

Hallowell Conservation Commission

Hallowell Maine 04347

January 15, 2009

Dear Members of the Hallowell Planning Board:

We, the members of the Hallowell Conservation Commission, submit the following comments in connection with review of the application of Hanger, LLC, for a permit to create a 37-lot subdivision.

1. In a nutshell, this project is inappropriate in time, place and manner.

Time: Real estate sales in Hallowell reflect regional and national trends in this time of severe economic recession the likes of which is unprecedented in our lives. In this context, there is no need or even market for anything like the extraordinary number of new lots that are proposed. One has to consider that the primary purpose of the proposal's being pursued at this time may be to obtain and speculatively bank grandfathered permits prior to implementation of the new comprehensive plan and land use ordinances which the City is now in the midst of writing.

To guard against speculative development that seeks to avoid review under pending ordinances, it is reasonable and customary to place a permit condition that imposes a time limit for lot sales. A two year condition and expiration would give the applicant sufficient time to make reasonable business plans based upon the viability of the subdivision. For lots that cannot be sold to bona fide residential buyers within this period, the permit should expire. With the City now expending considerable effort and expense revising its comprehensive plan and land use ordinances, it is important to insure that major projects like this are being advanced because they are viable and not just to avoid complying with needed and pending improvements to the City's land use standards.

Place: The proposed subdivision is located in the Rural/Farm district in an unusually remote and un-fragmented part of Hallowell, well removed from downtown or any compatible patterns of development. This site for such a large and sprawling subdivision imposes potentially destructive impacts on landscape, wildlife habitat and other natural values. The project adjoins the Jamies Pond Wildlife Management Area, one of the natural jewels in the entire Capital Region, in which both the City and its citizens have invested greatly over the years. Especially serious concerns attend the proposed lots carved into the 'panhandle' of land that juts into the heart of the most remote parts of Hallowell, with needlessly serious impacts on wildlife habitat and travel corridors.

Manner: In Hallowell's long history, this project is unprecedentedly large, out-of-scale and sprawling. It contains no widely recognized 'smart growth' elements or meaningful conservation components that one would expect in a project of this size today, and appears to be designed with insufficient regard to its potential impacts. Clustering the areas to be developed and placing more land in open space would significantly reduce the overall impact of the proposal.

2. The project would seriously impair the goals of the Hallowell Open Space Plan.

The Open Space Working Group of the Hallowell Conservation Commission identified four areas of Hallowell as “Priority Open Space” (see Map 9 of the Open Space Plan). These areas were deemed the most valuable of the remaining undeveloped lands in the City due to the diversity of habitats they contain, their function in preserving water quality and quantity and their value as habitat and travel corridors for wildlife.

The proposed subdivision sits near the center of one of these areas. This particular location contains some of the largest undeveloped parcels in the City and is immediately adjacent to the Jamies Pond Wildlife Management Area. The fact that the area is undivided by any major road is of great value to wildlife which require large, unfragmented tracts of land. The site also provides a wildlife travel corridor between Jamies Pond WMA and the deer wintering area to the east and the wetlands and City forest land to the north. Development of this scale in this area will fragment the surrounding region and disturb far more than the 100 acres it is built upon.

The project also straddles the watersheds of Jamies Pond and Vaughan Brook. In addition to serving as a Wildlife Management Area, Jamies Pond is the backup source of drinking water for the City should problems ever develop with the City’s current source in Chelsea. In 2006, state biologists documented the presence of native brook trout in the upper reaches of some of Vaughan Brook’s tributaries, including the stream to the northeast of the proposed subdivision. Brook trout are an important environmental indicator of the health of the stream and require cold, well-oxygenated water. This species is in decline throughout the state and elsewhere. If water quality were impaired, brook trout would likely disappear from this stream.

3. Road impacts need to be mitigated.

New roads and increased traffic not only have an impact on the people living in the neighborhood but also water quality, wildlife and wildlife habitat. This is especially important considering this proposal’s proximity to Jamies Pond. As currently laid out, the ‘panhandle’ section of this proposal is of particularly serious concern since it traverses terrain that will require significant alteration for installation of roads, driveways, utilities and houses.

The Maine Department of Transportation and Maine Audubon Society have put together a brochure designed for Planning Boards that outlines strategies to minimize the impacts of new roads on wildlife.¹ This project falls short of meeting many of these recommendations. We encourage the Planning Board and applicant to review this literature and apply its strategies to this proposal. Redesigning the proposal and incorporating cluster development would be a major step to alleviate major road issues among others.

¹ *Conserving Wildlife On and Around Maine’s Roads*. 2007. Maine Audubon Society and Maine Department of Transportation. <http://www.maineaudubon.org/resource/documents/MARoadsWildlife-FINAL.pdf>

4. There are more beneficial and less destructive alternatives to this kind of subdivision.

The Conservation Commission supports development in Hallowell that is appropriately sited and scaled. We would be particularly supportive of development that incorporates meaningful 'smart growth' and conservation components, employing development clustering, open space conservation and other well-known techniques to provide decent housing opportunities and growth for Hallowell while conserving some of what makes the community a healthy and attractive place to live for humans and wildlife. We are hopeful that the Planning Board can provide effective guidance to the developer so as to realize reasonable economic benefits from the project in a manner that is less destructive of natural and community values.

Thank you for the opportunity to comment.

Sincerely,

Hallowell Conservation Commission

Jon Lund
Chair