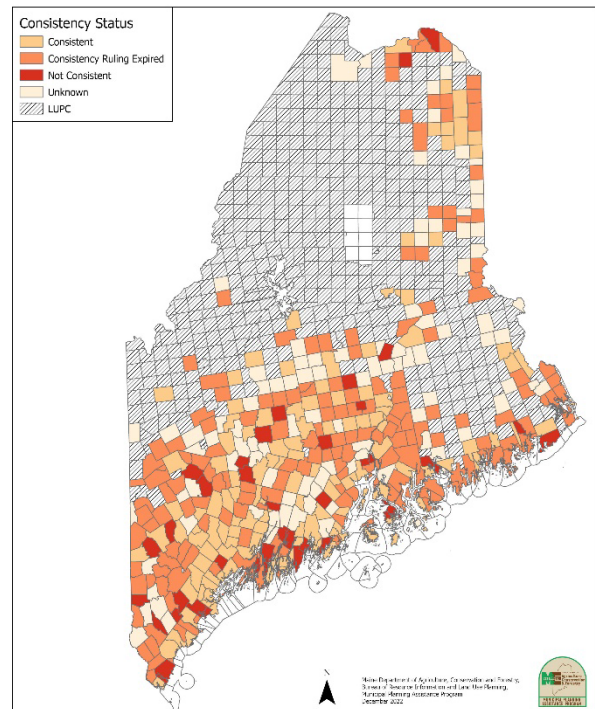
- 132 were found to be consistent;
- 7 are currently under review,
- 3 were found incomplete (2 of these were corrected in new submittals and found to be consistent);
- 1 was found to be inconsistent (resubmission currently under review); and
- 1 was withdrawn.

The current status of Comprehensive Plans across the state relative to their consistency with the law is summarized on the map at right and in the list here:

- 132 communities have Comprehensive Plans that are consistent with the goals of the Growth Management Program;
- 183 communities have consistency findings that have expired (twelve years since their consistency finding);
- 37 communities have Comprehensive Plans that have been found inconsistent; and
- 102 communities have a Comprehensive Plan status that is unknown; these municipalities may have never prepared a Comprehensive Plan or may have one but never submitted it to SPO or MPAP for a consistency review.

In the last three years, [data sets](#) were provided by state agencies to 123 communities, 58 of which have Comprehensive Plans whose consistency findings have expired.

Municipal Comprehensive Plan Status - December 2022



The cost savings to municipalities - anticipated in the 2011 Growth Management Law evaluation, with adoption of Chapter 208 in 2007, may not have been achieved. Municipalities continue to write and update comprehensive plans, often without municipal planning staff to guide the process and write the plan. Smaller, rural municipalities without staff capacity lack the financial resources to hire consultants and must rely on local volunteers. Without professional help, the plan preparation process can take two or more years. In addition, the inventory requirements are extensive.

Current data and a clear analysis of local and regional issues is critical to support land use decision-making. However, the statute and criteria rule rely on state agencies to generate data packages that the municipalities turn around and send back in a document that does not reflect the availability of real-time digital information and online mapping tools.

The result can be: a) an overfocus on inventory at the expense of local energy devoted to policy and implementation, b) resulting “volunteer burnout,” c) a large and perhaps misdirected burden on state agencies, and d) analysis that is “frozen in time” while changes in the community, in technology, the economy, the climate, and other factors are accelerating.

The observations above are supported by the survey comments; see responses to questions 1b, 3a, and c in Appendix A that provide a rich and helpful variety of comments rooted in long-standing experience at the municipal and regional level. A summary of the primary points made in response to the question of how well the Growth Management Law achieves its goals is provided here (the reader is directed to the Appendix for considerably more detail):

- The goals are laudable but fall short when it comes to actual implementation. The stated reasons for this include:
 - Weakness of implementation measures and lack of enforcement;
 - Insufficient support from the state to towns and regions for implementation;
 - Undermining of targeted growth by *rate of growth* ordinances; and
 - Minimal to no guidance from the state for housing, economic development, and facilities planning resulting in lack of affordable housing and lack of housing choice.

Survey respondent:

I think the Growth Management Act should give more flexibility to smaller communities. This is where there's a lot of room for improving how comprehensive planning works in Maine. The data inventories requirements place a heavy financial burden on individual municipalities, and many small towns default to not updating their plan, unless there is a financial incentive to do so.

Survey respondent:

Most towns seem to default to low density rural zoning to "protect rural character", do not do enough to identify meaningful growth centers with incentives for traditional New England development patterns. At the regional scale development tends to go to the urban/rural fringe, which increases the financial burden on the state to maintain roads, build schools etc.

Perhaps updated guidance on identifying growth centers and zoning to support traditional development patterns, combined with more incentives from the state, would help municipalities encourage more housing production in the right places.

- Failure to recognize the significant difference between urban, large, and small rural municipalities is the “one size fits all” problem that also hampers implementation by:
 - Lack of staff capacity in small towns; and
 - Excessive inventory burden.
- Law is outdated with respect to new challenges and technologies and needs a “refresh” to address:
 - Electric grid assessment and modernization;
 - Housing choice, diversity, and affordability;
 - Light pollution;
 - Infill development incentives; and
 - Better integration of goals.
- Inadequate financial support to Regional Planning Organizations given:
 - How many issues operate at the regional level (housing, economy, landscape habitat connectivity, transportation, workforce); and
 - The need to serve dozens of municipalities that have no staff.

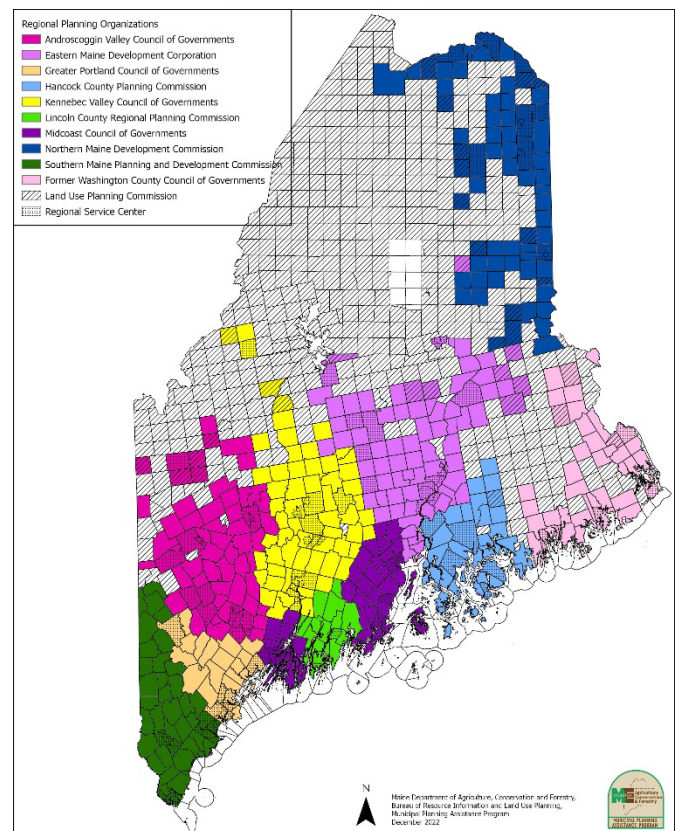
Survey respondents observed that the goals of the Growth Management Law are best achieved in towns with adequate staff capacity, where there is investment and incentives to develop in growth areas, where zoning is used to encourage infill in growth areas, and where local champions work tirelessly to support both conservation and sound development location decisions. Several respondents observed that in towns with no Comprehensive Planning and no zoning, there is large lot rural sprawl and significant subdivision activity.

Since the 1970s, Regional Planning Organizations (RPOs) have had the most active and coordinated role in planning in Maine. Along the way, MPAP has had the [statutory directive to support the RPOs](#). Since the last program evaluation, most RPOs have remained strong and lead their communities through accelerating changes and challenges. Several RPOs have recently reestablished themselves in Penobscot, Piscataquis, Knox, Waldo, and Hancock Counties. Washington County is the only area not supported by an RPO. The Washington County Council of Governments has been inactive since early 2021.

Findings and Recommendations – Local and Regional Planning Activity

While there are many municipalities with Comprehensive Plans whose consistency status has expired, interest in comprehensive planning remains strong. Thousands of volunteer hours have been dedicated to developing local comprehensive plans and ordinances across Maine. Most of Maine’s communities also engage in regional planning activities.

Maine Regional Planning Organizations 2022



Municipal interest in land use tools has increased as evidenced by the number of communities working on and adopting land use ordinances, solar ordinances, wind ordinances, and preparation for Public Law 1489 Chapter 672, An Act To Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions (LD2003).

The analysis and comments above suggest that the law and its associated rules and guidance documents could be revised to:

- Determine ways to reduce the inventory burden overall and particularly on small rural municipalities;
- Strengthen requirements to implement regulatory mechanisms such as zoning to address rural sprawl;
- Develop and publish guidance at the state level to assist municipalities in identifying growth areas and developing regulatory standards that guide and incentivize infill development and additional growth in growth areas;
- Increase funding to municipalities and Regional Planning Organizations as already allowed for in [MRS 30-A § 4346](#), Technical and Financial Assistance Program; and
- Strengthen the enforcement across state government in the awarding of grant funding to municipalities that prepare and adopt Comprehensive Plans consistent with the law (MRS 30-A § 4346 Section 5).

The 2007 changes to the comprehensive plan review criteria rule allow a regional plan to replace a comprehensive plan topic area. Communities most often use this option by replacing Marine Resource Chapter with a Harbor Management Plan.

This opportunity could be used more to assist smaller communities in completing the planning process.

Survey respondent:

I can't say it enough. More resources to RPOs would make a world of difference in implementing any type of statewide policy or program. This year our RPO has been involved in around 12 Comp Plans. We use our resources as efficiently as possible but that's a challenge with little to no state support.

