
HCPC NEWSLETTER

Hancock County Planning Commission

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Fiscal Year 2006-2007

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PLANNING NEWS

By Tom Martin

ANOTHER ROUND OF PLANNING GRANTS IS AVAILABLE

The Maine State Planning Office (SPO) is offering four grant programs this spring:

1. The **Comprehensive Planning Grant Program** for one-time funding assistance. The due date for applications is April 20, 2007. The only towns in the HCPC region eligible for these grants are Amherst, Osborn, Waltham and Isle Au Haut. Contact Tom Martin at the HCPC for details on the application process.
2. The **Implementation Grant Program** to support the preparation of zoning ordinances that implement strategies identified in an adopted comprehensive plan found to be consistent with the Maine Planning and Land Use Regulation Act. The due date for applications is April 20, 2007. Towns that previously received an implementation grant are not eligible to apply.
3. The **Comprehensive Plan Update Grant Program** to support municipalities in bringing their plans, policies and strategies up to date to reflect demographic and economic changes, and to promote the development and adoption of emboldened plans that more effectively guide growth through the integration of smart growth principles. The due date for applications is April 20, 2007.
4. The non-competitive **Regional Challenge Grant Program** to support promising regional initiatives designed to establish new

mechanisms for managing governmental affairs more efficiently while integrating transportation, economic development, natural resource protection and land use management more effectively, consistent with smart growth principles. SPO designed the Regional Challenge Grant as an implementation grant to provide critical interim support for promising initiatives that have germinated to a point where the infusion of modest resources can provide an opportunity for regional stakeholders to fully consider and implement new approaches. This is an on going grant program and applications are currently being accepted.

For more information, contact Tom Martin at 667-7131 or tmartin@hcpcme.org. Application materials are available from the HCPC or at: <http://www.maine.gov/spo/landuse/finassist/>

CHANGES PROPOSED TO COMPREHENSIVE PLAN REVIEW PROCESS

Most towns that have been through the comprehensive plan process in Hancock County have found it challenging to produce a plan that will be deemed consistent by the State Planning Office (SPO) and also be approved by the voters. In 2006, SPO sought public input on recommended changes to comprehensive plan review process. This public process included a series of stakeholder meetings. Below is a summary of the key changes proposed:

- Work to streamline required data and analyses
- Work to clarify and refine strategies
- Clarify the distinction between “complete” and “deficient”
- Change the proposed review timeline to incorporate agency comments into the finding/notification of completeness
- Add language specifying contents of a consistency finding letter
- Add a process to review amendments
- Remove the requirement to direct growth into a designated growth area and provide that public capital investment be directed to the designated growth area instead

In addition, based on input received, the SPO will propose some statutory changes that address stakeholders’ concerns, including:

- Add a sunset provision to SPO’s consistency finding after 12 years
- Add an appeals process
- Add a severability provision where the inconsistencies, which are not related to zoning and other land use controls, do not void those controls
- Clarify that certain ordinances can be adopted without a consistent plan

The SPO will continue to review these comments and refine its criteria. It hopes to undergo a formal rule-making process in spring 2007. SPO continues to post drafts, as they are revised, to its stakeholder website. To see the most current drafts, go to <http://www.spo-comp-plan-rules.com/spo/>. Feel free to make any comments on the web site or share them with Tom Martin at the HCPC. We have an opportunity to make the process run smoother.

DEP PROPOSES CHANGES TO SHOREBIRD HABITAT RULES

The HCPC has received many inquiries about recent changes to significant wildlife habitat regulations. As of February 2006 there is pending legislation that proposes to:

- Separate areas identified as shorebird roosting areas from shorebird feeding areas. Migratory shorebirds rest between intensive feeding periods while they are adding tremendous body weight as they prepare for a southward migration. It is critical to keep the resting areas, or “roosts”, free from human disturbance.
- Reduce the buffer on the shorebird feeding areas, the vast majority of significant shorebird habitat, to 75 feet instead of the present 250 feet. This reduction continues to provide adequate habitat protection with cutting restrictions.
- Establish strict cutting standards in the roosting and feeding buffers in order to provide effective protection for the

shorebirds. These cutting limitations will provide additional protection beyond local shoreland zoning.

