A detailed topographic map of Harpswell, Maine, showing contour lines, roads, and water bodies. The map is oriented vertically with the coastline on the right side. The text is overlaid on the map.

UPDATED
**COMPREHENSIVE
PLAN**

HARPSWELL, ME.

MARCH 28, 1987

HARPSWELL PLANNING ADVISORY COMMITTEE

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March 28, 1987

The Planning Advisory Committee thanks the citizens of Harpswell for their interest and ideas in updating the Comprehensive Plan. Special thanks to Dawna Black, William Skillings and Charles Hopson for their assistance.

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SECTION I. INTRODUCTION

A. The Role of a Comprehensive Plan

A Comprehensive Plan is a guide for managing the change that a community undergoes. The plan is not a zoning ordinance, nor is it a law of any kind. To the contrary, it is an advisory document which sets out the community's goals for the future and the policies and programs necessary to move the community in the direction of its goals. In its broadest form, it is a roadmap that can be used by the Town's elected and appointed officials to steer the Town on an agreed upon course. In a narrower form, it serves as the legal basis for any land use regulations adopted by the Town.

B. Past Planning of Activities

This 1987 update of the Harpswell Comprehensive Plan is the third generation of plans for the community. The original Comprehensive Plan was prepared in 1974 by the Planning Board in response to the State Shoreline Zoning Law. The Town updated this plan in 1981. The 1981 update was prepared by the Comprehensive Plan Committee and was adopted by the Town Meeting on May 26, 1981, with three amendments.

The 1981 update provided a comprehensive review of the Town's resources, opportunities and problems. The plan addressed the desires of the Town's residents, its growth trends, the historical development of the community, its abundant natural resources, the need for Town services and set forth a series of recommendations for carrying out the goals of the Plan. One recommendation was that the Town revise the Comprehensive Plan in 1986. This update emerged from the recommendation.

C. Planning Process

The March 1986 Town Meeting authorized expending funds to prepare an update of the Comprehensive Plan. The Town formed a Planning Advisory Committee to oversee the preparation of the update. This committee consisted of twenty-three members including the selectmen, Planning Board, Chairman of the Board of Appeals and 14 members of the general public.

The committee began work on the update during July of 1986. A key element in the preparation of the plan was an effort to involve the residents of the Town in the process to the greatest extent possible. To foster community involvement, the committee conducted a community attitude survey (Section III) and a series of public forums and hearings.

D. Historical Overview of the Town of Harpswell

Harpswell is located on a long peninsula and 40+ islands at the easterly end of Casco Bay. Its physical location

resulted in a self-reliant community somewhat isolated from inland areas and dependent on the sea for both its livelihood and its communications with the outside world.

The Town developed as a series of small fishing and farming communities somewhat isolated from each other due to the geography of the Town. The mainstays of the local economy were fishing and shipbuilding. The 1981 update contains a more complete picture of the Town's historical development.

The Town had over a thousand inhabitants in 1790 and grew slowly until 1880 when the population peaked. Population declined in the early years of the 20th century reaching a modern low point in 1920. Population fluctuated in the depression years, but the post World War II years saw a continued period of growth, which continues today. The 1970's marked the Town's most rapid growth period in year-round population in its 200+ years of existence. Section II of this update addresses the changes of the past 15 years in detail.

E. Outline of the 1987 Update

This update of the Harpswell Comprehensive Plan builds on the work done in 1974 and 1981. Section II contains an in-depth look at changes in the community over the past 15 years and the pressures for continuing growth and change over the coming decade. Section III sets forth the findings of the community survey undertaken by the Planning Advisory Committee. Section IV discusses the natural environment and the opportunities and limitations imposed on the use of land in the community. Section V identifies the overall community goals which guided the development of the plan. Sections VI, VII, VIII, and IX discuss the issues facing the community in the areas of code enforcement, residential and non-residential land uses and open space and environmental protection and sets out the recommended community policies for dealing with these issues.

SECTION II. DEVELOPMENT AND DEMOGRAPHIC PROFILE

A. Population and Household Growth

Twenty-five years ago, the Town of Harpswell consisted of a number of small villages with a total of less than 650 year-round households and just over 2,000 year-round residents. Seasonal housing units outnumbered year-round residences by a ratio of approximately 2 to 1.

During the past two and a half decades, the Town has seen its year-round population more than double (Table 1) from 2,032 in 1960 to approximately 4,500 in 1986, while the number of year-round households has almost tripled. Year-round residences now outnumber seasonal housing units by a ratio of approximately 1.5 to 1.

This growth was fueled by a significant in-migration of retirees and professional families into the community during the decade of the 70's. The number of year-round housing units increased by almost 600 between 1970 and 1980 with most of the new units being either single-family homes or mobile homes. This activity was spread over much of the community (Map 1) with a mix of both residential subdivisions and scattered lot-by-lot development.

The pace of growth in Harpswell slackened somewhat in the early years of the 80's probably as a result of the national economic environment and high interest rates. The level of subdivision activity (Table 2) dropped dramatically in 1981 through 1983 but rebounded somewhat in 1984 and has been quite high in 1985 and 1986. Most of the large-scale subdivisions are located in the portion of Great Island near the Brunswick Town Line (Map 1).

Building activity has followed a similar pattern in the 80's. In 1980 through 1984, the Town saw new housing starts in the low to mid 30's (Table 3). In 1985, the number of new units almost doubled the average of the early 80's, and the level of building activity remained high in 1986.

It is difficult to project the future growth of the Town over the long term with any degree of certainty due to the impact of national and even international influences. Based on recent trends, Market Decisions, Inc., estimates that the year-round population of Harpswell will exceed 5,000 by 1991 (Table 4). The Greater Portland Council of Governments has projected an even higher level of growth for the community. This growth would result in the creation of almost 300 new year-round households over the next 5 years or an average of 60 new households per year (Table 5).

Development during the first half of the 80's has continued to be primarily single-family homes on individual residential lots. To date, the Town has not seen any of the large, condominium type of residential developments that have

characterized much of the coastal development in Maine in recent years.

B. Demographic Characteristics

The Town of Harpswell is characterized by a population that is older than the statewide and countywide average, lives in a smaller household, is reasonably well-off financially and is well educated.

Between 1970 and 1980, the number of children in Harpswell increased by over 100, but their percentage of the entire population dropped dramatically from 32.7% to 25.0% (Table 6). During this same period, the number of residents 65 or older increased from 12.3% to 14.7% of the population or an increase of almost 250 senior citizens. It is expected that these trends will continue to 1991 with children making up a smaller percentage of the Town's population while the elderly population continues to grow quite rapidly.

The changing composition of the population is reflected in the size of the Town's households. In 1970, the average household had 3.05 people with just under 50% of all households having 3 or more members. By 1980, the average household had decreased in size to 2.55 people, and 1 and 2 person households accounted for over 60% of the year-round households in Harpswell. This trend toward smaller households will continue in the 80's but at a lesser rate than during the 70's.

When compared to Brunswick or Cumberland County or the State as a whole, some important characteristics of the community appear. Harpswell's population is significantly older than all of these areas with a 1980 median age of 33.9 years reflecting the limited number of children and large number of older people in the Town (Table 7). The percent of households having only 1 or 2 members is higher than these other areas.

Residents of Harpswell are well educated compared to other areas, with 77.2% of adults over 25 reporting to be high school graduates and almost a quarter being college graduates.

Household income in 1980 was considerably higher than the statewide average with a median of \$15,083. This is significant when combined with a relatively low level (55%) of labor force participation indicating that income among non-retired households may even be higher than indicated by the median.

Just over 50% of the Town's labor force reported their occupation in 1980 as a white collar position. Another 10% held "pink collar" service jobs and 25% were employed in traditional blue collar positions. It is significant to note that almost 14% were employed in natural resource industries,

primarily fishing.

The mobility of Harpswell residents is similar to the State as a whole and Cumberland County. However, it is significant that of people moving into Harpswell between 1975 and 1980, almost 50% came from other locations in Cumberland County and over 40% came from outside of Maine. This level of out-of-state migration is almost double the rate for both the State of Maine and Cumberland County but slightly lower than the Town of Brunswick (Table 7).

It is also interesting to note that for a community with a strong historical economic base, almost 70% of working adults who live in Harpswell report working outside of Town. In a sense, the community is increasingly becoming a bedroom community for people employed in Brunswick or Bath or other near-by communities.