Evaluation Criteria: 3 - State Financial Commitment to Growth Management

A primary indicator of the State's commitment to growth management is its financial investment at the state, regional, and local levels. Since the adoption of the Growth Management Law, there are four main conduits for state investment: 1) a land use program at MPAP (formerly the State Planning Office), 2) municipal grants to develop and implement comprehensive plans (eliminated in 2007); 3) grants to Regional Planning Organizations; and 4) state investment in local facilities and infrastructure.

Each gubernatorial administration has its own planning priorities, such as redeveloping downtowns or encouraging alternative energy development. Throughout all administrations since the late 1980s, some General Funds have been used to staff a state land use program, whose main responsibility is to ensure the implementation of the Growth Management Law. Similarly, various state grant programs are developed, expanded, or reduced, depending upon the priorities of the governor. The economic downturn of 2008-2009 and resulting state budget cuts eliminated General Fund grants to towns for comprehensive planning and the equivalent of two land use positions at the State Planning Office. General Fund grants to Regional Planning Organizations were also reduced during that period.

The State maintains a core staff within the Municipal Planning Assistance Program at DACF, primarily funded with federal dollars to promote sound land use planning. As these federal funds come from the CZMA, support for land use planning has focused on a regional scale in coastal areas. Technical assistance to inland, small municipalities have been inadequate.

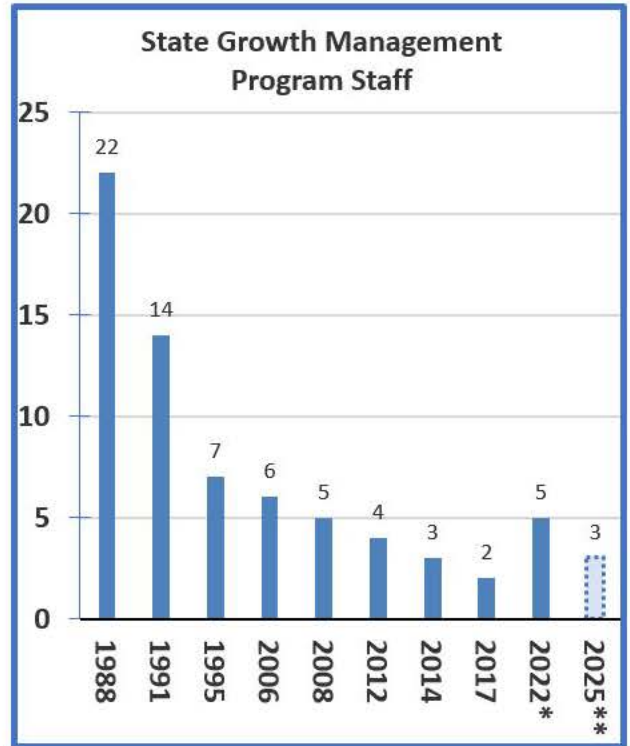
The MPAP Director, eliminated in 2016, was reinstated in the supplemental budget passed in May of 2022. Two additional limited-period positions (ending June 2025), a Senior Planner and a Planner II, were also approved. This raises capacity from 2 to 5 staff at MPAP; the Bureau Director is actively working on filling those positions at the time of this report.

Survey respondents, as noted in the previous section, commented on the problems that arise from a lack of state financial support for planning. Additional questions targeted this issue and are provided in Appendix A. See Level of financial support for planning – Survey Questions 4a-f. Charts of survey responses in Appendix A indicate clear dissatisfaction with the level of state financial support for growth management:

- Incentives in grant programs that reward municipalities with consistent Comprehensive Plans were rated as “insufficient” by 55% and “insufficient” or “fair” by 72% of respondents;
- The level of staff support within MPAP was rated as “insufficient” by 41% and “insufficient” or “fair” by 65% of respondents;
- The level of staff support in related state agencies was rated as “insufficient” by 36% and “insufficient” or “fair” by 62% of respondents;
- Financial support to Regional Planning Organizations was rated as “insufficient” by 50% and “insufficient” or “fair” by 66% of respondents; and
- Financial support to municipalities was rated as “insufficient” by 63% and “insufficient” or “fair” by 74% of respondents.

Respondents noted that State agencies:

- Are not maximizing the potential of the Regional Planning Organizations to help municipalities, noting further that too many funding sources are grant driven when direct financial support to RPOs



* 2022: 3 of 5 positions vacant

** 2025: 2 limited period positions end

Survey respondent:
If the state provided more financial incentives for having a state approved plan, and if there was more flexibility for what is required in a state approved plan, municipalities could customize their comp plans to focus on the issues that are most relevant to them. As they implement the plan, they will see the value in planning, and they will want to continue updating the plan.

would be a far more efficient means of getting training and technical assistance to municipalities who need it;

- Most are very helpful, given severe staffing constraints;
- Provide data that vary widely in quality and format, noting that digital formats, map viewers, and non-technical online sources would provide greater access and education to municipalities; and
- No longer tie their grants to having consistent Comprehensive Plans and that they should.

Respondents noted that MPAP:

- Staff are very helpful, but the program is chronically underfunded and undervalued;
- Needs more staff and funding to fulfill its mandate; and
- Needs to provide more support for training municipal officials – given frequent turnover – and that there are partners who can help with this, including the Maine Municipal Association, the Maine Association of Planners, and the Regional Planning Organizations.

Survey respondent:

The State Departments that provide planning resources have been woefully underfunded for years. It's encouraging to see some new life and commitment to improvement. How Maine grows and manages its resources is too important to leave up to chance and the highest bidder.

There are several Rules pursuant to [MRS 30-A, §4301 - 4457](#), listed below, that all still refer to the State Planning Office: [Chapter 201](#): Procedural Rule for Submission and Review of Zoning Ordinances

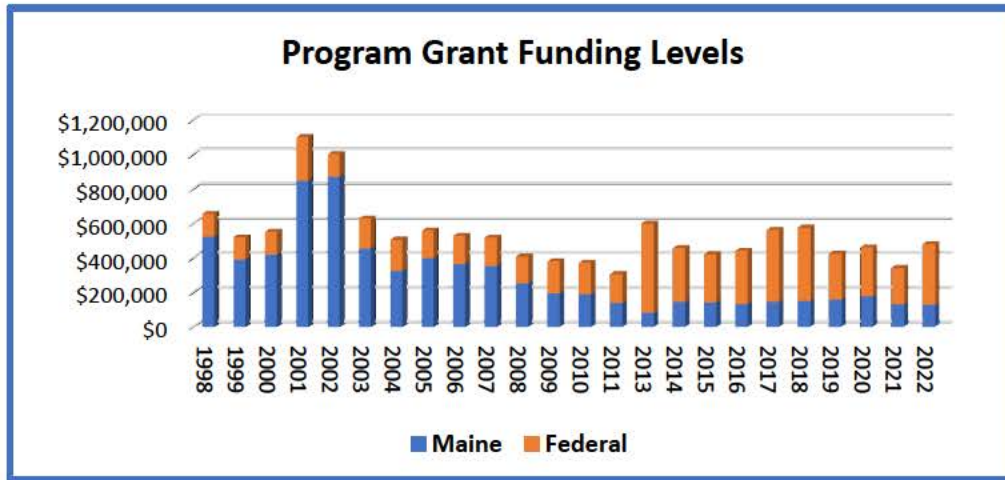
- [Chapter 203](#): Subdivision Ordinance Review Criteria Rule;
- [Chapter 205](#): Procedural Rule for Submittal and Review of Municipal Growth Management Programs for a Certificate of Consistency;
- [Chapter 208](#): Comprehensive Plan Review Criteria Rule;
- [Chapter 210](#): Zoning Ordinance Review Criteria Rule; and
- [Chapter 220](#): Methodology for Identification of Regional Service Centers.

This is another area that needs attention in the coming year as the MPAP secures a Director and additional staff.

Some components of the Growth Management Program are underutilized, including the rules for review of zoning and subdivision ordinances and a review of a municipality's entire Growth Management Program (Comprehensive Plan and all associated ordinances). Several initiatives are pending in the 131st Legislature to revise the Growth Management Law. Statutory changes that may be adopted in the 1st or 2nd session of the 131st Legislature will likely have resultant rule changes. At that time, the rules can be updated to refer to the correct program, bureau, and department within the State government.

Respondents noted that the Regional Planning Organizations need greater financial assistance to provide basic services in GIS mapping, data analysis, Best Management Practices, securing and administering grants, training municipal officials, and to achieve this, more staff.

As noted above, the chart below depicts the extreme reliance on federal CZMA funding to support RPOs to the benefit of coastal regions and the detriment of inland municipalities.



Related Support for Planning

Recent legislative and budget initiatives have renewed state support for planning in the areas of climate vulnerability assessment, climate resilience, and housing. The [Community Resilience Partnership](#) program, launched in 2021, provides grants and direct support to regional service providers, often Regional Planning Organizations, and to municipal and tribal governments and unorganized territories to reduce carbon emissions, transition to clean energy, and become more resilient to climate change effects such as extreme weather, flooding, sea level rise, public health impacts, and more.

In a new Housing Opportunity Program, [under development at the Department of Economic and Community Development](#), grants will be awarded in 2023 to municipalities and to regional service providers to encourage and support the development of additional housing units in Maine, including housing units that are affordable for low-income and moderate-income individuals and housing targeted to community workforce housing needs.

Survey respondent:
Speaking as Chair of the local volunteer planning board, we would all too often find ourselves hopelessly at sea if it weren't for our Regional Planning Organization. Thank goodness for their steady professional guidance and council (sic), which makes our contribution to local governance more surefooted and meaningful.

Findings and Recommendations – State Financial Commitment to Growth Management

Recent initiatives and financial support for planning provide municipal and regional support for planning in relation to the impacts of climate change and the housing crisis. As cross-cutting as the climate and

housing crises are, they do not necessarily address the location of development and growth management issues that are the basis of the Growth Management Law. Nor does this new funding address the persistent need for training of municipal officials in the many areas of municipal need, including GIS mapping, securing grants, and growth management strategies that incentivize growth in areas that do not contribute to development sprawl.

There is a clear need for greater financial support for growth management and a continuing challenge to provide it in an efficient manner. Past evaluations and policy direction has recognized the state, regional, and municipal partnerships that are the foundation of efficiency and trust.