- Make the changes retroactive to June 8, 2006, the effective date of the existing significant wildlife habitat rules, to address concerns of property owners and Realtors who undertook property transactions during this period.

Maine Realtors, some coastal property owners and several legislators had questioned the rules currently in effect. The DEP has been working with the Maine Department of Inland Fisheries and Wildlife (IFW) to fine-tune the rules, address issues, and not sacrifice protection of the unique habitats.

DEP Commissioner David Littell said “The DEP has listened carefully to the concerns of environmentalists, landowners and Realtors, especially in coastal areas. We are proposing modifications to the current rules to address these concerns. I look forward to a resolution of the concerns that have been raised so that we can move forward together in protecting valuable habitats for shorebirds that are unique to Maine and allow reasonable development to occur.”

The last legislative session saw the final adoption of rules to protect some significant wildlife habitats in Maine, specifically significant vernal pools, shorebird feeding and roosting areas, and significant waterfowl and wading bird habitat. These rules were adopted to protect habitats considered essential for the survival of species such as the wood frog and blue-spotted salamander, shorebird populations like the black-bellied plover and the semi-palmated sandpiper, wading birds such as blue herons, and waterfowl such as wood ducks.

More information will be available on the internet at www.MaineDEP.com where you can click on “Proposed Revisions to Shorebird Habitat Protections.” The DEP will be posting details of the changes along with detailed maps of the habitat areas. A public hearing on this legislation will be scheduled by the Natural Resources Committee. Also, the HCPC is planning a workshop on these

rules as part of its *Striking a Balance* Series. The tentative date is May 30, 2007.

HCPC IS AVAILABLE TO HELP TOWNS REVISE SHORELAND ZONING ORDINANCES

The DEP had mandated that certain changes be made to all municipal shoreland zoning ordinances. Many of these changes are simply clarification of language. There are also some new areas that may be subject to Resource Protection zoning due to new wetlands mapping. Towns now have several options to choose regarding timber harvesting.

The HCPC staff has electronic copies of the latest standards and can incorporate them into your town’s shoreland ordinance. We also have the mapping data necessary to determine if any changes are needed to your shoreland zoning map. Feel free to contact Tom Martin if you have any questions.

SUBDIVISION DEVELOPMENT AND PERSONAL PROPERTY RIGHTS:

Striking a Balance in Hancock County *by Tom Martin*

***Striking a Balance* workshop tentatively scheduled for May 30th will focus on revisions to the DEP shorebird habitat rules.**

The Hancock County Planning Commission’s recent *Striking a Balance* workshop featured an excellent presentation by Maine NEMO’s LaMarr Cannon on low-impact development. Thanks to all those who attended, and, if you couldn’t make it, check out our article on low-impact development in this newsletter.

HCPC has tentatively scheduled its ninth workshop in the *Striking a Balance* series for May 30, 2007 at the VFW hall, Washington Junction Road in Ellsworth from 5:00 PM – 8:30 PM. Pre-registration is required. Details on registration will be mailed to all towns and posted on our web site

(www.hcpcme.org). The anticipated topic will be DEP's revisions to the shorebird habitat rules. More information will be mailed to towns and planning boards as plans are finalized.

Low Impact Development

Sometimes, little changes can add up to a big difference. For instance, my grandfather has collected returnable cans and bottles on his daily walks for decades. At last check, this little effort had put over \$50,000 in his pocket!

Here's another example; when one single-family home is built on a wooded lot, the slight increase in impervious area that's created does not usually result in a radical environmental change. However, when more houses spring up around that one, along with roads and retail establishments, it can have a major impact on the area's hydrology and pollutant load. By creating impervious surfaces like roofs, roads, and parking lots, developers reduce a lot's natural capacity to collect and filter stormwater. Often the stormwater is heated from contact with warm, dark surfaces like pavement or roofing.

To avoid puddles and floods, developers implement systems of gutters, drains, and ditches to direct the water off-site, and that fast-moving water picks up and carries surface contaminants as it goes. The stormwater eventually empties into a larger body of water, which may be on the receiving end of stormwater from many developed areas. The temperature and pollutants in stormwater can lower the water quality and damage fisheries and other animal habitat -another example of how small impacts can lead to a big change.