TABLE 1
 Population and Household Growth
 Harpswell, ME

	1960	Avg. Annual Change	1970	Avg. Annual Change	1980	Avg. Annual Change	1986
Year-round population	2,032	2.30%	2,552	4.10%	3,796	2.90%	4,500*
Year-round households	626	3.0%	838	5.9%	1,490	3.4%	1,818*

* Estimated by Market Decisions, Inc.

Source: U.S. Census Reports
 Market Decisions, Inc.
 National Planning Data

TABLE 2

Residential Lots in
Newly Approved Subdivisions
Harpswell, ME

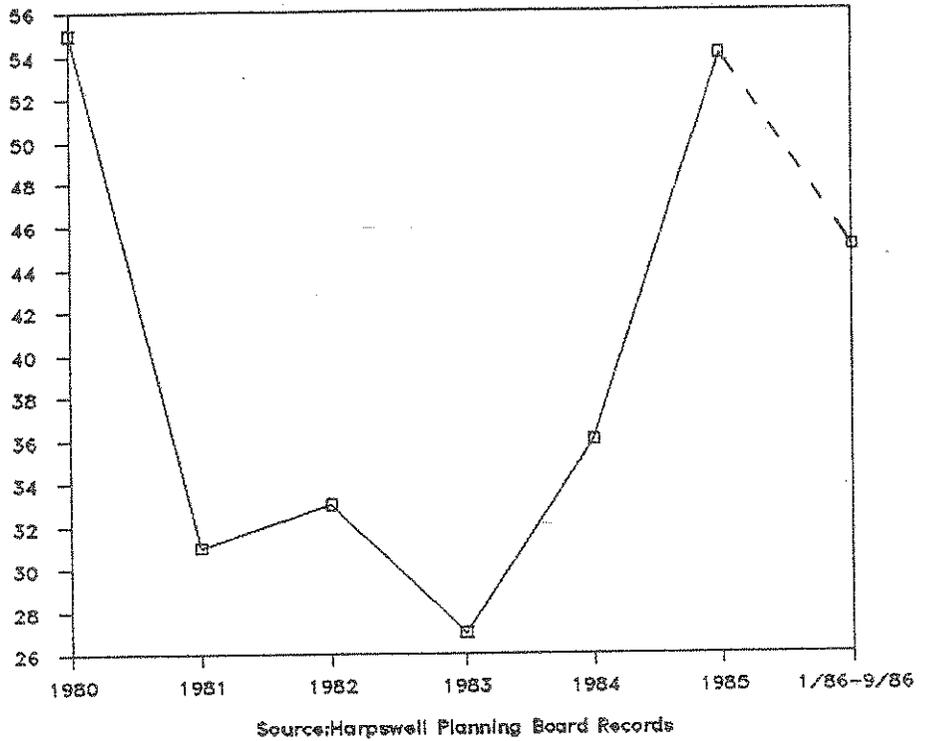


TABLE 3

Permits for New Residential
Septic Systems
Harpswell, ME

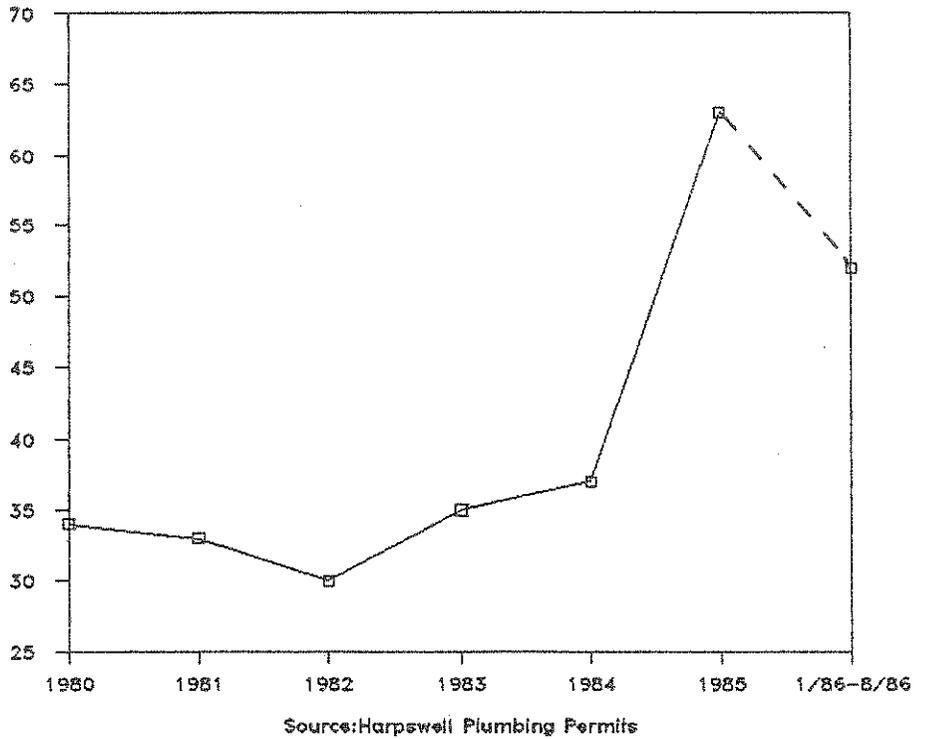


TABLE 4

Population Growth
Town of Harpswell, ME
1960 - 1991

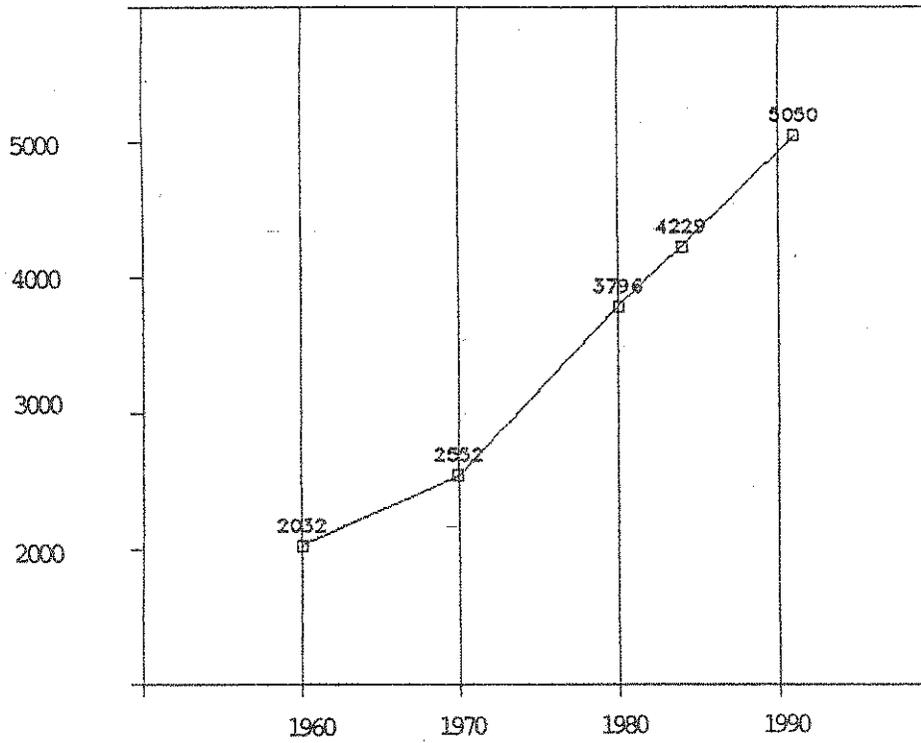


TABLE 5

Year-round Household Growth
Town of Harpswell, ME
1960 - 1991

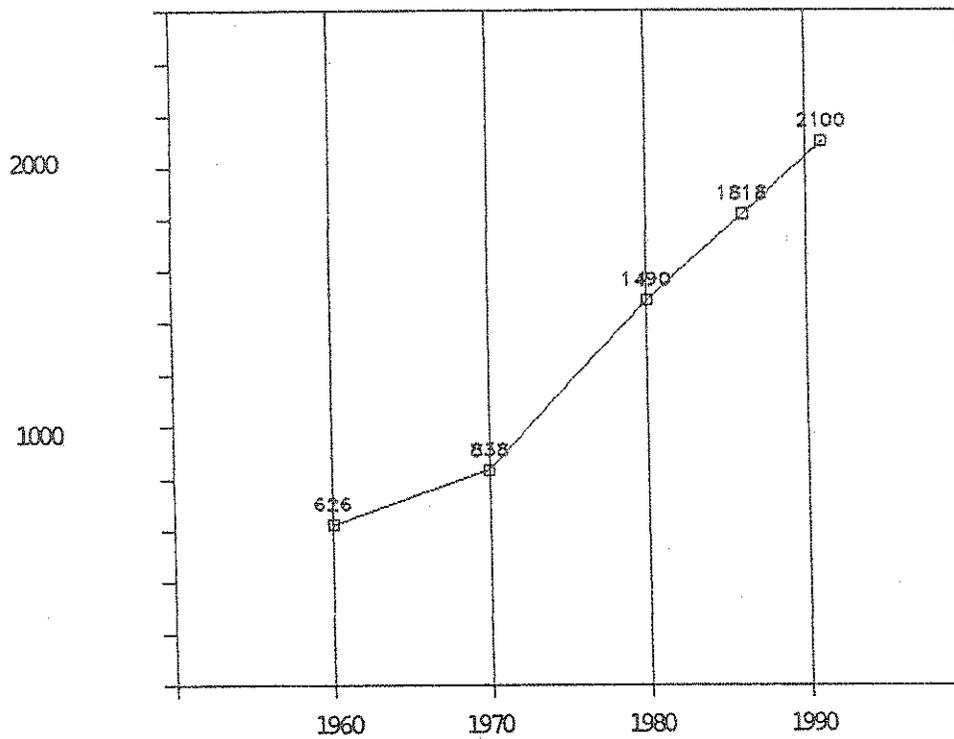


TABLE 6
Demographic Change 1970-1980-1991
Town of Harpswell, ME

	1970	1980	1991*
<u>Age Distribution</u>			
0-9	18.3%	11.6%	11.8%
10-17	14.4%	13.4%	9.1%
18-24	9.2%	11.1%	10.2%
25-44	25.2%	28.1%	31.4%
45-64	20.7%	21.1%	20.9%
65 and up	12.3%	14.7%	16.7%
 <u>Housing Tenure</u>			
Owner occupied	81.3%	77.0%	
Renter occupied	18.7%	23.0%	
 <u>Household size</u>			
1 person	13.5%	21.5%	
2 person	37.0%	39.3%	
3 person	16.8%	17.2%	
4 person	14.0%	12.5%	
5 person	8.8%	5.6%	
6 or more persons	9.9%	3.8%	
Avg. persons/household	3.05	2.55	

* Estimated by Market Decisions, Inc.

Sources: U.S. Census Reports
National Planning Data

TABLE 7
Significant Demographic Factors

Town of Harpswell, ME
1980

	Town of Harpswell	Town of Brunswick	Cumberland County	State of Maine
% of population <10	11.6%	13.4%	13.3%	14.5%
% of population >65	14.7%	11.4%	12.7%	12.5%
Median age	33.9	27.5	30.8	30.4
Avg. household size	2.55	2.65	2.65	2.75
% of 1 and 2 person households	60.8%	55.5%	56.3%	53.2%
Education of adults 25 and over				
- % high school grads	77.2%	70.8%	75.0%	68.7%
- % college grads	23.2%	21.0%	19.0%	14.4%
- median years completed	unk.	12.6	12.7	12.5
Income				
- median household income	\$15,083	\$14,697	\$15,359	\$13,816
- mean household income	17,983	17,741	18,023	16,128
- median family income	16,723	17,981	18,290	16,167
- mean family income	19,885	20,790	20,828	18,254
% of persons 16 and over in labor force	55.2	63.3	62.5	59.9
Occupation				
- Manager & professional	25.2%	23.4%	23.9%	20.4%
- Tech, sales & administration	25.3%	30.3%	32.1%	25.9%
- Service	10.2%	17.0%	13.2%	13.1%
- Farming, fishing & forestry	13.8%	1.6%	1.7%	3.8%
- Precision production	14.3%	11.3%	12.5%	14.6%
- Operators	10.9%	16.5%	16.6%	22.2%
Residence in 1975				
- same house	54.5%	43.5%	54.7%	56.9%
- same county	21.9%	14.9%	26.2%	24.0%
- same state	4.4%	12.3%	6.7%	7.5%
- different state	19.3%	25.9%	11.3%	10.8%
- abroad	-	3.5%	1.0%	0.9%
Place of work				
- area of residence	30.7%	70.0%	92.1%	96.9%
- out of area of residence	69.3%	30.0%	7.9%	3.1%
- mean travel time to work	21.5 min.	13.8 min.	17.8 min.	17.6 min.

Sources: U.S. Census Reports

SECTION III. COMMUNITY SURVEY

A Comprehensive Plan is intended to establish an overall policy direction for the community which can be used by community officials as a guide in making the various decisions that face the community over the next decade. To assure that this updated plan reflects the views and opinions of the residents of Harpswell, the Planning Advisory Committee conducted a community survey to determine how residents feel about the Town and its growth and development.

A. Methodology

The community survey was designed to aid the Advisory Committee in determining the views of the residents of the Town on a number of important issues. Therefore, the survey methodology was designed to allow participation by as many households as possible. The survey was not intended to be a scientific opinion poll of community attitudes. Rather it was developed as a tool for allowing all residents and property owners an opportunity to participate in the planning process. It is important to recognize that the survey results cannot be generalized to the population as a whole in a statistically reliable way or be used to predict likely courses of action by voters at a Town meeting.

The community survey was a survey of households in that most households returned only one survey reflecting the views of the adults in the household. The results have not been weighted to reflect varying household composition.

