

NORTH YARMOUTH COMPREHENSIVE PLAN UPDATE

February 6, 2004

**To Be Voted on at Town Meeting –
March 13, 2004**

BOOK I. RECOMMENDATIONS: GOALS, POLICIES AND IMPLEMENTATION STRATEGIES



TABLE OF CONTENTS

COMPREHENSIVE PLAN UPDATE BOOK I. RECOMMENDATIONS: GOALS, POLICIES AND IMPLEMENTATION STRATEGIES

CHAPTER 1. INTRODUCTION.....	4
ACKNOWLEDGEMENTS.....	4
BACKGROUND AND PURPOSE OF THE COMPREHENSIVE PLAN UPDATE.....	5
THE PROCESS FOR UPDATING THE PLAN.....	5
THE COMPREHENSIVE PLAN DOCUMENTS AND MAPS.....	6
CHAPTER 2. VISION FOR NORTH YARMOUTH TO THE YEAR 2020.....	7
INTRODUCTION.....	7
ACCOMMODATING POPULATION GROWTH WITHOUT LOSING COMMUNITY CHARACTER.....	7
KEY CHARACTERISTICS OF THE VISION.....	7
SPECIAL PLACES: NATURAL AND CULTURAL TREASURES TO BE PRESERVED FOR THE FUTURE...	7
THE YEAR 2020: WHERE WILL PEOPLE LIVE, WORK AND PLAY?	8
CHAPTER 3. GROWTH MANAGEMENT PROGRAM.....	10
OVERALL GROWTH MANAGEMENT GOALS	11
POLICIES	11
IMPLEMENTATION HIGHLIGHTS	11
CHAPTER 4. FUTURE LAND USE PLAN.....	13
GOALS	13
POLICIES	13
IMPLEMENTATION STRATEGIES.....	18
STATEMENTS OF PURPOSE FOR ZONING DISTRICTS.....	23
TABLE 4-1. RECOMMENDED FUTURE LAND USE DISTRICTS (SEE FUTURE LAND USE MAP AT THE END OF THIS DOCUMENT)	26
TABLE 4-1. RECOMMENDED FUTURE LAND USE DISTRICTS (CONTINUED)	27
TABLE 4-2. RECOMMENDATIONS FOR OTHER DIMENSIONAL REQUIREMENTS.....	28
CHAPTER 5. AFFORDABLE HOUSING PLAN.....	29
GOALS	29
POLICIES	29
IMPLEMENTATION STRATEGIES.....	29
CHAPTER 6. ECONOMIC DEVELOPMENT PLAN.....	31
GOALS	31
POLICIES	31
IMPLEMENTATION STRATEGIES.....	31

TABLE OF CONTENTS

CHAPTER 7. WATER RESOURCES, MARINE RESOURCES AND OTHER NATURAL RESOURCES PLAN	33
GOALS	33
POLICIES	33
IMPLEMENTATION STRATEGIES.....	34
CHAPTER 8. HISTORIC AND ARCHAEOLOGICAL RESOURCES PLAN.....	39
GOALS	39
POLICIES	39
IMPLEMENTATION STRATEGIES.....	39
CHAPTER 9. OUTDOOR RECREATION AND SCENIC RESOURCES PLAN	41
GOALS	41
POLICIES	41
IMPLEMENTATION STRATEGIES.....	42
CHAPTER 10. TRANSPORTATION PLAN	44
GOALS	44
POLICIES	44
IMPLEMENTATION STRATEGIES.....	45
CHAPTER 11. PUBLIC FACILITIES AND SERVICES PLAN	48
GOALS	48
POLICIES	48
IMPLEMENTATION STRATEGIES.....	49
CHAPTER 12. FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN.....	52
OVERVIEW	52
GOALS	52
POLICIES	53
IMPLEMENTATION STRATEGIES.....	53
TABLE 12-1. CAPITAL EQUIPMENT REPLACEMENT AND FACILITIES PLAN - 2004.....	55
TABLE 12-2. SUMMARY OF OTHER PROJECTS WITH POTENTIAL FUNDING REQUIREMENTS (TEN YEAR TIMEFRAME)	56
CHAPTER 13. OPEN SPACE PLAN “NORTH YARMOUTH LAND STEWARDSHIP PROGRAM”	59
INTRODUCTION	59
GOALS	59
POLICIES	60
IMPLEMENTATION STRATEGIES.....	60
SPECIFIC RECOMMENDATIONS FOR PRIORITY OPEN SPACE AREAS.....	62
TABLE 13-1. CONSIDERATIONS FOR DETERMINING PRIORITIES.....	66
TABLE 13-2. OTHER CONSIDERATIONS FOR DETERMINING PRIORITIES.....	67
HIGH VALUE OPEN SPACE AREAS MAP (SEE NEXT PAGE).....	67
TRAILS, CONSERVATION AND PUBLIC LANDS AND SCENIC VIEWS (SEE NEXT TO LAST PAGE) ...	67
FUTURE LAND USE MAP (SEE LAST PAGE)	67