Financial support is most effectively and efficiently provided at the state level for:

- Improved delivery of data and GIS services;
- Strong technical assistance materials and models for focusing growth and implementing planning strategies; and
- Train the trainer program delivery

And at the regional level for:

- Training of municipal officials;
- Base level funding to help small rural municipalities with:
 - identifying, scoping, preparing, securing, and administering grant funding;
 - GIS mapping services; and
 - technical assistance on issues other than climate and housing, such as moratoriums, capital investment planning, ordinance examples, targeting growth, and protecting rural resources from development sprawl.
- Prepare regional plans that reduce the need to prepare Comprehensive Plan sections for multiple small rural municipalities.

The municipal level for:

- Grant funding for Comprehensive Planning and implementation efforts

Final thoughts

The public survey asked for any final comments that would be helpful in this evaluation of the Growth Management Law. They are reproduced in Appendix A and, like the many other comments provided, they offer sound recommendations for a thorough examination of the Law as it enters its 34th year of implementation. Appendix A – Public Survey Results

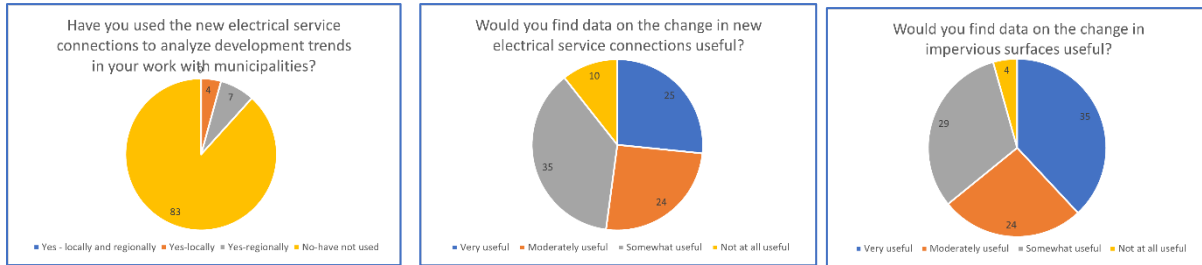
Survey respondent:

It is time to evaluate the Growth Management Act and program, and I am happy to see attention being paid to this important component of Maine's planning landscape. Land ownership and development trends are changing post-pandemic, and the characteristics that make Maine special are more vulnerable than ever.

Appendix A – Public Survey Results

The following summarizes survey results by chart, where a Likert scale was used in the question, and by a tabulation of comments where an open-ended question was posed. Minor editing of comments was done to correct obvious spelling errors and remove special characters that were downloaded from the online format; otherwise, the comments are as provided by the 96 respondents. The order below follows the topic order in the attached report, not necessarily the order that the questions were posed in the survey.

Development Tracking



<p>2d. Please comment on these (new electrical service connections, change in impervious surface) or other types of data to track development trends.</p>
<p>The data reporting today is different than it was 10 years ago, so it is hard to provide comparable data for the towns to evaluate change</p>
<p>Location of building permits, location of vacant parcels, vacant buildings, and parking lots.</p>
<p>I used these maps in the early stages. The utilities are overly protective of their proprietary interests. They are monopolies and should be more forthcoming with more detailed locational information. What they do is useful at the regional level, but not very useful at the local level where precise location of the structures is very important. I want a gps location of each meter or dwelling unit. Fortunately it looks like LIDAR and other data may help get around the refusal of utilities to provide precise GPS locations of new power systems.</p>
<p>Impervious surface area mapping is very important for watershed management purposes, perhaps less so important in regards to patterns of development/ growth management unless towns monitor or have town wide goals regarding impervious surface coverage (I've not come across this outside of parcel level landscape ratios).</p>
<p>The electrical service connection mapping seems like it will be more and more important as decentralized energy comes on line. I know that substation capacity for certain developments is a constant issue for both solar farms and large developments (planning boards typically do not look at electrical connections as a site issue...)</p>
<p>The Growth Management Law makes communities spent a lot of time drafting language to meet the Law's requirements but doesn't give them any strong reasons to follow up. Nor does the current process give much space for actual planning rather than meeting regulatory requirements.</p>
<p>Cellphone data to track mobility patterns within and between communities - not just commuting patterns. State planning office needs to focus more aggressively on reducing vehicle-miles traveled to meet the Maine Won't Wait climate plan goals.</p>
<p>need to increase density and leverage existing infrastructure and measure it. Development should be to orient and incent development in town centers where there are services (water and sewer and shopping etc) and de-emphasize or even penalize rural development away from town centers (not sustainable long term).</p>
<p>The discussion of impervious surface needs new context in terms of climate change and storm events. The electrical service is less important, although understanding what the local and regional grid is capable of is hugely important these days. Broadband represents a different kind of discussion.</p>
<p>Change analysis of unfragmented forest blocks, changes to MDEP water body classifications, DOT traffic data?</p>
<p>amount of permanently conserved lands</p>
<p>Impervious surface would be helpful for housing and economy sections. I can see electrical providing some use as solar farms and industrial uses are rising in the area. It would be nice to get information to track the revenue from working waterfronts.</p>
<p>Most communities have digital permitting systems that can produce a report on permits issued, etc.</p>

2d. Please comment on these (new electrical service connections, change in impervious surface) or other types of data to track development trends.
The Spread of suburban areas, the growth of brownfield sites.
We, I and the Selectmen use issued building permits to watch growth areas.
Properties taken out of tree growth, new farms/displaced farms
I was completely unaware of the electrical connections dataset until this survey. Is there a reason it isn't included in the comprehensive plan datasets? or have I somehow missed it? I would love more impervious surface data with the end goal being a regularly updated dataset so we can see change of time.
I feel that if you are providing that will be one less thing I will have to look up and that will save me time
Firm protection of all wetlands needed.
GIS data presumably based on aerial imagery on impervious surface change is not likely to very accurate.
Our most effective method to track development is to use local building permit data that is then mapped by map/lot and can be compared to growth and rural areas. Data is not useful if we do not have confidence that it is relatively accurate and I am skeptical that impervious surface calculations based on aerial photo analysis would stand up in a public evaluation. For example, we have a building footprint layer but do not use it to analyze building footprint size.
Rainfall/frequency of storm events/
Important to know the impacts both positive and negative of impervious impact limitations and relationship to Chapter 500 regulations
Locations of permitted wetland filling
Rental Registries
We are fortunate to have access to local permit data and have access to local GIS resources to understand changes in much more detail than electrical service connections would provide. Residential example: https://auburnme.maps.arcgis.com/apps/dashboards/28b3ce8fea5a4b23ada9779cbdc5b236
Provide free highest resolution available satellite imagery to Towns.
Northport does not have an electrical inspector, so we do not track new electrical service connections.
Mining
building permits, land use ordinances
We just completed our Comp Plan and it has been approved. We intend to track, at the town level, new development as it occurs (we covered in detail the prior 5 years in the Existing Land Use chapter of the Comp Plan and it was a worthwhile exercise in charting where development was happening, and what kind of homes were being built). Right now we use data in our planning office - what has been approved, and what permits are issued.
Our primary feedback are permit applications and the amazing degree of follow-up effort our Code Enforcement Officer engages in.
Loss of forest land, open space and farm land.
Our town is very rural, with little impervious surfaces and little electrical power line intrusion
Good start with tracking impervious surfaces. Tracking deforestation in rural areas might be useful.
I welcome more access to data from the state. We also need access to septic system applications to track development trends. I don't know how the state is tracking items, such as access to surface waters to promote recreation for all residents. I would like to see maps of public access. Areas served by public transportation, water and sewer would also be helpful and a tracking systems to look at subdivisions with town maps showing parcels increases over time.
Land use type, Infrared aerial photos with wetland delineation, regular lidar or other contour data.
If a robust GIS system can be implemented to the local level, it might be more useful to map uses by type (including economic sector for commercial/industrial/retail development) and measure the changes in land value and building/property value as separate elements of the total parcel value. Impervious surface mapping could help with watershed management, if anyone is doing it? I suppose electrical hookup could help in some more densely developed places, but in rural places it is like raindrops in the lake, unless it has something to do with commercial solar capacity relative to electrical service capacity to receive generated electricity.
New road construction
Building permits

2d. Please comment on these (new electrical service connections, change in impervious surface) or other types of data to track development trends.
Electrical service connections data would be extremely useful. Also useful would be better information on power flows in order to better understand major opportunities in renewable energy both at the transmission and distribution level. I have asked CMP for discussion on this and they are not willing (or able) to share this information (likely for security reasons?).
size of lots greater than minimum required by State or local rule
Municipalities have to sign CMP 1190 forms before power can be connected to any structure, so the towns already have a method to track new construction if they choose to do so. In the communities administering the Maine building code this information is also available. Impervious surface is of some use as an indicator but because of the lead time to produce the information it is after the fact data and towns already know where new impervious surfaces will be because of the permitting process.
Would E-911 addressing data be useful?
I cannot comment on something that is still wishful thinking.
Electrical hook-ups and exterior/interior plumbing permits are extremely helpful identifying large changes in land use.
An annual report from all state agencies and the work that is completed/approved in all communities across the state would be helpful to determine economic, land use and population trends.
We should be tracking permitting data through each RPO statewide. The lack of a state data program is a major issue.
Data on existence and expansion of public utilities, electrical transmission system connections for solar installations.
Mainly it would be good if assessors would be required to track land use data (and to have that data publicly downloadable with intelligible codes).
Academia (or governmental agency) should develop, if it doesn't already exist, the ability to analyze satellite imagery for subtle changes in tree cover and ground cover at a resolution useful for this type of analysis.
It would be helpful to have state level data on housing production numbers from each community in a standardized way. Currently to get this data we have to go to each municipality and all keep and manage data in different ways.
Require municipalities to report which strategies from their comprehensive plan have been implemented as well as the effect that those implemented strategies have had on development in their town.
better quantification of use of dwelling units, seasonal vs year round occupation
There is a buildings layer for some towns that may have come from a scrape of OpenStreetMap. Would be good to get a buildings layer for all towns this way (in addition to getting the assessors to start tracking and providing land use data).
Need to improve Maine's grid for better green sources of electricity and overall connectivity.
Wind and solar farms. Its difficult to support these items if the grid cannot essentially support the input of these projects.
Limited value in smaller rural communities.
Impervious surfaces are cheaper but , with climate change, not necessarily the best option for coastal communities.
Most land use codes or ordinances reference impervious surface ratios. Keeping a percentage of your developable lot pervious with only a percentage of impervious. This data would be very useful for not only municipalities but for DEDC as well.
Building permit data would probably be ideal. Both impervious surface and electrical service connections seem like proxies for building permit data. If I had to choose I would think impervious surfaces would be more useful due to the environmental applications as well.
I was not even aware that GIS information about new electrical service connections existed. Geospatial building permit data would be incredibly helpful. In the absence of that, or in addition to it, geospatial building footprint data, along with changes over time, would be helpful
I have worked with the electrical service connections data, but we have been reluctant to present this data to our member communities. These data are reported at a scale that may not be meaningful to people at the local level. We've found it's easier for people to relate to point locations representing new building permits, because they can relate this to what they see on the ground. I think it's more difficult for people to visualize what's happening when the new connections are aggregated to a larger grid. This perspective may be more useful at the regional or state level. One significant change since the Devtrack dataset was created was people are now used to the Google Earth perspective. They want to be able to zoom in and see all the detail.
The change in impervious surface layer is also very useful. This is useful for tracking the expansion of development, but it may not capture the benefits of redevelopment or infill development. We should be encouraging this type of development, and tracking where it is happening. Another limitation with remote sensing impervious surface data is it may under-count some low-density developments.
Development of private vs municipally owned and operated roads