The questionnaires were distributed to all property owners in their September 1986 tax bill. This method was selected because it allowed the majority of residents to be reached in a timely and economical manner. Since the Town contains a number of renter households who do not own property in the Town, notices were posted in the Town Office and in several stores throughout the community advising these households that questionnaires could be obtained from the Town Office. In spite of this effort, participation by renter households was minimal.

In addition to the bias against renter households, the survey methodology created some other limitations that must be considered in using the survey results:

- 1) There were approximately 4,000 separate tax bills mailed in September. This resulted in some households receiving several surveys if they owned more than one lot. A careful review of the returned questionnaires shows no evidence that multiple surveys were returned by any individuals, but no controls were established to protect against multiple responses by a single individual or household.
- 2) The Town contains approximately 1,800 year-round

households and 1,250 housing units that are used on a seasonal basis. A total of 438 valid questionnaires were tabulated from households who identified themselves as year-round residents. This is a response rate of 1 return per 4.11 year-round households or 24.3%. Seasonal residents returned a total of 301 valid questionnaires for a response rate of 1 return per 4.15 seasonal housing units or 24.1%. The views of year-round and seasonal residents vary somewhat on certain issues (see Appendix B, Table 2).

- 3) In some respects, the respondents may not accurately reflect the composition of the entire Town. For instance, almost a third of the responses from year-round households indicated that they had lived in the community for more than 20 years. Given the fact that over 50% of the housing in the community has been built in the last 10-12 years, this probably shows that long-term residents are over represented somewhat in the survey.

Similarly, the occupational mix of respondents to the survey may not fully reflect the occupational mix of the Town. For instance, almost two-thirds of responding households indicated that the occupation of the principal wage earner was a professional or administrative position. This is significantly higher than the general rate of this occupational group in the overall population. Conversely, blue collar worker households appear to be underrepresented in the survey.

These variations are important in analyzing and using the results of the survey particularly for those issues where there are, in fact, differences in opinion between various segments of the community.

B. General Findings

The overall sense of the results of the survey is of a community that highly values both its physical environment and its small town life style, sees these values being threatened by an accelerating rate of growth and is unsure about how to guide this change in a way which assures that these basic values are protected.

A second major theme is a desire for some additional regulation of the use of private property, but that it be done in such a way as to minimize the intrusion of these regulations on private property owners' rights and opportunities.

A third theme of the survey results was support for a more active role by the Town in assuring that open space, scenic areas and views and unique natural resources such as shorelines and wildlife habitats are preserved for future generations.

C. Specific Findings of the Survey

Tables 1, 2 and 3 in Appendix B present the detailed results for the survey. Table 1 provides a breakdown of responses of the 806 households whose responses were received in time to be tabulated. Approximately 100 surveys were received after the results were processed. Table 2 compares the mean or average responses of year-round residents, seasonal residents and non-resident property owners. This allows responses from the 3 groups to be compared. Table 3 compares the mean or average responses of year-round households by length of residence in Harpswell. This allows the views of long-term residents to be compared with more recent arrivals.

The following sections summarize the results of the community survey:

1) Growth and Development Regulations

The survey respondents perceived Harpswell's rate of growth over the past 10 years as being too fast. Year-round residents, especially those with long tenure in Harpswell, perceived a slightly faster rate of growth than seasonal respondents. When asked to look toward the next 10 years, respondents displayed a sense that the Town's growth will be somewhat faster over the next decade than it has been for the past 10 years.