However, by taking the small step of encouraging low-impact development (LID) standards, your town can make a big difference. Low-impact development is a term that collectively refers a set of design elements and development practices that mimic the natural hydrology of an area. LID can be implemented in even the smaller developments that do not need to be reviewed under Maine's Stormwater Management and Site Laws. Many LID elements are easy and inexpensive to

maintain, including vegetated swales and rain gardens, while others can provide a significant benefit at a modest cost (including porous pavers and underdrain soil filters). Many LID concepts can even reduce development costs by eliminating the need for more expensive stormwater management alternatives.

Resources are available for landowners, municipal officials, and others who want to learn more about the techniques and benefits of low-impact development. If you would like to learn more, please contact Jen Boothroyd at the HCPC. The HCPC is striving to become a comprehensive resource for LID in the region, so if you know of a contractor in the area that offers LID services, or a project that has embraced low-impact design, please let us know!

CDBG NEWS

by Tom Martin

2007 IS A BUSY YEAR FOR CDBG APPLICATIONS IN HANCOCK COUNTY

Rising income levels have made it more difficult for Hancock County towns to qualify for Community Development Block Grants. It is still possible, however, for towns to receive funds. Several towns are applying this year. Mariaville and Otis are applying for a shared food pantry. Aurora and Osborn are seeking funds for a common salt sand storage shed. Blue Hill received funding for a senior citizen day care center and Winter Harbor is seeking funds for improvements to street lighting and related amenities in its downtown. CDBG funds are normally awarded under two categories: a project that primarily benefits low to moderate income households and one that eliminates slums and blight.

How can we meet the income levels?

There are two basic approaches. Those towns with populations that are more than 51 percent low to moderate income (Amherst, Aurora and Osborn) qualify automatically. All other towns may meet the income guidelines if their project primarily benefits low to moderate income (LMI) people.

This means that while a fire station, which benefits an entire town, would not qualify for a grant. But a project that benefits a particular section of town, such as a upgrading a sewer main, would qualify if the population served by that main were LMI. Similarly, a program, such as creating or retaining jobs for low to moderate income persons would qualify even if town-wide incomes were less than 51 percent LMI. A town can also seek a grant for housing improvements that are aimed exclusively at LMI households.

How can we demonstrate that our project will meet the income guidelines?

If your project benefits a particular part of town, you will need to conduct an income survey for that section. The Maine Office of Community Development, the state agency that administers the CDBG program, has detailed guidelines for these surveys. Contact the HCPC for details on the latest survey requirements.

What are the income levels?

The figures change annually and may be updated by the time you read this newsletter. They are adjusted to reflect household size. The 2006 figures appear in the following table.

Low to Moderate Income 2006 CDBG Guidelines, Hancock County	
Household Size	Maximum Income
1	\$29,900
2	\$34,150
3	\$38,450
4	\$42,700
5	\$46,100
6	\$49,550
7	\$52,950
8	\$56,350

We will post the updated figures on our web site at <http://www.hcpcme.org/comdev.html> or contact Tom Martin.

The HCPC is always available to assist towns with any questions on the Community Development Block Grant program.

TRANSPORTATION NEWS

by Jim Fisher

Closing in on a Long-Range Transportation Plan

The Maine Department of transportation has labored hard to prepare a long-range plan to guide transportation policies and investments for the next 20 years. The effort is no less heroic than the challenges down the road. Maine is not alone in confronting enormous infrastructure costs, not to build new, but just to replace and maintain what we created fifty or more years ago.

Hancock County is a case in point. The old Waldo-Hancock Bridge and Sedgwick-Deer Isle Bridge were constructed at the same time, roughly eighty years ago. Both were built to meet lower-levels of demand by lighter, narrower vehicles and with little concern for bicycle or pedestrian usage. Replacement of the Waldo-Hancock Bridge came swiftly and at great expense as corroded cables frayed and heavy traffic was diverted through Bangor. The cost was sufficient to displace planned transportation spending statewide.

