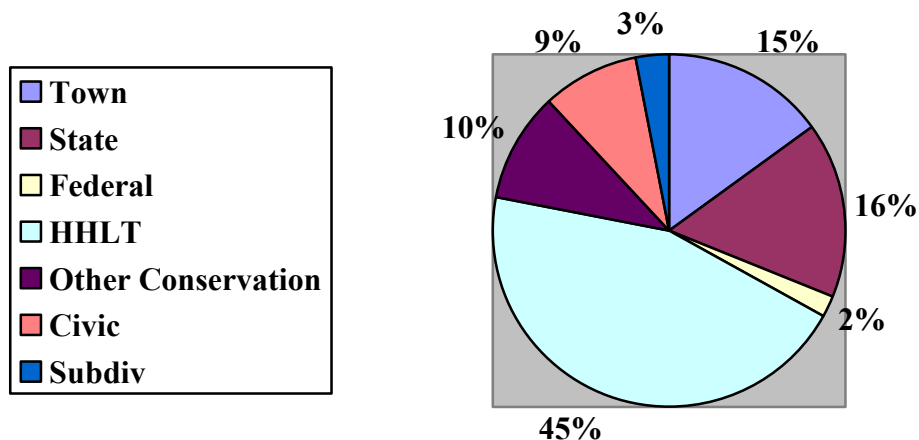


Appendix 13A
Summary to the Inventory of Protected Open Space in Harpswell

The Town of Harpswell has approximately **24.6 square miles** of land or about **15,700¹ acres** of land. Of this amount, **2,518 acres or 16 %** of the total land in town is protected from development, because of its ownership by the town, state, federal government, non-profit conservation groups, educational institutions, civic, historic or cultural organizations or individuals. (Please see **Appendix 13B** for an inventory of these properties). This land or open space is valuable for the protection of our habitat, water resources, recreation assets, and scenic views and the preservation of our town history and character.

The organizations which contribute most to the protection of land in Harpswell are the Harpswell Heritage Land Trust, the Maine Coast Heritage Trust, The Nature Conservancy and Bowdoin College². These organizations have protected **55%** of the 2,518 acres of protected land in town. The Town of Harpswell, the State of Maine and the federal government account for another **33%** of the land which has been protected. The remaining **12%** of the protected land is owned by a combination of civic, historic and cultural organizations and private individuals in subdivisions who own common land. (Please see **Chart 1**)

Chart 1
Protected Land in Harpswell by Organization



¹ These numbers are approximate. The 2005 Comprehensive Plan for Harpswell states that the town has about 24.6 square miles or 15,744 acres at 640 acres per square mile. In 2008, the Assessor’s Office data base showed the total acres in town were 15,469 acres. The State of Maine uses the figure of 15,342 square miles for Harpswell. In this document, we have chosen to use 24.6 square miles or 15,744 square miles to do our calculations. Throughout the document, we state that Harpswell has approximately 15,700 acres.

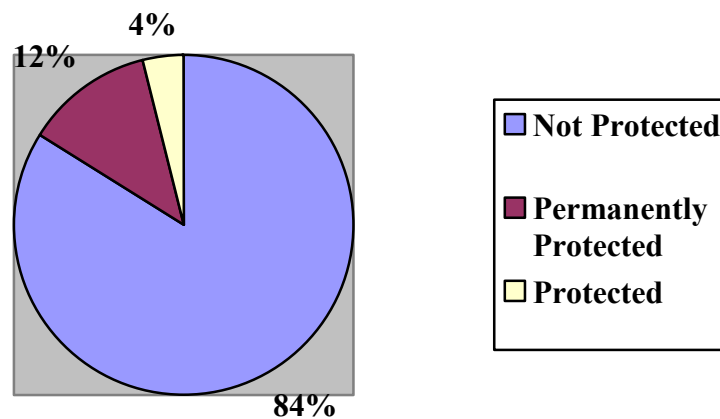
² The Nature Conservancy conserves an island with important nesting habitat. The Maine Coast Heritage Trust preserves two islands. Bowdoin College owns three properties in Harpswell

Types of Protection

Although we have **2,518 acres** in Harpswell that is protected from development, only **1847 acres** are **permanently protected** from development as the result of conservation easements or deed restrictions on the use of the property. (Please see **Appendix 13C** for an inventory of this land). Of these 1847 acres, **469 acres** are owned by government agencies and **1378 acres** by non profit and educational organizations. The permanently protected state and federal lands have deed restrictions and other constraints on them that make it unlikely for their use to change. Three town properties have deed restrictions on its use. The non profit and conservation groups either own the land or have conservation easements on their land which protects the land permanently. In other words, **12%** of Harpswell's land is highly likely to remain as open space and provide habitat, water, recreational, scenic and/or civic, historic or cultural resources to the town.