Respondents disagreed with the statement that the Town has too many rules and regulations which tell people what they can and cannot do with their land. Year-round residents with knowledge of existing land use regulations feel the regulations have less favorable impacts than seasonal residents. Year-round residents felt that the regulations do a poor job both in retaining open space/agricultural land and in protecting groundwater from contamination. They were neutral on the questions concerning the regulations directing new development to appropriate areas, providing safe disposal of sewage and guiding the Town toward a better future. Seasonal residents rated the existing regulations as poor in directing development toward appropriate areas but thought the regulations do a good job in ensuring the safe disposal of sewage and directing the Town's future. Mean scores for both groups reflect the belief that before the Town passes new rules, it needs to enforce present laws better.

2) Residential Development

The Town currently requires a minimum residential lot size of 80,000 square feet in all new subdivisions. For residential development within 250 feet of the

shoreline, lots of 20,000 square feet are allowed if they are not part of a subdivision. There was a strong consensus that there needs to be a minimum residential lot size for all new lots in Town. Year-round respondents strongly agreed that the existing shoreland lot size is too small, while seasonal residents agreed less strongly.

Respondents were neutral toward the statement that 2-acre lots in subdivisions are too large in many cases, but did agree that the lot size is necessary to protect the Town's environment.

There are no special regulations governing the development of the Town's islands, many of which have the potential for future development. Respondents agreed that the Town should enact special regulations to limit development on Town islands that are accessible only by boat.

3) Commercial Development

Survey participants were presented with six questions pertaining to different strategies for dealing with commercial development in Harpswell. Respondents tended to strongly agree, except those year-round residents who have lived in Town for more than 20 years, that future commercial development including tourist facilities should meet certain standards before being permitted. When asked if people should be allowed to have any business on their own property, respondents strongly disagreed. They strongly agreed, however, that people should be allowed to have small businesses in their homes if they meet certain standards. There was also some agreement with the concept of designating certain areas in town for new commercial developments. Year-round residents who have lived in town for more than 20 years were more permissive toward commercial development than other sub-groups.

There was strong agreement by all groups that the Town should protect the scenic beauty of Routes #123 and #24 by controlling development along the roads.

4) Public Improvements

Parts of the survey were designed to ascertain the public's sentiments toward Town involvement in carrying out certain projects with local tax money. The one concept to receive very strong support was the protection of unique natural resources. Other concepts that received support were the purchase of land or easements to protect scenic views and open space and to provide public access to the water. All other public improvements received an overall neutral

response with some strong support and some strong opposition. Seasonal residents and new year-round residents were generally more supportive of the public improvements than were other year-round residents.

Agreement was expressed by all groups with the concept of protecting areas of particular scenic beauty or historic significances through the acquisition of land by purchase, donation or easement.

D. Responses to Open-Ended Questions

The questionnaire contained two open-ended questions which asked people to identify the most important land use issues facing the community and the most important thing about Harpswell that should be preserved as the Town grows and changes. This section summarizes those comments.

The overwhelming majority of respondents stressed the importance of maintaining Harpswell's traditional way of life--its rural residential character with particular emphasis on the maintenance of the viability of the fishing industry and its beautiful open spaces. Nearly everyone sees Harpswell as a unique area with its abundant natural beauty, both inland and along the coast, and with its quiet, low-key, "neighborly" lifestyle.

The three most frequent comments referred to the importance of maintaining access to the shore, both physically and visually, for the fishermen and also for the general public; the importance of maintaining water quality, particularly drinking water, but also of the nearby water bodies; and the importance of maintaining the rural open spaces and the feeling of a small community. Rapid, uncontrolled growth was seen as undermining a way of life in several ways:

- * causing taxes to rise beyond the ability of native residents to hold on to their land or for their children to buy their own property;
- * closing access to the shoreline for fishermen and year-round residents;
- * compromising other areas of natural beauty;
- * causing environmental deterioration, particularly threatening ground water supplies--from overuse, salt intrusion, and pollution from sewage and other hazards;
- * and putting extraordinary strains on the roads and other public service systems.

While the majority of respondents favored dealing with

these issues through increased enforcement of existing regulations and the imposition of stricter zoning of the shoreline and residential areas, there was a longing to "turn back the clock" on the part of some, who wanted freedom from intrusive regulations, but who also wanted an end to the intrusion of outsiders, who buy up land for high prices, driving up the tax rate and threatening to change the lifestyle and character of the community that make it so special.

The most frequent response, however, was the sense of urgency about putting shoreland zoning effectively in place, and enforcing it--assuring both accessibility to the water for the fishermen and preserving the scenic beauty of the coast, both of which are seen as irreplaceable and unique resources. Frequently mentioned by respondents was the need to prevent overdevelopment of the coast with small lots and condominiums.

The next most frequent concern mentioned was the importance of considering the impact of new development on water supply and sewage disposal. Residential zoning and minimum lot sizes were considered important ways of regulating this development, both for environmental and lifestyle reasons. Some mentioned that they felt that a public water supply and sewerage treatment plant should be developed.

There was considerable concern about becoming "another Freeport or Boothbay Harbor." Most respondents preferred to limit the growth of commercial and tourist-related development, and what there was, they preferred to keep separate from the residential area. They much preferred bed and breakfasts to motels and large restaurants. Although the tourist trade was mentioned by some respondents as essential to Harpswell's economy, it was emphasized that it should be contained and carefully controlled so as not to intrude on the fishing village and rural atmosphere of the town.

There was a great deal of concern about the overcrowded roadways and a desire to somehow limit the traffic over them. The need for bicycle and walking paths along Routes 24 and 123 was frequently cited, for safety reasons.

A number of respondents wanted to see restrictions placed on where mobile homes could be set up and how they should be screened from public view. There was also a considerable sentiment about cleaning up "slum" areas and junk yards. Most respondents were looking at maintaining Harpswell's beauty, each according to his/her own perceptions.

A few people wanted to see a new marina/steamboat pier at Mackerel Cove, and some wanted a harbor master to keep "junk" boats out of the harbor.

There was some feeling that the town should acquire shorefront property and build parking areas and boat ramps for fishermen. There was also some desire for the town to

purchase and/or acquire certain natural areas and wildlife habitats to preserve them in the public domain. Some respondents would like the town to maintain its historic buildings.

By and large, almost all respondents wanted to keep Harpswell the rural fishing village it has always been. There is considerable resistance to the change many feel is inevitable, due to its "discovery" by outsiders. The irony of it is that many of those who responded had been "outsiders" who chose to settle in Harpswell because of its unique lifestyle. Most respondents favor imposing zoning regulations, but with the express purpose of keeping out the "outsiders," while allowing the natives to maintain (and afford) their traditional ways of life. There is a great deal of concern about development encroaching on Harpswell's natural beauty, as well as irreversibly damaging its perceived fragile ecology.

SECTION IV. NATURAL RESOURCES

"An understanding of Harpswell's natural resources is essential to planning for future development of the Town. Those resources which contribute to the Town's attractiveness as a place of work and to live include its topographic setting of islands and peninsulas, its many bays, coves, harbors and vistas along its 186 mile marine shoreline, its access to inshore and offshore fisheries, its 2,500 acres of clam flats, its open spaces, forest reserves, wildlife habitats and wetlands. In potential conflict with these positive resources is the nature of the land itself with its uncompromising soils and its finite water supplies. These serve to limit the extent to which the Town may be developed and populated and used."¹

This section identifies the major natural features of the Town and evaluates their impact on the future use of the Town's land. The material in this section includes much of the natural resource section of the 1981 Comprehensive Plan supplemented with additional information as necessary to provide a complete picture of the Town's natural environment.

A. Land Form

"Unlike any other town in Maine accessible by roads, Harpswell is comprised exclusively of long narrow peninsulas and island clusters, much resembling a great handprint stamped on the northern reaches of Casco Bay. The ground commonly rises rapidly up from the ocean shorefront, to reach inland elevations as high as 100 feet above sea level; the highest point in Harpswell is slightly over 200 feet elevation on Long Reach Mountain, Great Island. For long stretches of coastline and in numerous coves and harbors, the rocky shorefront drops off into water deep enough for all-tide docks and mooring grounds.