The Sedgwick-Deer Isle Bridge will undergo “deck” replacement beginning on April 1 and continuing into the late summer or early autumn. Replacing the driving surface is less costly than building a new bridge, but will result in a one-lane bridge during all but a few select days each month. The cost of replacements and repairs to our transportation infrastructure are staggering, and they are spread throughout Maine. As energy prices rise, so do the costs of transportation projects, particularly the cost of asphalt.

On the revenue side, the picture is no less troubling. Transportation costs along our arterial highways and major collector roads are paid with a mix of federal and state revenues. Maine relies heavily on the gasoline excise tax, which being based on gallons sold rather than on the price of gasoline, tend to decline when gasoline prices increase. There are few new sources of revenues. The government is confronted with several difficult options, including securing borrowed funds with future anticipated revenues, called GARVE bonds, privatizing transportation infrastructure and further depleting our stock of public infrastructure by postponing needed repairs. As we learned with the

Waldo-Hancock bridge, postponing repairs can be the most expensive option.

Against this backdrop, we add one additional challenge. Maine will need to invest in new transportation infrastructure to remain relevant in the global market place, let alone competitive. Our ports need to accommodate new kinds of freight, we need to move fossil fuels, forest and other natural resource-based products more efficiently, our high-tech sector needs better data pipelines and we need to expand our capacity for car-free tourism.

Your input is essential. MaineDOT needs to know where you want them to invest our limited resources and ways you think we can increase revenues to invest in essential transportation infrastructure and services.

The Hancock County Planning Commission has a small window to gather public input on the MaineDOT long range plan. We will be meeting with local leaders in a series of forums between mid-April and the end of May. We will also collaborate with MaineDOT to gather input using a web-based survey. Visit www.hcpcme.org for a schedule for public transportation forums. After April 16th we will include a link to the web-based survey. Our transportation page features a recently completed Strategic Investment Planning Study (SIPRES) for the six county eastern Maine region with maps and descriptions of transportation investment opportunities. Contact Jim Fisher at HCPC (jfisher@hcpcme.org) if you would like more information about the long range plan.

Open Vistas and Dark Skies: A 24/7 Commitment to Scenic Viewshed Preservation

Think of a viewshed as range of vision. When you stand on Cadillac Mountain you have an enormous, unobstructed, 360° view. When you drive along many of our highways, your viewshed may be limited to the stand of pine trees 15 feet past the road shoulder. Whether obstructed by trees or the built environment, the defining character of a place may be entirely obscured.

Pictures taken a century ago show a very different Hancock County from the present. Heavy cutting

of trees and a much higher dependence on pastoral and agricultural land uses created vast and strikingly beautiful views of our coastline and rural landscapes. Presently, ninety-percent of Maine is forested; the highest percent of any state in the county. Roadside development, signage and other man-made features also crowd road shoulders and obstruct our views. Development is particularly crowded where strips of land between highways and the coast provide ready access to both. At night we discover that our built environment has obscured another view, that of our stars. “Light pollution” from poorly designed street lights, commercial signs, security systems, parking lots and brightly lighted homes obscure our connection with the night sky.

On March 28 and 29, a workshop will convene in Bar Harbor that assembles scenic byway representatives and professional planners from around Maine to discuss what we can do to preserve and improve scenic viewsheds in our communities and along our transportation corridors. The Hancock County Planning Commission is supporting the Acadia All American Road, the Schoodic National Scenic Byway, the Blackwoods Scenic Byway and the Maine Department of Transportation in organizing this conference. Persons attending will engage in discussions with specialists in a variety of viewshed preservation tools, including vegetation management, managing large commercial development and reducing light pollution. We are fortunate to be joined by Peter Lord, director of the Island Astronomy Institute, and a specialist in preserving the night sky.

We will work together to identify tools that enable cities and towns to draft policies that preserve open vistas for the public good and curb the growing problem of light pollution and related waste of energy. HCPC staff will bring these ideas to local leaders in coming months, with suggestions for model signage ordinances, viewshed easements, and other tools for preserving one of our most valuable assets. If you are interested in policies to protect viewsheds and the night sky in your town, please contact us any time.