The use of the remaining **671 acres or 4% of protected land** could be changed by the organizations and groups that own the land. Harpswell could sell selected town lands to generate funds for other uses. The Town could also change the use of its existing open spaces, for example, the Cliff Trail, to other uses, such as town or residential buildings. Civic, cultural and historic organizations and education institutions could sell their properties, if they choose. Please see **Chart 2** for a summary of the types of protected land in Harpswell.

Chart 2
Percentage of Total Acres in Harpswell
Permanently Protected and Protected



Methodology

In 2007, members of the Conservation Commission of the Town of Harpswell prepared a list of properties which have development constraints on them (Please see **Appendix 13B and Appendix 13C**). Each property was listed by its ownership, its type of development constraint (government, easement, covenant, long term lease, board of directors, or tax advantage), its map and lot number on the Town tax map, its number of acres and its address if relevant. In addition, each piece of property was rated as to whether or not it has **water** access for commercial fishing, it contains important **habitat**, it is considered **scenic**, and it has **cultural, historic or civic** importance to the town and/or whether it provides **recreational** opportunities (including recreational boating access) for residents. Please see the key below for a further explanation of these categories.

Included in the list are the following types of properties:

- 1) ***Town Land (389 acres)***: Town lands are owned by the Town of Harpswell and include a) Town landings and wharves, b) Town land, historic buildings and municipal buildings, such as the Town Hall and c) Town islands. One of the Town islands is part of the Maine Island Trail Association (MITA). Town lands are constrained from development, but their use can be changed by a vote of the residents at the annual Town Meeting.
- 2) ***State Lands (393 acres)***: State lands are owned by the State of Maine and include land and islands managed by the Bureau of Parks and Lands, the Department of Inland Fisheries and Wildlife, and Baxter State Park Authority. One of the State islands is part of the Maine Island Trail Association (MITA). State lands are constrained from a change in usage by the stipulations set forth in grant assistance funds if used for purchase, a two thirds vote of the State Legislature and/or the consent of the department commissioner and the governor. The State Legislature can decide to sell or swap land. For example, the State Bureau of Parks and Lands has had discussions about swapping its property at Allen Point Road for another piece of land in another town owned by a developer. If this happens, the Harpswell property would no longer provide open space to the town.
- 3) ***Federal Lands (39 acres)***: Federal lands include four islands owed by the United States of America. Two of the islands include navigational aides. Federal lands acquired by the National Park Service with the Land and Water Conservation Funds are constrained from a change unless approved by the U.S. Secretary of the Interior after an evaluation process.
- 4) ***Conservation/Land Trust Nonprofit Organizations (1373 acres)***: Three conservation non-profit organizations own or manage easements on property in Harpswell. These include the Harpswell Heritage Land Trust, The Maine Coast

Heritage Trust and the Nature Conservancy. In addition, Bowdoin College³ owns one property which has a deed restriction with a restrictive covenant preserving it in its natural state and limiting its use. All of these properties have conservation easements or deed restrictions that protect key features in perpetuity and provide a conservation benefit in the form of open space, scenic vistas and/or wildlife habitat,

- 5) ***Historic, Cultural and Civic Land and Buildings (238 acres):*** A variety of organizations and private individuals own property of historic, cultural and civic importance to the residents of Harpswell. Cemeteries provide habitat and open space. The attached list includes all of the active cemeteries and some of the inactive cemeteries in town. All of the active cemeteries are managed by private associations who are responsible for their upkeep and management. In addition, the list includes civic land and buildings, including two elementary schools, two libraries, three fire departments and the grange. The list also includes the properties managed by the a) Harpswell Garden Club (one of which has an easement on it); b) three historic buildings and land owned by the Harpswell Historical Society; c) a historic house, store and wharf owned by the Holbrook Community Foundation, which will have a covenant on it with the State of Maine; d) two properties used for educational and recreational purposes owned by Bowdoin College and e) tennis courts which are available to the public and are leased by a local church to the Harpswell Neck Physical Education Association. And finally, the list includes all of the historic sites in town which are on the National Registry of Historic Places.

Although a few historic and civic buildings are included in the list of open space in **Appendix 13B**, their footprint is almost insignificant in size. For ease of tabulating the total acres of open space in Harpswell, these building footprints are included in the total acres.

- 6) ***Subdivision Undeveloped Open Space (86 acres):*** In Harpswell, 16 subdivisions have deeded open space or common land. In most cases, they are owned by a subdivision owner's association. The prime example is the Auburn Colony which has about 20 acres of common land and is on the National Registry of Historic Places. Although these areas are not open to the public, the common land is constrained from development and contributes to open space and habitat conservation.