"The shape of the Town is directly related to the south trending fabric of the layered bedrock formations in which it was carved. Originally deposited in an ancient ocean as flat-lying beds of muds, sands and volcanic flows, the formations were transformed by mountain-building forces in the dim geologic past to hard, crystalline rocks; the layers were tilted upright on end to a nearly vertical attitude, and were locally invaded by molten granitic masses. Through time, the unequal

¹Town of Harpswell, "Revised Comprehensive Plan", May 1981, Pg. 9.

weathering and erosion of alternating upright layers of weak and strong rocks worked the land into long parallel valleys and ridges. The final shaping of the area we call Harpswell came with the passage of the last glacial ice sheet, scouring the valleys and ridges to fresh bedrock as it advanced southerly into the Gulf of Maine; leaving a veneer of clays, sands and till rubble as it melted and retreated to the north."²

In addition to the steep slopes in shoreland areas, there are some inland areas which have slopes in excess of 15% (Map 5). Sustained slopes of greater than 15% create some constraints on the use of the land since road building and the installation of septic systems becomes more difficult and expensive as the slope of the land increases. Inland areas with significant slope constraints include the area between Lombo's Hole and Long Reach, areas on the northern end of Orr's Island and the portion of Great Island between Route 24 and the Cundy's Harbor Road.

B. Soils

The Cumberland County Soil Survey prepared by the Soil Conservation Service of the U.S. Department of Agriculture provides a general overview of the types of soils found in Harpswell. Soils in the Town vary a great deal and can change dramatically in very short distances as a result of the geological forces discussed in sub-section A. The following excerpts from the 1981 Plan provide an overview of the Town's soil conditions:

"Harpswell has nearly a dozen soil types. About 70% of the land area is covered by Lyman soil, a thin veneer of glacial till, defined as shallow, fine sandy loam, locally very rocky. Ledge protrudes through this till in numerous places. The limitations on the suitability of Lyman soil for septic sewage disposal are very severe, and Lyman presents a hazard of polluting groundwater."³

"Roughly 15-20% of the land area is blanketed by relatively thick deposits of glacial-marine clay-silt, the well know 'blue clay' of southern Maine. Broad areas along the northeastern part of Harpswell Neck and on Great Island from Strawberry Creek northward, as well as many narrow valley bottoms throughout the Town, contain this material. These soils also have low permeability, are poorly

²Town of Harpswell, "Revised Comprehensive Plan"- May 1981, Pg.10.

³Ibid., Pg. 11.

drained, making them unsuitable for sewage systems, have a high seasonal water table, and are locally susceptible to landsliding or slumping.

"The remainder of the land area contains somewhat sandy soils which washed off the glaciers as they receded. The major deposits of these soils occur near the Navy tank farm on Harpswell Neck, through the South Harpswell peninsula, and across the northern half of Bailey Island. Again, they present a very severe danger of groundwater pollution from downward percolating wastes."⁴

Soils types present a number of constraints to the use of land. The two most important in terms of Harpswell are:

- 1) the suitability of the soil for the installation of sub-surface sewage disposal systems, and
- 2) the permeability of the soil in allowing rain or other liquids to migrate through the soil into the groundwater.

The installation of sub-surface sewage disposal systems is governed by the State Plumbing Code. Map 2 shows those areas of the Town where difficulty may be encountered in installing a septic system in accordance with the plumbing code. These areas are scattered throughout the Town with only a few significant concentrations on Harpswell Neck in the North Harpswell area and in the area surrounding the Naval petroleum facility.

Map 2 also shows the minimum lot sizes recommended by the State Plumbing Code to provide safe sewage disposal while protecting the groundwater. Recommended minimum lot sizes are generally less than 40,000 square feet based on the plumbing code criteria, except for the Curtis Cove and Stover Point areas on Harpswell Neck and much of Bailey Island where minimum lot sizes of 40,000 to 80,000 square feet are recommended because of rapid percolation and the potential for contamination of the groundwater. The State is currently in the process of reviewing the plumbing code requirements, and these recommendations may change.

The issue of infiltration of rainwater into the ground to replenish the groundwater supply is also affected by soils types. Sands and gravels generally allow a major percentage of the precipitation to infiltrate into the ground while clays cause most of the rainfall to run off and not be absorbed by the soils. This difference in permeability has important implications for the quality and quantity of groundwater supplies and is discussed in the following section.

⁴Town of Harpswell, "Revised Comprehensive Plan"- May 1981, Pg. 10.

C. Groundwater

The 1981 Comprehensive Plan identified groundwater as one of the key issues facing the community. The 1981 Plan reported,

"The entire population of Harpswell depends for its drinking and household water upon private wells and springs. There is no information currently available with which to evaluate the groundwater resources of the Town, but it is known that few Harpswell soils are open and permeable enough to allow the formation of high yield groundwater aquifers. Most water supplies are found in the bedrock, where artesian wells tap their water-bearing layers and fractures which are intermittently recharged by rainfall and snow melt-water. In addition, there are a number of areas in the Town where continued pumping from closely spaced deep wells in the bedrock could draw ocean water into the aquifers and destroy them. High density developments in areas of thin or permeable soils present a direct danger to their underlying aquifers from such downward-percolating contaminants as sewage effluent, road salt, and chemical and petroleum wastes.

"The extent to which the population of the Town can grow is limited by the continued availability of adequate supplies of good quality groundwater. The Selectmen, understanding the basic importance of water supply problems, have applied to the Maine State Planning Office for funds to undertake an investigation of the Town's groundwater resources. This investigation, recently approved and funded by the Coastal Zone Management Program, will gather information on wells and aquifers in order to identify and evaluate the Town's water supply."⁵

In 1982, Robert Gerber and John Rand, two Harpswell geologists, conducted an assessment of the groundwater situation in Harpswell. Their report contained the following conclusions:

"With close exposure to the ocean along great stretches of shoreline and with thin soil cover in aquifer recharge areas, the primary limitation to residential development in Harpswell will be dictated by its impact on the quality of the

⁵Town of Harpswell, "Revised Comprehensive Plan" - May 1981, Pg. 11.

groundwater. While development does diminish the quantity of groundwater recharge to the aquifers, and especially so with dwellings grouped on half-acre lots and closer, the potential impact on water quality is notably greater. Too many wells pumping in shoreline areas will draw salt water into the aquifer. Sub-surface sewage disposal systems in thin soils will introduce human contaminants that can cause sickness and death; nitrate-nitrogen is particularly dangerous to young children. To protect the groundwater from human contamination requires providing enough area per dwelling to permit both treatment of the effluent by the soil and dilution of the contaminants by through-flowing groundwater. For the five major soil types in Harpswell, water-quality limitations on lots where sub-surface septic systems are to be used define allowable lot sizes ranging from one-half acre to about four acres. Allowable lot sizes for more than 95% of the Town are greater than one acre per dwelling."⁶

Subsequent in-depth work by Robert G. Gerber Associates in similar geological situations has re-affirmed the basic direction of the report's recommendations with respect to the need to control the density of development to preserve the quality of the groundwater supplies upon which the majority of the Town is dependent for drinking water.

Map 3 portrays the recommended minimum lot sizes necessary to protect the groundwater in various areas of the community. These lot size recommendations are quite restrictive in that they are based on the assumption that an entire area will be developed at this density. These vary from approximately 4 acres per unit in much of North Harpswell, Harpswell Center and Birch and White Island to less than 1 acre in very limited areas with sandy soils.

D. Floodplains

Floodplains are areas which are subject to flooding on a regular basis. The federal government has established the 100 year flood (1% chance of occurring in any year) as the basis for regulatory controls.

In Harpswell, virtually all floodplains are in coastal situations. There are 2 basic categories:

- 1) those areas which are flooded simply through exceptionally high tides

⁶ "Ground Water Resource Analysis", Harpswell, Maine, Robert G. Gerber and John R. Rand, April 5, 1982, Pg. 4 of transmittal letter

- 2) those areas which are subject to wave action which increases the flood level. In these areas there is the danger of significant property damage due to wave action.

The Federal Flood Insurance Program requires communities to restrict/control development in floodplains. At the same time, this program provides subsidized flood insurance which underwrites the risk of development in floodplains.

Map 4 identifies the 100 year floodplains in Harpswell as designated by the Federal Emergency Management Agency. These designations are subject to error and must be used carefully in a regulatory program.

There is a level of public interest in wise use of floodplains including:

- 1) minimization of risk of private property loss.
- 2) minimization of public tax subsidy to underwrite property flood damage claims under both insurance and disaster programs.
- 3) limit exposure of public safety forces in responding to assistance calls.

E. Wetlands

Wetlands are areas where the groundwater is at or near the surface of the ground for a substantial portion of the year. It is a collective term for marshes, swamps, bogs, etc.