HEALTH NEWS

Common Health's Fourth Anniversary

The Hancock County Planning Commission recently hit the four year mark for our participation in producing a monthly broadcast of Common Health, a program on public health issues on WERU, 89.9 FM. During the four year run we have featured a wide variety of topics. Recent programs have included providing shelter for homeless and low income families, preventing substance abuse, and controlling sexually transmitted diseases. Common Health broadcasts on the third Wednesday of each month at 10:00 AM. All of our past programs are also available at www.commonhealth.org, where we offer additional information and links to public health resources.

This year we are embarking on a new collaboration with WERU. HCPC staff will be preparing a series of short news segments on protecting our environment. You may hear us interviewing local leaders and experts on diverse issues including what to do with household hazardous waste, how to secure our drinking water and ways we can prevent invasive aquatic plants from choking our ponds. Stay tuned!

A Regional Strategy for Public Health and Substance Abuse Prevention

After more than two years of study, the push to create an integrated public health system in Maine is taking shape. One year ago the state issued the 2006 State Health Plan that lays the framework for public health. The mission of the future public health system will be to assure that "Ten Essential Services" are provided comprehensively. These services are:

- ◆ Monitoring health status to identify problems at the community or population level;
- ◆ Diagnosis and investigation of health problems and health hazards in the community;
- ◆ Informing, educating and empowering people about health issues;
- ◆ Mobilizing community partnerships to identify and resolve health problems;

- ◆ Developing policies and plans that support individual and community health efforts;
- ◆ Enforcing laws and rules that protect health and ensure safety;
- ◆ Linking people to needed personal health services and assure the provision of health care when it is otherwise unavailable;
- ◆ Assuring there is a competent public health and health care workforce;
- ◆ Evaluating the effectiveness, accessibility and quality of person and population-based health services;
- ◆ Researching new insights and innovative solutions to health challenges.

Currently Maine has only one large public health office, located in the City of Portland, with a smaller program in Bangor. Maine is served by thirty-one Healthy Maine Partnerships and a smaller number of Health Community Coalitions. Hancock County has Healthy Maine Partnerships based in Ellsworth, Blue Hill and Bar Harbor with Healthy Community Coalitions in Bucksport and Deer Isle. Maine is also served by network of hospitals, health care providers, state agencies, county emergency management and local health officers. Most of the ten essential services have been provided in some way, but the system itself has been fragmented.

The future shape of our public health infrastructure is emerging. A historic geographic alliance between Hancock and Washington County is proposed, with our two counties forming a regional advisory council to oversee public health planning. The Healthy Maine Partnerships and Healthy Community Coalitions will continue to work on several services, such as mobilizing community partnerships and developing policies and plans. Hospitals will be encouraged to collaborate more in preparing for major events, such as epidemics and natural disasters.

One trial balloon for the emerging public health system is an initiative of the Office of Substance Abuse to promote regional planning. The HCPC has been working for the past six months with regional partners to prepare a substance abuse prevention plan for Hancock County. This plan will help to coordinate Hancock County

institutions, including law enforcement, schools, municipal offices, businesses and voluntary organizations through prevention and enforcement activities. While we are creating a plan for Hancock County, we are also working side-by-side with counterparts in Washington County to see that this plan takes advantage of our close cultural and economic connections and limited resources to optimize what we can do to prevent drug abuse.

We're into the final stretch, with a target date of June 30th. Our partners, including the Hancock County Sheriff's Department, Healthy Acadia, Bucksport Bay Healthy Communities, Healthy Peninsula (Blue Hill) and Union River Healthy Communities are seeking public input for the plan through meetings at schools and other public venues. You can learn more about the process and the plan by visiting www.hcpcme.org or www.healthyhancock.org where you will find links to a web page devoted to the plan.

SOLID WASTE

By Tom Martin

HOUSEHOLD HAZARDOUS WASTE NEWS: CALLING ALL VOLUNTEERS AND POTENTIAL SPONSORS

The Hancock County Planning Commission is exploring options to fund a household hazardous waste collection for current year. In previous years received grants to help us fund this project. We did not receive grant funding for this year and are determining how a collection can take place. We need a corps of volunteers to assume the many tasks from arranging contracts with the haulers, billing towns, organizing and staffing the collections and arranging publicity. If you are interested in volunteering, please contact Tom Martin at the HCPC.