How well the Growth Management Law achieves the goals of the law.



<p>1b. Comment if you have a strong or divided opinion on the Growth Management Law or how it achieves its 12 goals. Comments on particular goals are encouraged.</p>
<p>In many cases once the Plan is in place in many towns there is no follow up by the community to bring the ordinances into compliance and in Town meeting towns many of the proposed strategies get defeated at Town Meeting</p>
<p>The goals are excellent. The implementation aspect of the programs falls so short of meeting the goals, specifically failing to ensure that zoning is aligned with the comp plans, which means development remains hard in growth areas, and easy in rural areas.</p>
<p>Small towns are required to adopt shoreland and subdivision rules, plumbing code and other moderately effective tools to manage how a parcel is developed. The tools for guiding where parcels are developed are not so effective, but markets have a place in these decisions. Towns are able to avoid costly litigation and property owners generally try to do the right thing.</p>
<p>The above question is difficult...as the law makes good sense, it's more about how it is executed that determines the success. The lack of any real teeth, state oversight, and regional cooperation minimizes the effect of goals in my opinion (ie: creation of regional districts that have to cooperate in terms of municipal services)</p>
<p>Communities spent a lot of time and energy completing plans with good reference to the 12 goals, but often don't follow up because they commit to too much and may not actually want to, or have resources to, follow up. The goals should be consolidated and focused.</p>
<p>Since the law passed in 1991, the state has done exceedingly poorly at "preventing development sprawl", with longer commute times, increasing air pollution from motor vehicles, and (especially) diminishing housing availability and affordability. Arguably, the law has succeeded somewhat in protecting specific agricultural, historic, and natural resources like wetlands, but in the bigger picture, these resources are collectively threatened by an overheating climate "a problem for which poor regional growth management bears significant responsibility.</p>
<p>D & L seem really specific but I don't remember the actual guidance for the C-Plan creation being that specific/ proscribed.</p>
<p>growth caps significantly dull the impact as do some fire protection requirements (and parking)</p>
<p>Times have changed. We have different technologies, different tools that were not recognized in 1989. The understanding of funding sources is different on a municipal side. Sustainability and resiliency has taken on new meaning and could impact each of the goals. I have always struggled with how local goals are aligned to state goals and where were the state goals aligned, given a concise state plan statement.</p>
<p>The state goals do provide direction for municipalities, however policies aimed at solving the issues are weak; strategies to implement the policies are weaker still</p>
<p>HP 1134 and other recent laws completely opposite of the 12 goals</p>
<p>I think it helps bring attention to sensitive areas; however, I don't know how impactful it has been to economic and growth.</p>
<p>Municipalities waste too much valuable time completing the "optional" checklist and background inventories that it seems the actual long-term planning is an afterthought.</p>
<p>Stronger Protection of natural areas, with denser development in developed areas</p>
<p>The goals are laudable, but there is inadequate support for communities to develop and implement Comprehensive Plan consistent with the Growth Management Act; and insufficient incentives for communities that do not develop community-wide zoning ordinances to comply.</p>

1b. Comment if you have a strong or divided opinion on the Growth Management Law or how it achieves its 12 goals. Comments on particular goals are encouraged.
It is well intentioned and has potential. I would even say that it did achieve many of its goals in the past but at this point it has no teeth, minimal incentives, and the state has cut funding to the point where it is nearly impossible to provide significant assistance to municipalities or oversight of the program.
Does not regard transportation facilities as land use (not infrastructure or facilities) to be planned as land uses. Therefore preventing 'complete streets'. And, preventing limited access highways in urban and residential areas that divide neighborhoods.
Does not specify street lighting to conform to the IDA's (International Dark-Sky Association) 5 principles of good outdoor lighting that removes light pollution and light trespass onto private residences. Example: MeDOT's terrible over-bright and tower lights.
Although resources need to be considered in a regional context, allowances for attributes unique to a particular community need to be provided.
My town has not yet even looked at how the act impacts us.
The goals are great but very broad with little practical detail.
It is too easy to pay lip service to the goals with no meaningful effort to meet them. An obvious example is provision of affordable housing.
Really need to include language that encourages conservation of energy resources and climate impact. Climate change/erratic weather defines our times & proscribes our future. Planning for Impact of sea level change must be incorporated in every aspect of our land use planning.
In general, without requirements or "shall statements" the overall goals are not followed very well. The only way towns implement most things is if it's mandated. Otherwise, it's a wish list at best. By the time these goals are at implementation stage they are either watered down or not funded.
There is a divide between larger metropolitan area and smaller rural communities.
The Growth Management Law has overall good guidelines that attempt to apply a single standard to different communities throughout the State. In communities with more detailed plans (mostly larger communities or service centers) and Planning Staff it would be helpful if requirements of the Future Land Use Plan could be met in other detailed chapters on housing, environment, economic development, regional coordination, food access or Agriculture and not have to be located in the Future Land Use Plan. With a substantial and detailed plan it is challenging to include all required and desired elements of the FLUP in that map and chapter, rather than the other focused and detailed chapters. In a community with a less detailed plan it would make sense to include those elements in the FLUP.
While all the goals are relevant and reflect the essential components of most communities, the main problem with the Growth Management Act is its failure to recognize the great differences between rural and urban towns, which makes it difficult to implement zoning. Some rural towns have remained so small and uniform they really are just one zone - rural, while others have seen growth and have benefitted from urban zoning.
A town's finances limit implementation of laws - legal counsel for the town costs and people flaunting guidelines know that and can sometimes out spend us - and so castrate the town's enforcement
I would like some State efforts to provide education to the general public about what the Growth Management Law is intended to do. Very, very few "regular people" know ANYTHING about basic land use regulation. This could be as basic as creating a Facebook page, or providing copy to individual towns to use when creating their own newsletters or other communications means. It could be an editorial column in daily newspapers. It also needs to be taught in high school science classes.
Speaking for my own municipality, across the twelve goals, some are significantly achieved, some are at least given a glance, and others are basically considered not applicable. Our fundamental disconnect is that, being a quite small and rural municipality, our residents tend to view all land use restrictions, even the ones that should seem common sense communally, as adversarial and arbitrary.
Not enough is being done to protect the agricultural lands
Is not the proliferation of "solar and wind farms" sprawl?
The State should be involved in protecting State-owned lands. Land use regulation should be set at the local and regional levels to fully recognize and properly regulate our widely diverse communities.
Does not accommodate or provide mobility for seniors in smaller, rural towns. Housing is absolutely not affordable, and in very low supply for people who live and work in this state.
The goals around clean water, protecting the environment, and reducing sprawl are helped by the law, but the economic development, public financing, housing, and aging in place goals are not completely successful and without a SPO they do not seem to get a lot of attention from the state.