A number of significant inland wetlands have been identified in Harpswell (see Map 4). These wetlands are significant for one or more of the following reasons:

- 1) wildlife habitat
- 2) flood control
- 3) water quality
- 4) recharge potential

Wetlands are often viewed as a nuisance rather than a resource. Because of this there is a high possibility of misuse, particularly filling. Loss of wetlands is usually irreversible and can reduce wildlife habitat and create problems for downstream property owners. By their very nature, they are not suited to development or the installation of septic systems.

Public involvement in the management of wetlands can be justified on the basis of potential public damage resulting from the misuse of wetlands.

In addition to these inland wetland areas, there are numerous coastal wetland areas which are significant natural habitats and should be preserved where possible.

F. Critical Wildlife Habitats and Natural Areas

The Town of Harpswell has a large number of high value areas for wildlife habitat. Many of these are on small, off-shore islands. Map 5 shows those areas of special significance as wildlife habitat. These areas include:

Turnip Island...tern nesting area
 Lookout Point...rock outcrops vital to geological study
 Barnes Island...seabird nesting area on northern end
 Upper Goose Island...seabird nesting area
 Land's End, Bailey Island...rare marine invertebrate habitat

The Town also has a number of other areas that are critical natural areas which are unique or outstanding examples of particular natural features. These natural areas are also shown on Map 5 and include:

The Staircase...thunderholes
 Gosling Islands...scenic beauty
 Stover's Point Marsh
 Garrison Cove...marine gravel beaches
 Eagle Island...historic landmark

These wildlife habitats and critical natural areas are significant resources for the community. In many cases these resources are protected by a remote location, but in other situations their value can be threatened by development or incompatible land uses.

G. Scenic Resources

The topographic setting of Harpswell and it's subsequent development, has created an area of great scenic diversity. Whether one enters the Town by Route 123 and the rolling fields of Merrucoonegan Farm or by Route 24 and the Gurnett Strait, their route passes by the open spaces, forests, bays, coves, villages and harbors that define, in part, Harpswell's unique rural character.

Map 5 identifies scenic areas associated with the Town's major public roads. Although Map 5 is not a comprehensive inventory of the Town's scenic areas, it does offer a sample of the types of scenic resources identified by town residents, as important areas to be preserved as Harpswell grows. These areas include:

- 1) scenic corridors identified by either underdeveloped open spaces and forests, or areas that have been developed in a manner whereby structures are setback from the road and are screened by natural vegetation.

- 2) scenic village areas such as North Harpswell or Cundy's Harbor as identified by the concentration of historical buildings.
- 3) scenic views of the town's topographic features.

SECTION V: COMMUNITY LAND USE GOALS

The following general goals are established to guide the Town in the development of its updated Comprehensive Plan. These goals are intended to provide a general policy framework against which specific objectives and recommendations can be evaluated.

A. Small Town Character - As the community grows, the Town should assure that the small town, rural character of Harpswell is maintained by:

- 1) Retaining open space and natural areas throughout the community;
- 2) Keeping the scale and intensity of new development in proportion to the existing character of the Town; and
- 3) Protecting the scenic quality of the Town along the shorefront, main roads and in other areas with outstanding scenic beauty.

B. Residential Uses - The Town should manage residential development in the community to assure that it is a positive addition to the community and is in keeping with the rural character of the community by:

- 1) Adapting the density of development to a level that is appropriate to the physical capacity of the natural resources to support that use, with special attention paid to the carrying capacity of off-shore islands;
- 2) Restricting development in areas where public facilities such as roads or access are not adequate to service the development unless provisions are made for upgrading those facilities;
- 3) Requiring the scale of new development to be in keeping with the character of the Town;
- 4) Ensuring that the quality of new development provides a good living environment for all residents and protects the Town from extraordinary service and maintenance costs in the future; and
- 5) Encouraging a range of housing opportunities to meet the needs of all residents of Harpswell.

C. Marine Related Activities - As change occurs in Harpswell, the Town should promote the retention of traditional marine related activities such as fishing, shell fishing, boat building, and marine supply and service by:

- 1) Assuring continued access to the water for fisherman and the public;

- 2) Protecting and improving the water quality of shellfish harvesting areas;
- 3) Requiring that "working" boats be given priority in traditional mooring areas; and
- 4) Allowing marine related activities throughout the community subject to reasonable regulations to minimize adverse impacts on neighboring properties.

D. Business Opportunities - The Town should allow the retention, expansion and creation of small scale businesses which provide employment opportunities for local residents provided that:

- 1) The scale and intensity of the business activity is in keeping with the rural character of the Town;
- 2) The businesses do not overtax either the Town's natural resources or transportation system; and
- 3) The use is carried out in a way which protects neighboring properties from adverse impacts from noise, odors, drainage, and visual factors.

E. Tourist Facilities - The growth of facilities catering primarily to tourists should be limited to avoid the Town becoming another Boothbay Harbor or Freeport by:

- 1) Limiting new commercial activities that primarily serve seasonal visitors to small scale facilities which are compatible with the rural nature of the community;
- 2) Requiring new tourist facilities and additions or modifications to existing facilities to meet standards of quality to assure safe highway access, good visual design and positive environmental impacts;
- 3) Assuring that the intensity of use is compatible with the physical capacity of natural resources;
- 4) Providing for stringent buffering requirements to minimize the adverse impacts on neighboring properties.

F. Groundwater Protection - As growth occurs, the Town should assure that both the quality and quantity of groundwater are protected to assure adequate future water supplies by:

- 1) Limiting the density of new development to a level that will not adversely effect either the quality or quantity of the groundwater;

- 2) Controlling the handling, use and storage of petroleum products, chemicals and other potentially hazardous substances to minimize the potential for groundwater contamination;
- 3) Enforcing sewage disposal regulations; and
- 4) Controlling the "mining" of groundwater for heating, cooling, or industrial purposes.

G. Environmental Protection - The Town should preserve the quality of life and Harpswell's environment by:

- 1) encouraging the owners of environmentally sensitive areas and critical wildlife habitats to use their property in a manner which does not jeopardize the environmental value of their land or create problems for neighboring property owners or the Town;
- 2) Controlling the use of environmentally sensitive areas such as wetlands, floodplains, steep slopes and critical wildlife habitats when development occurs; and
- 3) Establishing a program for acquiring key areas of environmental concern to provide for the protection of these resources while compensating the property owner.

SECTION VI. CODE ENFORCEMENT

A. Background

At the present time, a part-time plumbing inspector and the selectmen share responsibilities for assuring that the requirements of various codes and ordinances are being met. These include the State Plumbing Code, shoreland zoning regulations and flood hazard building permit system. There is also a need for monitoring of projects approved by the Planning Board or Board of Appeals to assure that the developer abides by the approved plans and any conditions imposed as part of the approval. In addition, the Town does not currently monitor building activity in areas not covered by shoreland zoning.

Three factors have combined to create a need for improved code enforcement services in the Town. These are:

- 1) A high level of development activity in the Town both in terms of new construction and the renovation and expansion of existing properties;
- 2) Increased amounts of both local and state requirements;
- 3) Increased requirements on the part of financial institutions for evidence of compliance with state and local regulations.

The current level of activity in the community is simply overtaxing the existing system of providing code enforcement services.

B. Objectives

The Town's objectives with respect to code enforcement are:

- 1) To assure that the state and local regulations governing land use, plumbing, sewage disposal and development are administered in a fair and even-handed manner;
- 2) To assure that the Town is aware of all new development and construction activity in all areas of the Town and that required approvals are obtained in a timely manner;
- 3) To assure that all development and construction is carried out in accordance with the applicable codes and regulations and requirements of the project approval; and
- 4) To provide on-going oversight of sewage disposal systems utilizing overboard discharge to assure that

they are functioning according to the design and permit requirements.

C. Policies

The Town's policies with respect to improved code enforcement are:

- 1) Full Time Code Enforcement - The Town should provide for full time code enforcement with appropriate support facilities. The cost of this activity should be paid in part through a system of fees that are paid to the Town by people requiring code enforcement services. (See attached estimate of town cost)
- 2) Building Permit System - The Town should require that a building permit be obtained from the Code Enforcement Officer prior to the commencement of any construction or development activity involving the construction of a new building or the physical expansion of an existing building in all areas of the community. The records of the Code Enforcement Officer shall be kept on file in the municipal office and shall be available for inspection by the public.
- 3) Plan Review - The Code Enforcement Officer should review all development plans prior to the start of construction to determine that all necessary Town permits and approvals have been obtained and that the construction conforms to all applicable Town rules and regulations.
- 4) Monitoring of Activity - The Code Enforcement Officer should monitor all development activities requiring a building permit, subdivision approval, or site plan approval to assure that they are being done in conformance with applicable Town rules and regulations and with any supplemental requirements of project approvals.
- 5) Monitoring of Overboard Sewage Disposal Systems - The Town should establish a program to require the regular monitoring of all overboard discharge systems to assure that they are functioning properly and meeting their permit requirements.
- 6) Enforcement of Plumbing Code - The Town should actively enforce the requirements of the Maine State Plumbing Code relative to sub-surface sewage disposal systems to assure that malfunctioning septic systems are repaired or replaced in a timely manner.
- 7) Public Information Program - The Town should institute a public information program on septic system maintenance to assure that the public understands how these systems work and the actions necessary to insure their long-term operation.