³ According to Susan Dye (207-798-4208), the Bowdoin Coastal Studies Center and Wyer Island are intended for use for scientific, educational and recreational purposes. However, there are no legal restrictions on their use. The Bowdoin property at Bethel Point (90 Little Pond Road) is conservation land because it has a deed restriction on it which requires that the land will be preserved in its natural state and can only be used for access to marine activities and for educational uses.

Sources of Information

In order to prepare this inventory of properties with development constraints, members of the Conservation Commission used the Town of Harpswell's website to gather information about selected properties in Harpswell. The website provides information regarding the names of the owners, the size of the property and the address of all taxable properties in Harpswell and was prepared by Vision Appraisal for the Assessor's Office. We also consulted with Curt Lebel and Debbie Turner in Assessors Office, with Jay Chase and Carol Tukey, the Town Planners, with the Town Lands Committee and with Reed Coles at the Harpswell Heritage Land Trust. We appreciate the time and helpful information that these individuals gave us.

Glossary of Terms Used

The following terms are used in the inventory:

- 1) **Ownership**: Provides the name of the owner of the property or category of owner. The categories of owners include town, state, federal government, educational institutions, private individuals, nonprofit organizations, and associations.
- 2) **Type of Protection**: Indicates the type of legal or organizational protection to a change in the use of the property for conservation or civic purposes. These types of protection include a) ownership by the government, a non-profit organization or a common sub-division group, b) the existence on the property of an easement, long term lease, state covenant or deed restriction, c) the existence of a board of directors dedicated to the conservation mission of the organization, and d) the tax advantages and restrictions that result from designation as a National Registry of Historic Places.
- 3) **Permanently Protected**: A property is permanently protected if it has a conservation easement, deed restriction, state covenant or government legislative mandate on it which limits its use for conservation purposes.
- 4) **Protected**: A property is protected if it is owned and operated by a government, civic, educational, cultural or historic organization whose goals are to preserve the property for its current conservation use. However, after following certain procedures, the organization could change its purpose and sell the land.
- 5) **Map/Lot**: Provides the map and lot numbers on the 2007 tax map of Harpswell.
- 6) **Water**: The property includes groundwater, streams, ponds, freshwater wetlands, tidal marches and mudflats or provides access to the ocean for commercial fishermen for fishing, lobstering and clamming.
- 7) **Habitat**: The property includes high value habitat as defined by the United States Fish and Wildlife Gulf of Coastal Maine Program and the Beginning with Habitat Program. The first program lists the habitat required for 91 species of high value fish and wildlife and the second lists the habitat needed for rare/threatened and endangered animals and plant species.
- 8) **Scenic**: Natural and manmade elements in the landscape pleasing to the eye, and worthy of protection.

- 9) **Cultural:** The property is important to the community for cultural, civic or historic reasons. The property contains a cemetery, a civic organization or historic building. The buildings managed by civic organizations in Harpswell include three libraries, four fire departments, two elementary schools, property belonging to Bowdoin College and several community halls.
- 10) **Recreation:** The property includes land or facilities for recreation, such as hiking trails, ball fields, or public tennis courts and/or places to kayak, boat, swim, picnic and snowshoe.
- 11) **Maine Island Trail Association:** Abbreviated as MITA. The Maine Island Trail Association provides recreational access to more than 150 islands and coastal waterfront properties from Cape Porpoise Harbor to Machias Bay and into the Canadian Maritimes. They preserve these properties by promoting environmental education, volunteer stewardship, and land conservation. Only MITA islands which are accessible by the public are listed in **Appendix 13B and 13C**. If residents want to join MITA and learn more about privately owned MITA islands, please see www.mita.org for further information.
- 12) **National Registry of Historic Places:** Abbreviated as Nat'l Reg Hist Plcs. The National Register of Historic Places is the Nation's official list of important historic places. Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archeological resources. Properties listed in the Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The National Register is administered by the National Park Service, which is part of the U.S. Department of the Interior. Listing in the National Register contributes to preserving historic properties by recognizing that a property is of significance to the Nation, the State, or the community and by providing eligibility for Federal Tax benefits and Federal assistance for historic preservation. Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that there is no Federal involvement. Owners have no obligation to open their properties to the public, to restore them or even to maintain them, if they choose not to do so.
- 13) **MSAD #75:** Maine School Administrative District #75 includes the towns of Bowdoin, Bowdoinham, Harpswell and Topsham. MSAD #75 owns two elementary schools and their fields in Harpswell.
- 14) **HNPEA:** Harpswell Neck Physical Education Association is an organization dedicated to support of public physical education in Harpswell. Among other activities, they lease and maintain two tennis courts for use by the public.