1b. Comment if you have a strong or divided opinion on the Growth Management Law or how it achieves its 12 goals. Comments on particular goals are encouraged.
The goals are reasonable, but the implementation by the State Planning Office was bias towards southern Maine and it did not take into consideration the limitations of rural Maine. (e.g. lack of municipal sewer and water, mandating distinct differences between growth/non growth areas) The GML was intended to prevent urban sprawl in southern Maine.
The current Growth Management Act fails to support rural redevelopment. In general State policy at present is strongly biased in favor of greenfield construction in southern and coastal Maine. This is a failure of Goal A. Because of this failure rural communities are unable to exist sustainably and are being pushed to extinction.
The Growth Management Law placed all the responsibility for implementation on the municipalities with little State funding, other than competitive grants. "Rich" southern and coastal towns had the financial resources to try and carry out the tasks outlined in comprehensive plans. Northern, eastern and western communities never had the money for implementation and the little that was accomplished was too superficial to have a long term impact.
Funding associated with/to the GMA was gutted, lost the carrot at the end of the tunnel so to speak. Municipalities in our region feel comprehensive planning is important but do see the end benefit as they had in the past.
Last year's legislature passed rules about tiny houses and "in-law" dwellings on that same lot with a regular dwelling already on it. How does the legislature and your dept expect local municipalities to think they can control their growth with an idiotic one size fits all attitude that the large cities might need?
The induction of huge reserves of federal taxdollars, tax credits have directly impacted how DEP and the LUPC evaluate and regulate large projects leading to the state's wholesale destruction of natural resources and viewsheds. Municipalities do well in some instances but are not supported by corrupted agencies or legislators. Let's not forget that the DEP permitted Hawk Ridge, Soil Prep, and municipal treated waste spreading of by products and mill sludge leading to wholesale dangerous PFAS contamination nearly statewide!!!!!!
The Growth Management law really mixes the tools that are available to communities to use manage growth. The law is dated and does not specifically address current concerns in Maine. The goals need to be refreshed with current issues, such as climate change. Housing goals should also be reviewed and redefined to achieve the current needs to the State. The prescriptive elements in the Growth Management laws are outdated, particularly in respect to communities that have been operating under Comprehensive Plans. The goals as written do not allow for the wholistic understanding of how each goal works together. The goals are currently written to keep planning policies in a silo approach instead of a comprehensive approach. Planning should be recognized as an important tool in achieving the States goals.
The law's requirements for consistency are too rigid and assume every town has the same resources. The state provides little support for municipalities to implement CP goals, especially significant for rural towns with little to no staff. Many rural towns depend on RPOs to do planning, and the state provides about \$14k a year for our RPO to assist 34 rural towns with planning needs. This needs to change for the growth management act to be effective.
The Maine Growth Management Act was modeled after programs in States like Maryland, Florida, and Oregon where there are regional governmental systems capable of coordinating growth and development in and around metropolitan regions. Maine lacks that regional planning and governance "infrastructure" to produce the kinds of results envisioned by the Act, and the focus on implementation exclusively at the individual community level is unlikely to ever achieve the 12 goals. Regional planning and management currently operates in the realm of transportation in Maine's metropolitan areas, and could be expanded to address the other State goals in those regions.
More sprawl is happening (Goal A) than is desirable in part due to a lack of regional mechanisms. On the plus side, conservation efforts by land trusts and others are preserving substantial acreages (Goal F). In this regard, one of the best Beginning with Habitat maps for comp plans is the one for habitat connections. There should be stronger requirements or incentives for communities to preserve connected habitat areas (eg, open space master plan with mandatory clustering for subdivisions that intrude into connected habitat).
The Growth Management Act does not effectively accomplish the stated goals to the fullest extent possible for the lack of energy and inspiration missing from the planning process. Comp Plans become a ineffective process that gets put on a shelf instead of being an implementable conversation of the community.
The goals are lofty and look good on paper. Although comprehensive planning and land use planning are critical at the municipal level, achieving the stated goals requires a regional approach, strong leadership, and adequate funding. Maine has fallen short in all three of these areas since the GMA was adopted.
Rate of Growth ordinances and moratoria undermine the 12 goals because they are being weaponized by municipalities to stop housing and economic growth among other goals of the law.
The two primary hurdles hindering the effectiveness of this law are funding and enforcement.
some towns have almost no land use regulation, outdated or absent comprehensive plans and are ill prepared to deal with the expansion of pressures on limited housing and increased tourism.

1b. Comment if you have a strong or divided opinion on the Growth Management Law or how it achieves its 12 goals. Comments on particular goals are encouraged.

I don't think it's doing well at making efficient use of public facilities (roads, water, septic) or encouraging planning and investment in future facilities. I see rural communities struggling with lots of road miles to maintain, and, old, if existing, public water and sewer, with no plans to invest in water or sewer due to fiscal constraints.

The state is currently lacking in choice, diversity, and affordability of housing. I don't think these things are unrelated to lack of investment in public facilities.

I think it is doing a decent job of protecting critical resources, streams, and larger waterbodies, but habitat blocks and wetlands are suffering cumulative impacts of death by 1,000 cuts. More large-scale conservation needs to be part of the overall schema.

Follow-Up: There should be a broader climate mitigation goal, and as part of it municipalities should be required, with State and/or RPO assistance, to evaluate their electrical grid's capacity for full community electrification (rooftop solar, array solar, EVs, etc). This would include planning both for where res/comm/ind growth can be accommodated based on circuits and substations as well as looking at needed improvements to grid facilities based on where growth is planned to go. The community grid plan should fit within a regional grid plan. And don't let Homeland Security put in the monkey wrench.

This municipality has very little control of development of tree growth parcels other than the penalty charged

GMA needs to include elimination of light pollution and light trespass from streetlights and other outdoor lights. This is just as important as eliminating pollution from water, soil and air. Our public health depends upon it.

Although I realize growth cannot be stopped, monitored and steady growth is the key to successful growth.

Unsure of the value of all the inventory information requirements, especially in smaller communities, where the data can be inaccurate and outdated quickly. It does little to achieve goals.

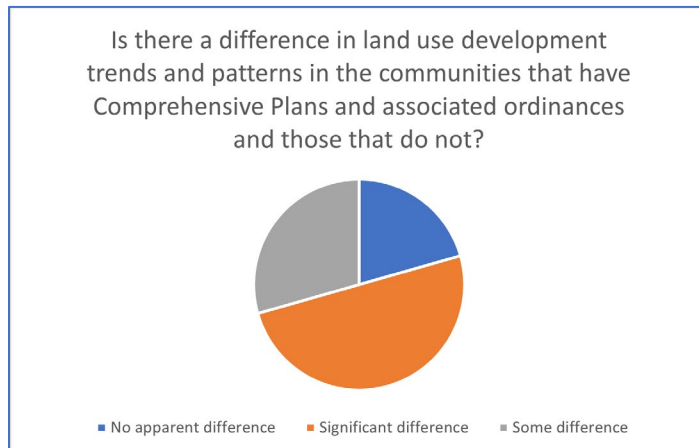
Where growth occurs often does not align with growth areas in comp plans.

I believe the Growth Management Law has generally been a success, but it has fallen short on the goals of preserving Maine's rural character and on expanding housing choices to support workforce/economic development and aging in place/senior friendly communities. I think the failure has been in the implementation, i.e. translating the goals/objectives defined in the comp plan to zoning ordinances that encourage the traditional development patterns that define Maine's rural character.

I also think the Growth Management Law could do more to encourage housing production near major employment centers. Most towns seem to default to low density rural zoning to "protect rural character", do not do enough to identify meaningful growth centers with incentives for traditional New England development patterns. At the regional scale development tends to go to the urban/rural fringe, which increases the financial burden on the state to maintain roads, build schools etc.

Perhaps updated guidance on identifying growth centers and zoning to support traditional development patterns, combined with more incentives from the state, would help municipalities encourage more housing production in the right places.

Differences in land use development trends and patterns in communities with Comprehensive Plans and ordinances and those that do not.



3a. Can you identify the land use development trends and patterns in two or more communities where one has a locally adopted Comprehensive Plan with a zoning ordinance and another that does not? Which communities?
Saco and Waterboro
All the towns I know of have at least a comp plan. But anecdotally from what I've seen, there are no communities that have effectively addressed development in rural. Many towns without zoning have enabled relatively easy redevelopment in their downtowns.
I don't have very specific examples, but several towns working on Comprehensive Plan Updates have found that growth has not been concentrated in the old growth areas. Part of the challenge is that they towns have been operating under very old comprehensive plans. Funding for updates has been scarce.
We can, but are in the process of developing that information. We are implementing two studies at the same time: the Levine barrier analysis to our entire region and an assessment of growth, no growth boundaries across town lines. Behind that data we hope to capture the difference between land use definitions; the contrast of uses, and actual implementation of the growth plans. This will be developed using a GIS system.
Off the top of my head I cannot ID towns that do not have comprehensive plans, I can think of towns that regularly update comprehensive plans and those that do not...
Waldoboro passed a Comp Plan in 2018 that aimed to expand residential uses but still limit commercial uses to designated areas. Waldoboro is still seeing interest from various developers and small businesses that are utilizing existing spaces.
In comparison, Appleton is currently updating their Comprehensive Plan but does not have a zoning ordinance. Appleton does not have that many development issues considering their limited public infrastructure prevents large scale developments from naturally coming to the area.
The Comprehensive plan is an exhausting work that creates a 'one size fits all' mentality that is almost impossible for smaller communities to develop, implement, and update.
Yes, Nobleboro just finished their comp plan and it has been State approved. We are starting to meet and make recommended changes to our Land use ordinance. We are roughly 1,800 population. Newcastle is the next town over and they do not have an approved plan and their ordinance is so hard to use they are getting ready to change it.
No. I have not worked with any towns that do not have zoning or comprehensive plans (even if some have been far out of date).
Have not had the opportunity due to the fact our comprehensive plan is still in the development process
Do not know.
No, although in viewing Comp Plans from neighboring communities there does not seem to be land use visions that correspond.
No. All area towns have a comprehensives plan and zoning ordinances. You cannot really compare my town to one 50 or more miles distant.
I work in a part of the state where having a comp plan is essential to support land use regulation, especially in the face of legal challenges. Some communities are impressively successful in using a comp plan process to implement land use regulatory changes that direct growth. The time it takes to develop a plan and then implement is treacherous because local leaders and the public mood changes over 3-5 years.
Most towns around have some sort of ordinances - the difference comes w the degree of enforcement.
General Comment, Municipalities that do not have a strong comp plan and corresponding zoning have gaps in regulating development, some are very liberal and some too stringent due to lack of clear understanding of responsibilities
Zoning in my current town provides a much more logical land development plan than a previous town I had worked in.
Gorham/Springfield/Lakeville
I don't know about a municipality that does not have a zoning ordinance.
Presque Isle and Easton
Auburn has a plan and ordinances. Auburn has a dense Urban Core and 40% of the land is zoned agricultural and has a very low density pattern as you leave the core of the City. I don't have a good example of one that has no plan or ordinances, but surrounding rural towns with less planned growth have development more evenly spread over their land area.
Farmington has a complete and consistent locally-adopted Comprehensive Plan that has been fully-implemented through Zoning and many other land use ordinances. Temple developed and adopted a Comprehensive Plan - but was unable to implement zoning. Both Towns are fairing well - Farmington is growing and benefiting from its planning efforts. Although Temple is shrinking, it too follows its Comprehensive Plan and finds it useful in guiding its Board of Selectmen and Planning Board.
I believe towns around mine have comp plans.