SECTION VII. RESIDENTIAL USES

A. Background

The Town of Harpswell has seen a considerable amount of new residential development over the past fifteen years. Between 1970 and 1986, the number of year-round households has more than doubled, and the number of year-round housing units has increased by over 850. While some of this increase is the result of the conversion of seasonal homes to year-round use, the majority is the result of new residential construction.

Most residential development in Harpswell is single-family homes on individual residential lots. Over the past decade, the Town has seen the development of a number of subdivisions for single-family housing and the conversion of existing structures into multi-family housing. To date, the Town has not seen any proposals for large-scale condominium projects of the type which has dominated recent development activity in many areas of the Maine coast.

Residential growth pressure in the Town is a combination of two major trends. A major source of demand for housing in Harpswell is the retirement market. The lifestyle and scenic quality of the Town has made Harpswell a desirable retirement community. This is evidenced by the large number of 1 and 2 person households and the age of the Town's residents. Given the rapid growth of this population group, it is likely that this growth pressure will continue for the foreseeable future.

The second demand factor leading to residential growth is the upper income commuter market. Increasingly, Harpswell is becoming a bedroom community for professionals, managers and similar white collar groups. The demand for this type of housing is tied to the general economic health of the Bath-Brunswick area and Harpswell's desirability compared to other area communities. With the current economic environment, this growth pressure is also likely to continue for the foreseeable future.

Based on these factors, it is reasonable to anticipate that the Town will continue to experience a significant level of residential growth over the next 5 years. This growth may approach 50 to 60 new units per year.

Increasing residential development presents a number of concerns for the community including increased demand on groundwater supplies, increased traffic on the Town's road system, the impact on environmentally sensitive areas and the effect on the rural, small town character of Harpswell.

B. Objectives

The Town's objectives with respect to residential uses are:

- 1) To permit new residential development in the community provided that the development is in keeping with the existing rural character and scale of the Town;
- 2) To assure that the Town permits as wide a range of housing opportunities as possible by assuring that the Town's development regulations balance the need to protect the environment and character of the community with the impact of these regulations on the cost of housing;
- 3) To limit the density of new residential development to a level that is necessary to protect both the quality and quantity of the groundwater in Harpswell;
- 4) To limit the amount of new residential development to a level that will not overburden the Town's road network; and
- 5) To require that new residential developments provide a quality living environment for their residents and protect the taxpayers by having good quality public improvements including roads, drainage systems and open space and having safe and adequate access to the existing road system.

C. Policies

The Town's policies with respect to residential uses are:

- 1) Density of New Residential Development - The Town should control the density of residential development in both subdivisions and on individual residential lots in all areas of the community including shoreland areas through minimum lot size requirements. The controlling factors in determining the intensity of development should be the protection of both the quality and quantity of the groundwater and the ability of the Town's road network to safely accommodate additional traffic. To achieve this, the minimum lot area for new residential uses should be set at a level that will provide this protection in the typical soil conditions found in the Town.

The Town should establish a basic minimum lot size for single-family homes of 80,000 square feet. The regulations for minimum lot sizes should provide, under certain limited conditions, a mechanism to allow for a smaller lot size.

The minimum lot area for other residential uses such as apartments or condominiums should be established based on the design sewage flow for the use compared to the flow from a single-family home.

The Town should encourage cluster housing. Cluster

housing developments shall provide areas of open space and be adequately set back from the waterfront and wetlands.

- 2) Quality of New Residential Developments - The Town should adopt development standards to assure that new residential developments provide a safe and healthy living environment for their residents, minimize the impact on abutting landowners, protect the Town from future public costs and protect unique natural areas and scenic resources.

These development standards should address the following areas:

- a) the placement of buildings on the site with respect to lot lines and significant natural features such as wetlands or designated unique or critical areas to minimize external impacts.
 - b) the layout of lots, drives, roads, and open spaces to assure safe public and emergency vehicle access to the development and within the development.
 - c) the installation of septic systems to minimize the adverse impacts on groundwater quality.
 - d) the provision of adequate access to the site. For island developments, this shall include permanent provisions for vehicle parking on the mainland and access to appropriate docking facilities on both the island and mainland.
 - e) the construction standards of new roads, access drives and similar public improvements to assure that they are adequate for the intended use and will protect the residents and the Town from unnecessary future costs. These provisions should provide differing standards for improvements that will be turned over to the Town and those that will remain in private ownership.
 - f) the restriction of the intensity of island development to a level compatible with the natural environment.
- 3) Conversion of Seasonal Property - The Town should rigorously enforce the requirements of Title 30, Section 3223 of the Maine Revised Statutes Annotated with respect to proof of adequate sewage disposal prior to the conversion of a seasonal dwelling to year-round use.

In addition, the Town should restrict the expansion of the intensity of use of converted seasonal dwellings

in shoreland areas by controlling the number of bedrooms unless the owner can demonstrate that he/she meets the minimum lot area requirements of the Town or will not have an adverse impact on the groundwater.

- 4) Expansion or Replacement of Homes on Undersized Lots - The Town should limit the expansion or replacement of existing residential uses which are located on lots which do not meet the Town's minimum lot size requirements by controlling the number of bedrooms unless the owner can demonstrate that he/she will not have an adverse impact on the groundwater.
- 5) Large-Scale Residential Uses - The construction of new, large-scale residential projects involving 20 acres or more of land should be permitted only if they:
 - a) are designed in a manner which is in keeping with the scale of other development in the community,
 - b) provide adequate and safe access without overburdening the Town's road system,
 - c) protect abutting property owners from undesirable impacts,
 - d) provide adequate water supply. Projects which propose common water systems shall be required to demonstrate that this can be done without effecting the water supply of neighboring properties,
 - e) provide adequate sewage disposal. Projects which propose a common sewage disposal system or overboard discharge shall be required to demonstrate that this can be done without reducing the quantity or quality of groundwater supplies available to neighboring properties, and
 - f) retain scenic and natural resources on the site and provide for the retention of permanent open space within the development.
- 6) Open Space and Amenities in New Developments - The Town should require that a portion of the site of any new, large scale residential development be set aside as permanent open space to be left in its natural state.
- 7) Handling of Mobile Homes - The Town should treat any mobile home meeting the U.S. Department of Housing and Urban Development construction standards as a single-family home and permit them to be located in the Town under the same terms as any other

single-family home. This shall include compliance with minimum lot size requirements and set back requirements.

- 8) Grandfathered Lots - The Town contains a large number of existing, undersized lots. The Town should permit the construction of a single-family home on any legally existing lot held in separate ownership as long as suitable sewage disposal is provided and the proposed building complies with all other development regulations.

SECTION VIII. NON-RESIDENTIAL USES

A. Background

The Town of Harpswell developed as a series of self-sufficient fishing villages. Over the years, the increased reliance on the automobile has significantly altered this pattern. Today, Harpswell residents are dependent on shopping, service and employment opportunities that are located outside of the community. Cook's Corner in Brunswick serves as the primary retail center for the Town. Brunswick serves as the service center for the southern mid-coast area including Harpswell and provides a wide range of facilities to meet the needs of Harpswell's residents. Increasingly, Harpswell has become a bedroom community with residents commuting into the Bath-Brunswick area for employment.

The combination of these factors has limited the amount of non-residential development in Harpswell. The isolated nature of the community combined with its small year-round population results in limited demand for non-residential development in the community except to meet the needs of the fishing industry and summer tourist. The Town currently has a significant number of non-residential uses (see Map 6). These uses tend to be small scale and fall into one of three categories:

- 1) marine related businesses serving the fishing and boating industries,
- 2) retail and service businesses meeting the needs of summer tourists, and
- 3) businesses meeting the day-to-day needs of residents of the community.

In addition, there are a small number of businesses that depend on outside markets for their success.

