

STATE OF MAINE
SAGADAHOC, SS.

BUSINES AND CONSUMER COURT
Location: West Bath
DOCKET NO. BCD-WB-AP 09-37

FOREST ECOLOGY NETWORK, *et al*,

Petitioners

v.

LAND USE REGULATION
COMMISSION,

Respondent

And

PLUM CREEK MAINE TIMBERLANDS,
LLC., PLUM CREEK LAND COMPANY,
et al,

Intervenor

AFFIDAVIT OF SUE C. HINKLEY

I, Sue C. Hinkley, being first duly sworn, deposes and says as follows

1. My name is Sue C. Hinkley.
2. I am a citizen, domiciliary, voter and property owner of the State of Maine, County of Kennebec. I have been a member of the Natural Resources Council of Maine ("NRCM") since 1999. NRCM has always been an avid advocate of my interests in protecting the Moosehead Lake region.
3. I reside at 61 Highland Avenue, Augusta, Maine.
4. I own a parcel of land located near Lily Bay State Park in the Moosehead Lake area, and have had a camp there for 25 years. My parents have a camp near mine that they have owned since 1956. I first went to their camp in 1956 and have gone to the region throughout the year every year since then. Thus, our land is located in near proximity to the new Lily Bay resort zone that was approved as part of LURC's approval of Plum Creek's Rezoning Petition and Concept Plan, ZP 707. This new resort zone permits both commercial and residential development.
5. I have done loon counts on Lily Bay for about five years and have seen a loon nest on Plum Creek's Lily Bay land for decades. Last summer I did a research project on loons on Lily Bay for Maine Audubon.
6. As a landowner in the region, I have a direct interest in the aesthetic and scenic

natural resources of my land, adjoining land, and the Moosehead Lake region as a whole. I have also personally used and enjoyed (along with the rest of the public) Lily Bay State Park, which is also adjacent to the new Plum Creek resort zone on Lily Bay. As a landowner in the region, I have a direct interest in the land uses and land use plan that impacts my land, adjoining land, Lily Bay State Park, and the Moosehead Lake region as a whole. Now that Plum Creek's concept plan has been approved, along with new zones that did not exist before LURC's approval, my property rights have been detrimentally impacted. In addition, my personal rights as a recreational user of the area, of waters and shorelines of Moosehead Lake and Lily Bay, and of land and waters of Lily Bay State Park, have all been detrimentally impacted as well.

7. Considering the massive scale of Plum Creek's commercial and residential development that is going to unfold within the next few years based upon Plum Creek's gaining approval of new land use zones that permit such land uses where they were not previously allowed, the increased traffic, noise, pollution, increased human presence, and undue adverse impact to existing natural resources will result. LURC's approval of the Plum Creek rezoning and concept plan has undeniably been the first and most significant step towards forever altering the natural character of the Moosehead Lake region with a landscape-scale development that poses too much development overall, and development that is located in many of the wrong places, including the resort with commercial and residential development in the Lily Bay zone.

8. Because of my close proximity to the Lily Bay plan area, I will not be able to avoid the detrimental influence of such development on my property and on my use of Lily Bay State Park. I, like the majority of people of Maine and many visitors from outside the State, feel deep reverence for largely untouched, undeveloped forest, and the unique natural resources here. The public's access to Lily Bay State Park is a critical part of our enjoyment of the scenic, aesthetic, and natural resource values of the Moosehead Lake region; those values are now detrimentally placed in jeopardy by LURC's approval of the resort zone and related development at Lily Bay. As a landowner in the Lily Bay area, the economic and aesthetic values of my property and my personal use and enjoyment of the area are adversely impacted by approval of Plum Creek's concept plan and rezoning.

9. The Natural Resources Council of Maine ("NRCM") is an organization that effectively advocates for my personal and property rights as a both a landowner and recreational user of the region. NRCM advocates for these personal and property rights of mine in the present appeal of LURC's approval of the Plum Creek Concept Plan.

Dated:

Feb. 15, 2011



Sue C. Hinkley

STATE OF MAINE
Kennebec, ss.

February 15, 2011

Personally appeared the above-named Sue C. Hinkley and took the oath that the foregoing Affidavit signed by her is true to her own personal knowledge and that, to the extent that matters are asserted therein on information and belief, she believes such information to be true.

Before me,

Elizabeth A. Dimond 2/15/11

Notary Public