3a. Can you identify the land use development trends and patterns in two or more communities where one has a locally adopted Comprehensive Plan with a zoning ordinance and another that does not? Which communities?
I am on the Kennebunk Planning Board but have no knowledge of what other towns without Comp Plans & zoning ordinances do. I did wonder about this when reviewing other Comp Plans on the DACF website. Obviously there are many towns out there that have not created Comp Plans.
No. I'm primarily familiar with my local community.
No comparative insights
Compare Eliot, with a very tight growth ordinance verses York, which has little control of growth. Major on-going projects in York will significantly impact their infrastructure.
Plans are only as good as they help to implement appropriate zoning. Unfortunately, we have no technical standards to use as guidelines for zoning implementation. Sentences such as increase density and words such as walkable are meaningless without standards. Towns need guidance to measure these objectives, such as x dwelling units per acre, etc.
I am not understanding the question
Mt Vernon / Vienna vs Chesterville
no
No
I work in Rumford. We have a Comprehensive Plan but no zoning, however we do have Shoreland zoning and all other state required codes (due to being larger than 4,000). This model has some interesting points in its favor. Call us if you're interested to know more about how this dynamic works.
Sure. Windham has all the tools, a large staff and a population growth of 40% since the passage of the Growth management Act. Most of southern Maine looks like Windham.
Most towns have a comprehensive plan but Skowhegan may come closest to satisfying the "does not" requirement. Skowhegan has staff, multiple ordinances but the last time I checked it does not have a zoning ordinance. The population growth under Growth Management is 1%.
Caribou and Littleton
no
Plymouth and Dixmont. Plymouth through lack and slow adoption of comprehensive planning and local ordinances ended up with Soil Prep and a large waste oil facility leading to wanton waste spread, water contamination and contamination zones versus a well managed town like Dixmont, which did not.
No - our neighboring communities all have Comprehensive Plans
I don't have time to research this now, and I am guessing we wouldn't have adequate data points to analyze this properly. That said, I think towns that choose to engage in the CP process are more likely to implement sustainable growth policies anyway.
I cannot because I am only aware of the trends and patterns in my town which is Brownfield. Currently, the Comprehensive Plan committee is experiencing pushback from 2 of the 3 Select Board members for presenting our plan (which the State has found to be complete) to the voters.
Bar Harbor vs Southwest Harbor
I honestly don't know any that have not
Yes, Lebanon, ME and Berwick, ME.
Shoreline surveys show which towns have more stringent ordinances and those that do not. See Sebago Lake shorelines.
Pittsfield and Detroit
Is this shoreland or general?
Bangor with their commercial development and housing market trends having an adopted Comprehensive Plan w/ zoning ordinance compared to their neighboring town of Veazie that has a land use ordinance but no comprehensive plan and tends to have a low commercial development rate.
Sorry I'm coming up with nothing. Would require a little digging.
I believe all of our member communities have adopted a comp plan and do have a zoning ordinance. Some of the more rural communities have comp plans that have not been updated for over 15 years, and the last update was a minor update to the 1991 plan. One example is Naples, which has not updated the plan since 2006. Compare this to Scarborough, which just adopted a new comp plan in 2021.

3c. Additional comments on the differences, if any between the land use development trends and patterns in two or more communities where one has a locally adopted Comprehensive Plan with a zoning ordinance and another that does not.
The differences have been modest. I think the key has been that some towns have invested in their growth areas. On the incentive side, capital investments like adding water and/or sewer has allowed for greater density, multifamily development and commercial development. On the regulatory side zoning has made a difference where it has been implemented.
Too varied to talk about; no regional or subregional consistency.
Differences in development trends between communities are based on more than comprehensive plans. Mostly are due to staff capacity, citizen participation in local process, local champions for particular interests, etc.
As explained under 3a: Waldoboro is seeing more large and new developments with small businesses repurposing existing buildings.
Meanwhile, Appleton isn't seeing large developments but are still seeing people moving for housing and small-scale businesses.
Nobleboro's is easy to read and follow as Newcastle's is very hard to interpret.
Zoning needed to protect wetlands. Sometimes the municipality needs to buy or acquire an easement to environmentally sensitive areas to protect them.
I'm not familiar with towns that do not have a comp plan.
Zoning has allowed logical development as opposed to anything anywhere.
Much less population in Springfield/Lakeville. However, the land use pattern with sprawl and development along the roadways is the same.
Eason with no real Planning is a bedroom community busy building subdivisions and Presque Ilse with zoning is encouraging infill.
Auburn has a plan and ordinances. Auburn has a dense Urban Core and 40% of the land is zoned agricultural and has a very low density pattern as you leave the core of the City. I don't have a good example of one that has no plan or ordinances, but surrounding rural towns with less planned growth have development more evenly spread over their land are
Farmington is a bustling Service Center community with moderate business and residential growth. Temple has little to no growth, a declining and scattered population, no "downtown" - and likes it that way!.
They use different tools to direct growth to different zones.
Not enough data to draw conclusion.
Driving up Rt 41 from Mt Vernon to Farmington, you see less development / more orderly residential and commercial parcels along the road compared to Chesterville and Farmington Falls where there is more "stuff" but it is less orderly and land uses look mashed together.
We are better able to accommodate development and because of Site Law re: growth over 20 acres (or 11 acres of impervious surface) along with state required adoption of codes we can do a lot more than most other communities.
Southern Maine is out of control. The rest of the state is doing fine.
Caribou has a built up urban center while Littleton does not. Development pressure in both communities has been in the rural areas on usually larger lots. Significant small "private use agricultural" (meaning livestock and poultry) development. Also a significant amount of posted property where public access was once allowed.
Dixmont has well managed residential development and has avoided squallor from pre code mobile homes, extreme poverty and large industrial projects that are dangerous polluters.
No zoning in Lebanon, ME, no comprehensive plan to control the growth.
Shoreland Zoning, lot size, proximity to the water are all evident.
Where there is limited development over time it seems to have little effect in patterns in smaller rural towns.

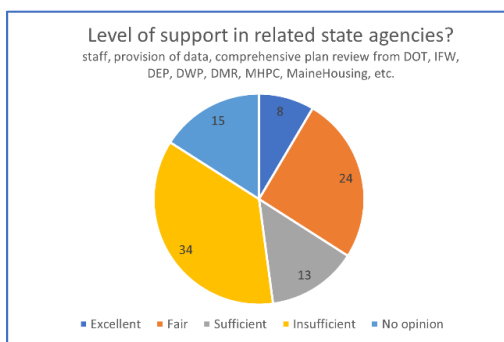
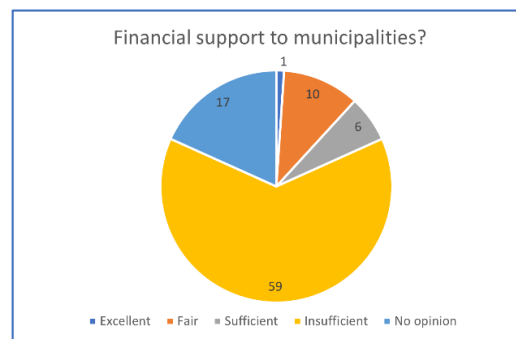
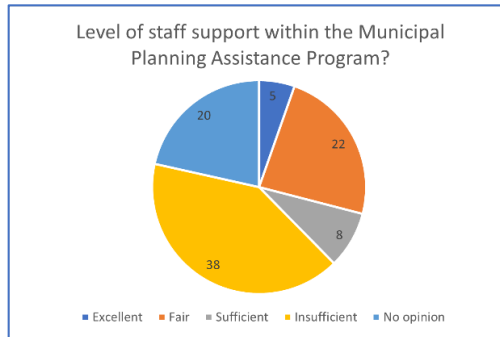
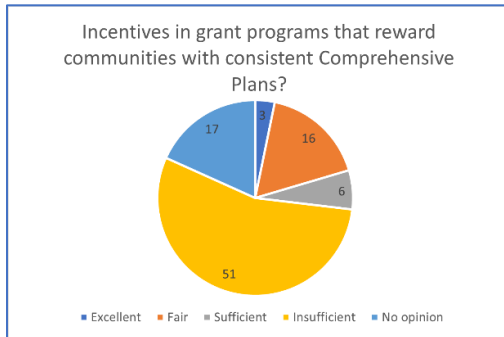
3c. Additional comments on the differences, if any between the land use development trends and patterns in two or more communities where one has a locally adopted Comprehensive Plan with a zoning ordinance and another that does not.

Naples has grown a lot through low density residential over the past 30 years, often people who move to Naples because it is more affordable compared to other towns around Portland, and this has increased the burden on the town to provide services to new residents. There are also environmental concerns related to new development and failing septic systems from old developments around lakes. This is exactly the issue we should be solving with comprehensive plans, but rural towns don't see the incentive for doing a comp plan.

Compare this to a town like Scarborough, which has also grown significantly over the past 30 years, but they've used their zoning to shift most of the newer development to the town's growth center. Scarborough has done more frequent updates to their comp plan, and they have the resources to go beyond the minimum requirements.

The more rural communities do not have the same resources and may not see the value in comprehensive planning. They may see it as this performative exercise, rather than something that is worthwhile and will help plan the future of their communities. A town like Naples could spend their whole budget just on the inventories, and not have the budget to get to where Scarborough is in terms of implementation.

Level of financial support and incentives for planning.