STAFF NEWS

HCPC's new planner, Jennifer Boothroyd, has settled into her office on the second floor. Along with her enthusiasm, she brings skills and experience with Maine's environmental regulations and issues, grant-writing, GIS, and statistics. She

has taken over the administration of the Small Community Grant program in Hancock County, and is also involved in the environmental, land use, and transportation planning projects in the office.

Jen holds a dual Bachelor's degree in Biology and Environmental Science from the University of Maine at Farmington, and in May will receive her Master's degree in Public Administration, concentrating on planning, sustainability, and the environment, from the University of Maine. She has worked for the Maine Departments of Environmental Protection and Conservation and for the Senator George J. Mitchell Center for Environmental and Watershed Research at the University of Maine. She lives in Brewer. If you have questions about any of Jen's areas of expertise, or would just like to introduce yourself, feel free to e-mail her at jboothroyd@hcpcme.org.

I get so involved in the nit-picky stuff, I forget the details.

-- Anonymous development review planner

DATES TO REMEMBER

Workshop for Local Planning Boards and Boards of Appeal

The workshop is designed as a basic introduction to the various legal rules governing decisions made by local planning boards and land use appeals boards. It is aimed primarily at new or less experienced board members. Long-time board members may also find it helpful.

Sponsored by Maine Municipal Association

*Orono - The Black Bear Inn
April 3, 2007*

*Machias - University of Maine
June 20, 2007*

*Ellsworth - Holiday Inn
September 25, 2007*

Fee \$40 per person (includes packet and light meal)

5:30 PM to 6:00 PM – registration and light meal
6:00 PM to 9:00 PM – Workshop

You can register on MMA's website at www.memun.org For more information call Jennifer McKenna at 1-800-452-8786

2007 Maine Scenic Byway Conference March 28 and 29

Scenic Viewshed Preservation Workshop

For registration details see: www.hcpcme.org or contact Jim Fisher at 667-7131.

New Local Plumbing Inspector Course

Wednesday, April 4th 8:30 am - 4:00 pm
The White Birches, Ellsworth

Presented by the Subsurface Wastewater Program staff and hosted by the Hancock County Soil and Water Conservation District, this session will provide newly certified local plumbing inspectors and individuals seeking to become certified with a thorough explanation of the permitting, inspection, and enforcement provisions contained in the Maine subsurface Wastewater Disposal Rules, CMR 241. This session will be of primary interest to local plumbing inspectors, but is open to all, including site evaluators and system installers. To learn more, contact JETCC at 253-8020 and you may download the registration form at:

<http://www.jetcc.org/septic2007.pdf>

Tentative registration deadline is March 25, 2007

May 22, 2007

HCPC Annual Meeting

7:00 PM at the Ellsworth Public Library meeting room (enter lower level)

Guest speaker: John Richardson, Commissioner Maine Department of Economic and Community Development

May 30, 2007 (tentative date)

Striking A Balance Workshop # 9

5:00 PM to 8:30 PM at the VFW Hall, Washington Junction Road, Ellsworth

Topic: The revisions to the DEP shorebird habitat rules and related regulations

Planning Points to Ponder

Planning is a process of choosing among those many options. If we do not choose to plan, then we choose to have others plan for us.

- **Richard I. Winwood**

By far the greatest and most admirable form of wisdom is that needed to plan and beautify cities and human communities.

- **Socrates**, Greek philosopher and dramatist (469-399 BC).

For every site there is an ideal use. For every use there is an ideal site.

- **John Ormsbee Simonds**

The trouble with land is that they're not making it anymore.

- **Will Rogers**

In the space of two days I had evolved two plans, wholly distinct, both of which were equally feasible. The point I am trying to bring out is that one does not plan and then try to make circumstances fit those plans. One tries to make plans fit the circumstances.

- **General George Patton** (1947).

Growth is inevitable and desirable, but destruction of community character is not. The question is not whether your part of the world is going to change. The question is how

- **Edward T. McMahon**, The Conservation Fund

Hancock County Planning Commission is a partner with local and county government to: protect our heritage and resources, plan for the future and promote a sound economy for the people of Hancock County.

Spring 2007 Newsletter

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Change Service Requested