The geographic nature of Harpswell has resulted in non-residential uses being scattered throughout the Town. Marine related businesses are found in virtually every area of the Town where there are protected mooring facilities. Local service businesses are located throughout the Town to serve the different population centers. Tourist related businesses are most heavily concentrated along Route 24 on Orr's and Bailey Islands but are found in many other areas of the community.

In one sense, Harpswell's isolated geography acts as a natural limit on the amount and type of non-residential development that is likely to occur in the community. Uses such as shopping centers, major manufacturers or office complexes are not likely to locate in the Town. New, non-residential development will continue to be small-scale uses which rely on the local population base. The one major

exception to this situation is the tourist market. As tourist areas such as Boothbay Harbor become overdeveloped, more tourists are likely to seek out less developed, but equally accessible areas in which to experience the Maine Coast. Harpswell may be an attractive alternative for some of this group. This could result in increasing demand for tourist related commercial facilities including motels, inns, restaurants, shops and marinas.

B. Objectives

The Town of Harpswell's objectives with respect to non-residential uses are:

- 1) To allow residents of the Town to operate small businesses and services in their homes as long as measures are taken to minimize adverse impacts on neighboring property owners from noise, traffic, parking, odors or lighting;
- 2) To permit the expansion of existing small-scale businesses or the creation of new small-scale businesses as long as provisions are made for safe access into and out of the site, the use does not overburden the existing road system, and the project is designed to minimize adverse impacts on neighboring property owners from noise, traffic, parking, odors or lighting;
- 3) To encourage the creation of local employment opportunities for the residents of the community;
- 4) To assure the continuation of the Town's marine related industries including fishing;
- 5) To restrict large scale non-residential uses to locations which provide safe vehicular access, do not overburden the Town's road system, are capable of being developed without creating adverse impacts on neighboring property owners and can provide for water supply and sewage disposal without affecting the water supply of the surrounding area; and
- 6) To assure that non-residential uses handle and store potential contaminants of the groundwater such as petroleum and chemicals in a safe manner.

C. Policies

The Town's policies with respect to non-residential uses are:

- 1) Existing Non-Residential Uses - The Town should permit legally existing non-residential uses to be "grandfathered" and permitted to continue to operate in the same manner and location as they currently do

notwithstanding any new regulations adopted by the Town.

- 2) Home Occupations - The Town should permit residents to operate small businesses and services in their home provided that the business activity is accessory to the use of the property as a residence, does not alter the residential character of the property and is carried on within the home or an accessory building.
- 3) Minimum Lot Sizes for Non-Residential Uses - The Town should require that all new and expanded non-residential uses, in addition to meeting the standards set out below, be located on a lot with at least 20,000 square feet of area. In addition, the minimum lot size for uses which generate more than 300 gallons of sewage per day should be increased in proportion to the sewage volume as provided for in the Maine State Minimum Lot Size Law (MRSA Title 12, Section 4807).
- 4) Creation or Expansion of Non-Residential Uses - The Town should require that the establishment of new non-residential uses other than home occupations or the expansion of existing non-residential use be approved by the Planning Board. This review should require that the owner demonstrate that the proposal meets Town requirements for:
 - a) the location of the building and other improvements on the site,
 - b) safe access into and out of the site,
 - c) adequate traffic capacity and safety on adjacent roads,
 - d) adequate water supply and sewage disposal,
 - e) off-street parking to meet the needs of employees and customers,
 - f) disposal of surface drainage without adversely impacting downstream properties,
 - g) provisions to protect neighboring property owners from adverse impacts from traffic, noise, lighting, parking, signs and odors, and
 - h) visual appearance of the site based on specific objective standards.

In addition, large scale projects which use more than 2,000 gallons of water per day shall be required to demonstrate that water supply and sewage disposal can be accommodated without having an adverse impact on the quality or quantity of the water supply of the

surrounding area.

This review requirement should also apply when a residential use is converted to business use or an existing business is converted to a new business.

- 5) Groundwater Protection - The Town should adopt regulations governing the use, handling and storage of potential groundwater contaminants such as petroleum products, salt, industrial chemicals and wastes.
- 6) Marine Related Uses - The Town should endeavor to protect the future of the fishing industry and other marine related uses by assuring that the current policy of providing shorefront districts for these types of uses is continued.

SECTION IX. OPEN SPACE AND ENVIRONMENTAL PROTECTION

A. Background

The natural environment of the Town of Harpswell is truly outstanding. The geography of the Town creates outstanding scenic vistas in many areas of the community. In large part, the development which has occurred to date has had only a minimal impact on the natural environment.

Two principal areas of concern exist with respect to the natural environment. The first is concern about the quality and quantity of the groundwater in the Town. Scattered reports of saltwater intrusion exist, and concentrated residential developments tax the ability of the groundwater to meet the demand in other areas of the Town.

The second concern is assuring that the natural environment and scenic beauty of the Town is not compromised as additional growth and development occurs. This concern has a number of facets including protecting outstanding scenic vistas, maintaining the rural character of the Town, assuring that critical natural and wildlife habitats are protected, and maintaining the quality of coastal waters.

B. Objectives

The Town's objectives with respect to open space and environmental protection are:

- 1) To retain the outstanding visual quality of the shorefront and of the areas along the major highways in the Town;
- 2) To assure that new development does not encroach upon critical natural areas or wildlife habitats;
- 3) To preserve the rural character of the Town by assuring that significant amounts of open land are retained in an undeveloped state;
- 4) To protect overall water quality and the shellfishing industry by controlling discharges of potential pollutants into the waters of the Town;
- 5) To protect both the quality and quantity of the Town's groundwater resource; and
- 6) To maintain adequate public access to the shorefront.

C. Policies

The Town's policies with respect to open space and environmental protection are:

- 1) Shoreline Visual Protection - The Town should control the visual environment of shoreline areas by requiring that buildings and structures be set back a reasonable distance from the water and that a buffer of natural vegetation be retained between the shoreline and any buildings and structures.
- 2) Visual Protection of Highways - The Town should encourage the visual environment of the Route 24 and Route 123 corridors by requiring that new buildings and structures be set back a specific distance from the road, that a landscaped buffer area be established between the roadway and any buildings, structures or parking areas, that access to new non-residential uses be restricted to specific entrances/exits, that signs are well designed and properly located, and that new residential developments be encouraged to create new streets or other centralized access as opposed to fronting homes directly on the existing road.

The standards for setbacks and buffering requirements should vary depending on the size and type of use and the existing character of the site, so that a large, commercial building in an open field would require larger setbacks and greater buffering than a home on a wooded lot.

- 3) Open Space Preservation - The Town should encourage land trusts or other conservations groups to acquire and manage open space in the Town. These groups could use public and private funding to acquire key parcels of open space in the community. In addition, these groups could accept donations of land or easements and work with landowners on planning for the future of their holdings. A priority of these groups should be obtaining parcels or easements which provide for access to the shore.

As discussed in the residential use section, the Town should require the developers of large, residential projects to set aside a portion of the development as permanent open space. In addition, the Town should encourage landowners to consider non-development of their land through favorable property tax assessment of parcels restricted by a conservation easement or similar development restriction. While this results in an additional tax burden to other property owners in the short run due to lost tax revenues, the long term impact on the community's open space resource can be significant.

The Town should also explore the concept of a land transfer tax to be used to fund the acquisition of open space. Support should be considered for state wide legislation to allow towns the option of using this approach to land preservation.

4) Groundwater Protection - In addition to the policies discussed under residential and non-residential uses, the Town should prohibit the continuous withdrawal or "mining" of groundwater for use in heating or cooling systems followed by overboard discharge or for industrial or commercial process water.

5) Overboard Sewage Discharges - The Town should *prohibit* ~~discourage~~ the use of new sewage treatment systems involving overboard discharges of treated effluent.

6) Critical Natural Features and Wildlife Habitats - The Town contains a large number of sites which have been identified as critical natural features or critical wildlife habitats. While some are located on small, remote off-shore islands with limited development potential, others are located in areas with potential for development. The Town should work with the owners of these resources to develop ways for these areas to be preserved while allowing the landowner reasonable use of his or her property.

7) Wetland Protection - The Town should control the filling or alteration of both freshwater and coastal wetlands to assure that the environmental value of these resources is not lost. The Town should require a reasonable setback from all wetlands and established resource protection areas and require that a buffer of natural vegetation be retained between the wetlands and any buildings or structures.

APPENDIX A

MAPS

- Map 1 Recent Development Activity
- Map 2 Soil Suitabilities for Septic Systems
- Map 3 Recommended Minimum Lot Size
- Map 4 Water Resources
- Map 5 Critical and Scenic Areas
- Map 6 Existing Land Use Patterns