4f. Issues or comments to improve the support provided by MPAP other state agencies.
I have been told by various agencies that they do not use a consistent comp plan for Grant programs as the law suggests. During the first round of Comprehensive plan development there was a great deal of money available for the communities as an incentive to developing a consistent plan. Now there are communities trying to develop or revise plans on \$15,000 more resources are required if this program is going to be meaningful.
I think state level staff could change their focus within current staffing levels, but most importantly follow through with tying funding to comp plans, and to designated growth areas in particular.
I look to the State to provide data, guidelines and educational programs. Website development can be helpful for providing ready access to incentive programs as well as the rules. RPO's and municipal planning offices are well positioned for the detailed planning activities. I believe that MPAP should put a lot of effort into educating municipal governments about planning and the Growth Management Act. Turnover of staff and select boards makes this an ongoing effort. MMA and MAP should be allies in this effort.
Unsure, although in the region where I work the COG could be better supported to offer targeted assistance (mapping, data analysis, BMP's, etc)
The process needs to provide real benefits to completing Comprehensive Plans, not just vague statements about funding and zoning requirements
MSHA is wholly ineffective and needs a complete reset of guidelines and staff.
the original growth management plan concept called for the cooperation of state agencies in the development of local plans. That, to the best I can tell, no longer exists. With technology, we can capture so much more than before, but communities still need assistance in doing that.
More staff and more direct interaction with towns. COGs do not provide the same quality of support that SPO used to. COGs are becoming more like consultants and turning out cookie cutter plans to meet state minimums.
We do have some towns that are trying to find grants to hire consultants for the Comprehensive Plans. MCOG has offered low rates in the past but are now overwhelmed with so many communities asking for assistance, and the threat of losing out on the recent grants have made many communities try to work overtime because they have been denied grants. Whether it is financial assistance for a community to get an outside consultant or an increase to regional organizations that are getting more work loads would be welcomed so that more assistance can be brought in. Personally, my first job out of university was assisting my former boss with the Comprehensive Plan in Waldoboro. Some municipalities are also using dedicated volunteer committees that can do the plans by themselves but then hit a snag with trying to make the maps without any GIS experience, which can be another space that Regional Organizations can offer.
The amount of information from the State agencies are also a mixed bag. Some agencies provide excellent data that is up to date and easy to find. However, sections like the Population, Economy, and Housing just came with a word document with links. The Committees end up wondering what information is required by the State and we get different numbers that conflict with other data sets.
The focus is on the process, not desired outcomes.
Real in person support. Not boilerplate language.
I think the agency staff are doing a good job with the resources available. There is clearly a need for additional staff support at the State and regional (RPO) level to develop and implement Comprehensive Plan consistent with the Growth Management Act; as well as a need for additional State support for communities that lack capacity to take on this work on their own.
Fully fund RPO/COG/County planning offices to assist smaller communities with comp plans - the state should provide more data to help communities spend more time and funds on public interaction
The MPAP is chronically underfunded and undervalued. All my interactions with the MPAP have been good and staff has always been as helpful as possible given their limited resources. All other state agencies have always been helpful and responsive to any questions I have had. I will say that DOT also suffers from underprioritizing planning so it can be hard to find the right person to ask questions to and when found they often have very limited jurisdiction to work constructively with municipalities.
Interesting that if a community is not in compliance with Comp Plan status funding opportunities can be restricted. The lack of funding might be the issue in non-compliance.
none that money & staff couldn't cure
Some agencies go beyond minimal support. Other agencies struggle to provide the basic information required, usually due to a lack of capacity within the agencies. Data is also not efficiently used. For example, you ask for data, the agency provides it, you put that data in your plan, and then the agency reviews the plan and says the data (within 2 years of a normal plan preparation) is not current and should be updated, even though the data update will not change plan recommendations. MPAP has been very supportive but how much can 2 people do?

4f. Issues or comments to improve the support provided by MPAP other state agencies.
Need better support and structure, consider reinstating the State Planning Office
Agency is understaffed
In general, the pay is so poor that most state agencies suffer from the competition by private and the lack of consistency with job security make working for the state a poor prospect overall.
I find that given reasonable time these agencies are generally very helpful.
MPAP has talented and great staff, just not enough to keep up with timely review of plans. We submitted our plan in April and received a finding of inconsistency in November. Tom is great to work with and we were patient because we trust he is doing his best and that his best is very good. Too much time had passed and we were already trying, with great controversy, to update ordinances that achieve state and local housing goals by allowing infill and mixed housing types. The late plan finding was a major setback to achieving that goal and fueled opposition. There should be more flexibility built into the rules for staff to use regarding where you address the required elements as long as they are addressed and explained for an efficient review process using the State Checklist.
When needed, they're responsive - so no complaints!
No one in Northport town office is really familiar with the GML or the state agencies in this capacity.
There should be reach out to municipalities whenever there are Bills coming before the legislature. LD2003 went thru the process without any local notice at all.
As a Planning Board member I have no visibility into financial support or grants the town is eligible for, or receives.
Specifically: does the state DEP ever even answer the phone or respond to emails, ever? Their lack of response to any inquiry unlikely to generate negative media coverage has passed into legend in my world. Yet we keep being asked what to tell citizens to avoid violations of environmental regulations. We do the best we can.
Don't know anything about MPAP.
Require towns to report progress in implementing planned actions in Comp Plans
Some State agencies are slow to respond to Town inquiries, or don't respond at all. Some Agencies are so myopic on their views and goals, that they don't consider community input. I realize there may be some staffing issues within some agencies, but it takes no more than 30 seconds to read an email, and acknowledge receipt. Then a follow-up when the initiator might get an answer. Communication is lacking in many sectors.
Dissolving the State Planning Office was an avoidable disaster, and the lack of state staff support put a huge burden on local government that has generally not been met with new staffing. I have seen significant losses in training for local government officials (including planning board and zoning board of appeals members) on how to be effective in their roles as local law enforcement. The state has not recovered in terms of coordination around economic development, protection of natural resources and waterfront, and incentives tied to municipal cooperation with the GMA and the investments local governments make in comprehensive plans. The DOT actively works against local government economic development planning by building lethally dangerous roads that divide the most sensitive and highest economic value places in our villages and downtowns. I am not sure what DECD is doing these days. MaineHousing has made some strides in helping to create affordable housing, but there is more work that could be done with adequate funding and support from the legislature. Full restoration of the legally mandated level of revenue sharing to local governments has been a bright spot in ten years of decline in local/state government coordination on critical economic, public safety, and environmental planning matters.
Under Title 30, this was an unfunded mandate. At least under Title 30A it's an option.
In general growth management efforts are deeply underfunded. The number of Towns which do not have publicly available GIS and are still using paper tax maps for assessing is outrageous and makes good infill development difficult in the places that need it most. The lack of a statewide GIS for all tax parcels that is complete is likewise absurd.
Rewrite growth management to set goals for each area of the state - one size does not fit all. Fund regional agencies at appropriate levels to provide staff support for land use planning.
I would fire most of the current staff in DEP, the State Planning Office, IFW and the DMR and hire people who care about Maine more than the money that legislators, the Governor, political appointees, lawyers and lobbyists make on the wholesale destruction of Maine and our way of life. Thanks to poor planning and limited regulation we've had wholesale destruction of view sheds with windmills, watersheds with solar (I.E. Farmington) and PFAS (Statewide but look at Fairfield), Deer Yards in the North, West and Eastern Maine and massive powerline projects that do nothing for our citizens except add to our energy bills!
Staff should be focused on policy advancement and not specific review of community plans.
State agencies are generally not maximizing the potential of RPOs to work with municipalities. The RPO/municipality relationship is strong and well established. State agencies often require RPOs and municipalities to apply for competitive grants rather than simply funding the RPOs to assist with program implementation. It's a huge waste of resources and this practice makes it more difficult for many rural towns to participate. The state agencies (with some exceptions) try to staff up and train new staff to manage statewide programs, which is very challenging and inefficient. MaineDOT has been an

4f. Issues or comments to improve the support provided by MPAP other state agencies.
exception to this practice. They have done a better job than most in supporting RPOs and partnering with them on municipal work. It's not a perfect model and it's still woefully underfunded, but one that has proven to work well again and again.
Look at a NE state with a reputation for good community planning--like Vermont--and compare its programs with ours. Maine is understaffed and underfunded for community planning, particularly at the State level.
On the grant applications, note at the beginning of the form that preference will be given to municipalities that have an adopted and enacted a current comprehensive plan. Increase the amount of available funding.
It would be nice to be able to get more input for what contacts we would need to solve issues
Support more communities that either need a town charter or comprehensive plan.
More staff needed for this work.
More funding for planning, staff at state level and \$\$ for RPOs and local communities
If there's an opportunity to reduce the requirements, streamline the process, etc. that would be huge. I haven't been involved in enough comp plans to comment on the support provided other than that I'm sure you guys are doing the best you can with the resources you have. But I'm sure more support would be beneficial.
I've found the state has been very responsive in reviewing comp plans we've submitted.
I think there may be room for improving how the state shares data with municipalities. Examples like the MaineDOT map viewer or Beginning with Habitat maps are good models for sharing data in formats for both technical and non-technical audiences. The Maine Geolibrary is also a good example - this may be a useful hub for sharing spatial data for comp plans.
Insufficient staff for the purposes of reviewing comprehensive plans

Other Comments helpful in the Growth Management Law evaluation

7. Do you have any other comments that would be helpful in our evaluation of the Growth Management Act?
A complete review and overhaul of this program is needed.
Hooray! Thanks for doing this survey and for all you do!!
Circling back to your first questions, I think MPAP should look further into growth tracking. You probably need to triangulate multiple data sources including utilities, remote sensing, better maintenance of municipal parcel data in a GIS format and building permits. I think MPAP should also be looking at some of the novel new forms of growth including short-term rentals, accessory dwelling units, planned unit developments, and co-housing.
The idea of the GMA is really good but the law is too detailed and doesn't give communities a chance to highlight the 3-4 key items they may actually be able to follow up on. I'd suggest fewer state goals, more financial assistance, and a clear statement that if local zoning is not consistent with a Comprehensive Plan, the Plan takes precedence, like in California.
Too many communities use the GMA as an excuse to implement exclusionary zoning policies (like minimum lot sizes and prohibitions against multifamily rental housing) that superficially "preserve" resources locally, but in the aggregate, undermine the state's climate plans and threaten natural and cultural resources on a systemic scale.
Simplifying what must be included and reviewed on a 10-year basis would help municipalities stay current and focus on current issues of importance like housing need if, let's say they have done a good job addressing their natural resources protection. I think it would be okay if some of the data portions of the plan weren't rehashed every 10 years, same thing will all the population demographics charts, if nothing very significant is changing why do all that data collection? If the State had a data source a town could pay to get their data updated that would be great. SMPDC does this, they don't track down the data from separate sources but it gets bundled for them. If a town knew they could pay between \$1,000 - 2,000 for that as an example they could approve it and the State could generate for them. Would be so helpful to any consultant or RPO. Lee Jay couldn't give me a cost by town, though, they pay by the page so I have no idea what it generally costs for the service they use.

7. Do you have any other comments that would be helpful in our evaluation of the Growth Management Act?
The foundation of the growth management act remains a good one. But with technology and communication changes, different and emerging planning concerns, the foundation needs to be updated. My sense, in the field, is that communities are very much interested in comprehensive planning, the small ones need assistance, it is a hard process if done well, and there is not much attention paid to the regional components. Times suggest that sustainability, transportation, and housing, for example, are more regional issues than ever before. More incentives to make that happen (much in the way the community and, I hope, Housing partnerships) will be helpful in the practice of growth management planning. Maybe more direction, attention to grow smart initiatives.
The Act was ahead of its time back in 1988, but needs serious state investment if we are to be successful in protecting Maine's quality of place in the 21st century. Towns need much more technical and financial assistance than they are currently receiving.
The GMA is dated and does not account for different values many communities hold important today. Communities view comprehensive planning as a mandatory bureaucratic exercise rather than an actual opportunity to prepare their community for the future.
Do not tie grants and funding to the comprehensive plan. It only allocates resources to larger communities at the expense of smaller ones.
The State could make it easier for communities to comply with the Growth Management Act by facilitating development of regional plans that respond to many of the requirements of the GMA and enabling communities to easily adopt those plans as part of their Comp Plan. (e.g. wrt to affordable housing, regional housing goals and strategies -- provided that they are also supported by local land regulation -- probably make more sense than strategies developed at a local level).
add more language regarding goals for affordable housing and how communities are planning for climate change - the state should do a planning process that evaluates the goals
The priority is more funding and staff for MPAP. If the state wants to make good on the GMA it needs to make comprehensive plans matter again and that will take more detailed review and more active assistance to towns so they can meet that review. Secondly we need some amount of teeth and or incentives tied to the comprehensive plans so that there are more clear cut reasons to keep the plans updated. I would also love to see the state actively consider an approach to comprehensive plans that allows for a more "living" document undergoing frequent smaller updates rather than the 10 year big push cycle. This would help reduce the perception that comprehensive plans are this massive, expensive project that only planners care about and so need to be put off as long as possible.
Recently retired municipal planner. Answers from experience.
The devil is in the details. Hopefully the rule making process will allow for scheduled reviews in order to be relevant to the dynamics of change.
It will fail.
Data is essential to plan preparation, but the current submission list should be revised to identify essential required data (such as population from the last census, current census and 10-year projection), and then data that you may also want to provide.
I'll have to think on it.
The State needs more planning staff to support local Comp Plan development and review, and please consider bringing back the SPO.
Mandate what is really important to the State as a whole.
I would like to have a copy of the act to read. I have a lot of experience in helping municipalities develop comprehensive plans as Executive Director of the Kennebec Valley Council of governments for more than 30 years, retiring in the year 2000.. I have helped many municipalities develop comprehensive plans and zoning ordinances. I would like to help you. My telephone number is 2079825231. I live in Winslow. Elery Keene elerykeene@gmail.com
I honestly have no idea what the Growth Management Act is, or how it does or does not impact things in our coastal community, since I don't have any prior knowledge of its existence. So I can't in good faith answer any of your questions.
Increase staff to spread the workload fairly and complete it in a timely manner. Delays have real costs when we are in a market like the last 2 years and interest rates start to rise, slowing investment. Overburdening too few good staff will make them look elsewhere and worsen the shortage. We can't afford to lose more of the good staff at MPAP.
Our planning efforts are doing very well here in Farmington - thanks to the State's Growth Management efforts and the Town's Comprehensive Plan adoption and implementation. We continually update and improve our land-use ordinances to meet our needs.
It is my belief that the recent passage of LD2003 was in direct conflict with the GM law and with most if not all comprehensive plans. LD2003 needs serious amendments so it works with the GM law.
Do you have a way to directly contact someone in each town government - so that you get a solid database? I was happy to take the survey, but I think you need to speak with the town employees responsible for planning, building permits, etc.

7. Do you have any other comments that would be helpful in our evaluation of the Growth Management Act?
Speaking as Chair of the local volunteer planning board, we would all too often find ourselves hopelessly at sea if it weren't for our regional Council of Governments (in our case AVCOG). Thank goodness for their steady professional guidance and council, which makes our contribution to local governance more surefooted and meaningful.
It is hard to provide comments due to lack of familiarity with the law.
Comprehensive Plan follow thru should require towns to report progress in implementing actions so that plans are not "shelved and forgotten"
Provide guidance and resources for communities, but not rules that apply to everyone. Doing so fails to recognize the diversity of our Maine communities and the unique issues facing those communities.
no
No
growth in rural and smaller towns higher, where cost of living is lower. Impacts roads and schools and aging populations. Smaller municipalities may not be able to keep up with demands
Thank you for asking these questions, it would be great to have coordination of effort and funding incentives around the GMA and in making connections between land use, economic development, housing, and safe transportation design.
Question 4c - Grant programs were eliminated under Title 30A.
Please don't use this input as an excuse to merely recreate the State Planning Office. There are specific tasks and actions which need to be funded statewide. Creating a single statewide GIS might also assist with better analysis of assessing and taxation patterns. Right now there is a lot of variation in assessing patterns state wide. Far more so than people realize and because of the way our funding formulas work this inconsistency has far reaching fiscal implications at the State level.
Most small communities do not have an expert to assist in planning without aid from the State or a Regional Organization. There has to be a commitment from the State to fund those positions continuously, irrelevant of administration.
We need to develop either regional or sub-regional data sets that are consistent with the Growth Management Act. By that the town can easily have the inventory and analysis needed to make decision and spent their time developing policies and strategies consistent with their growth initiatives and the Act.
I would also like to see some sort of comprehensive plan "lite" where communities can have a few public meetings, plan for 2-4 months, identify a designated growth area that is consistent with the Act, and have a state agency review for consistency. In and out so to speak.
There should be some sort of funding associated with the implementation. Full blown plans are expensive as is ordinance development. We need a carrot much like the MaineDOT's Partnership Programs. Thank you Jay
As a past chairman/treasurer of Andy Valley Soil & Water Conservation District, past treasurer of Time & Tide Resource Conservation & Development Area, and past president of the Maine Association of Conservation Districts, these organizations used to have great support from the state in the field of conservation. It is like pulling hens' teeth today to get any kind financial support for them from the state, and local and county governments are no better. Although they were primarily agricultural in nature, they have branched out into the suburban and rural non-agricultural areas and could be of greater benefit to the growth management the state wants help with.
We live in a state with 97% private ownership and Current Use Programs should be used to correct trends versus contributing to them. People, companies, land managers and Land Trusts should not have any tax or other benefits unless they utilize land in a way that enhances the use and enjoyment by Maine Residents while protecting or at least conserving our resources through wise use.
The original growth management provisions were helpful in launching robust comprehensive planning. However, it is now time to move to the next level of Planning and help guide communities to address real world issues and to advance the understanding of State policy and impacts to specific regions. Technological advancements and tools should also be recognized, and their availability could be enhanced through State measures.
I can't say it enough. More resources to RPOs would make a world of difference in implementing any type of statewide policy or program. This year our RPO has been involved in around 12 Comp Plans. We use our resources as efficiently as possible but that's a challenge with little to no state support.
The comp plan surveys are an important element and, if done well, are very useful to municipal officials. More support to RPOs and towns for doing good surveys would be good.
It is time to evaluate the Growth Management Act and program, and I am happy to see attention being paid to this important component of Maine's planning landscape. Land ownership and development trends are changing post-pandemic, and the characteristics that make Maine special are more vulnerable than ever.

7. Do you have any other comments that would be helpful in our evaluation of the Growth Management Act?
Provide overtime pay and travel reimbursement for State planners to attend town meetings to answer questions presented by town residents.
availability of grants and capacity to apply for grants may be a mismatch for some communities
The State Departments that provide planning resources have been woefully underfunded for years. It's encouraging to see some new life and commitment to improvement. How Maine grows and manages its resources is too important to leave up to chance and the highest bidder.
being a fairly new municipal officer, I have a lot to learn about the Growth Management Act.
The International Dark-Sky (IDA) Five Principles for Good Outdoor Lighting needs to be adopted into the IDA. The beauty, safety and quality of the nighttime environment is as important as the daytime beauty, safety and quality.
Gain more local input, enable representatives to attend meetings, get involved with the smaller communities.
Communities need good examples, bad examples, and support to do this work.
The increased availability of ever updated data availability means a static document of a snapshot ever 12 years is less and less useful. It's an exercise whose time and resources could be put to better use. A streamlining of the comp plan requirements should be considered.
I don't work on comp plans enough to comment. The reason I avoid comp plans, however, is the massive amount of work they take. It's a huge task for everyone involved and the impact is questionable. There's definitely merit in having a community come together and develop a shared vision for what they'd like to see, but if there are ways to reduce the burden I'm all for it.
While State Goal N of the law specifically addresses sea level rise, there is no mention of broader climate change considerations, which I think there should be
I think as it is now, many of the smaller towns view the comp plan as this performative exercise from the state. There are all these things that are required, it becomes a box-checking exercise, people are not passionate about it, it's not relevant to their community, it just becomes something that sits on a shelf. People will update the plan if the state provides funding or gives some other incentive to update, but otherwise, they are content to let the old plan continue to sit on the shelf. I think the Growth Management Act should give more flexibility to smaller communities. This is where there's a lot of room for improving how comprehensive planning works in Maine. The data inventories requirements place a heavy financial burden on individual municipalities, and many small towns default to not updating their plan, unless there is a financial incentive to do so. If the state provided more financial incentives for having a state approved plan, and if there was more flexibility for what is required in a state approved plan, municipalities could customize their comp plans to focus on the issues that are most relevant to them. As they implement the plan, they will see the value in planning, and they will want to continue updating the plan.
Growth management is difficult to direct and manage in a home rule state where each municipality recreates and directs their priorities in a different manner.