CHAPTER 1. INTRODUCTION

Acknowledgements

Thank you to the Comprehensive Plan Update Committee:

Pat Hamel, Chairperson	Christine Toriello
Judy Maddox, Secretary	Ed Gervais
Bob Houston, Mapping*	Glen Gervais
Eleanor Carolan	Katri Sampson
Nancy Grant	Kenneth Allen
Lewis Holman	Deb Macleod
Katie Murphy	Amanda Bennett
	Dick Baston
	Gwen Hilton, Consultant

Thank you to the Board of Selectmen:

David Perkins	Carol Burgess
Richard Brobst, Sr.	Clark Whittier
	Jeanne Chadbourne

Thank you to the Planning Board:

Kathryn Dion	Steve Morrison
Gordon Scannell	William Hayes
Kent Hilton	Ed Gervais
	Peter Lindsey

Thank you to the Town officials and staff:

Scott Seaver (Administrative Assistant)	Mike O'Donnell (John O'Donnell Associates -
Donald Chaisson (Public Works	Assessors)
Director)	Marie Lausier (Office staff)
	Debbie Allen (Office staff)

Thank you to the many others who assisted in this effort, including:

Lincoln Merrill (Future Land Committee), Guy Watson (Shellfish Conservation Commission), Dick Sweet (Sweet Associates), Scott Poulan (SAD#51), Henry Nichols (Friends of the Royal River), Sally Stockwell (Maine Audubon Beginning with Habitat Program), Bob MacKinnon and Matt Reynolds (Yarmouth Water District), Matt Nazar and Beth Della Valle (Maine State Planning Office), and Rick Seeley, Caroline Allam and Dan Stewart (Great Portland Council of Governments).

Thank you to all the residents who participated in the public opinion survey, workshops and public meetings.

* We would like to extend special thanks to Bob Houston for providing the splendid maps for this plan.

INTRODUCTION

Background and Purpose of the Comprehensive Plan Update

North Yarmouth completed its first Comprehensive Plan in 1973, revised it in 1985 and in 1991. Since 1991 the community has experienced considerable growth and development, and has enacted a building cap on the number of residential permits allowed. This has slowed the pace of residential development, but growth has and continues to occur primarily along rural roads, and increasingly off private roads extending into undeveloped backlands. This sprawling development pattern will consume all developable areas resulting in a community that is expensive to maintain and serve, and whose character will have changed dramatically.

Besides a building cap, the town's other tools for guiding growth are zoning and the use of impact fees on new residential development. Fees help pay for capital improvements for emergency services and to preserve open space and develop recreation facilities. Maine law requires that any town using these tools have a Comprehensive Plan, which meets specific criteria. The goal of this comprehensive plan is to bring the North Yarmouth into compliance with this requirement and to ***guide future growth and development over the next decade.***

The Process for Updating the Plan

The 14-member Comprehensive Plan Update Committee has been working on the Plan for nearly two years. They began by conducting a thorough assessment that identified the critical issues. In the fall of 2002, they hired a consultant to assist them. Since then, the Committee has been meeting two to four times a month to review and debate the various chapters of the Plan. Ongoing public input has been a priority, and the following opportunities were provided:

Public Opinion Survey (467 surveys returned, 39% response rate) – January 2003

Visioning Sessions (5 sessions, approximately 70 participants) – February 2003

Open Space Workshops (2 sessions, approximately 50 participants) – June 2003

Large Landowners (50+ acres) Meeting (15 participants) – September 2003

Land Use Workshop with Representatives of the State Planning Office and Community Leaders
(20 participants) – September 2003

Public Forum – November 2003

In addition, Comprehensive Plan documents were made available on the Town's WEB page and numerous articles were published in the local newspapers.

At the March 2004 Town Meeting the Town will vote on the proposed Comprehensive Plan Update. **The Plan is NOT an ordinance or regulations.** It makes recommendations for changes in town policies and areas for further research. **Recommended changes to the Zoning Ordinance will require further work by the Planning Board or an ordinance drafting committee.** There will be more opportunities for public input. The process of making changes to the zoning regulations will take 2 to 3 years, with town votes on amendments to ordinances at future town meetings.

INTRODUCTION

The Comprehensive Plan Documents and Maps

The Comprehensive Plan Update document is organized into two books:

Book I. Recommendations: Goals, Policies and Implementation Strategies

**Book II. Supporting Documentation: Inventory and Analysis
Appendix**

Results of the Public Opinion Survey
Results of the Visioning Workshops
Results of the Open Space Workshops

Maps (included in the Plan Document)

Land Cover
Surface Waters
Sub-surface Waters
Wildlife Habitat
Topography
Building Development
Open Space Plan
Future Land Use

Other Maps Used in the Planning Process

Potential for Low Density Development (USDA Natural Resources Conservation Service)
Archaeologically Sensitive Areas (Maine Historic Preservation Commission)

CHAPTER 2. VISION FOR NORTH YARMOUTH TO THE YEAR 2020

Introduction

North Yarmouth begins the 21st century with a substantial legacy. Of the houses appearing on a town map printed in 1871, more than 135 are still standing. While some of these historic buildings are in the Walnut Hill area, most are evenly scattered throughout the Town, contributing to a feeling of age and stability. Stonewalls run along the roads and deep into the forest that has overtaken the last century's fields, the old granite quarry and the site of the Wescustogo Hotel. North Yarmouth still feels like a small town and has a rural appearance, although working family farms have passed almost completely into history.

Over the past decade North Yarmouth has become increasingly attractive to new residents seeking more rural lifestyles, while commuting to work in the urban areas.

Accommodating Population Growth Without Losing Community Character

Change is inevitable due to the inability to stop people fleeing the more urban areas in search of a rural setting to call home. We hope to address the need to accommodate population growth while preserving the most treasured places and maintaining the quality of life that citizens cherish.

Key Characteristics of the Vision

In the year 2020, we hope North Yarmouth will still be a safe, friendly, welcoming town. We would like to see a strong sense of community with many folks involved in town affairs and community activities. We expect that there will be a strong sense of history evident in the continued existence of old buildings and places. While there will be many more houses, we would like to see most of them located in village neighborhoods thereby preserving expanses of open space and critical natural resources. Access to outdoor recreational opportunities, places for solitude and other amenities important to maintaining a high quality of life will be very important.

Special Places: Natural and Cultural Treasures to be preserved for the Future

A vision of North Yarmouth for the year 2020 must begin with an identification of those places most treasured by the community; many would consider the loss of these places a great failure. Some are unique natural areas, such as the Royal River, while others are culturally significant such as the Congregational Church.

The Royal River, Chandler Brook and the East Branch define the landscape and provide many amenities: great scenery, recreational opportunities – canoeing, swimming, fishing, skating, and quiet places for personal reflection and solitude. By the year 2020, we hope that there will be a Royal River Corridor greenway extending through North Yarmouth and into neighboring communities. There could be interconnecting trails between parks, such as Wescustogo Park and Meeting House Park. Wildlife will likely continue to be abundant. Preservation of the Royal River Corridor will be the result of a collaborative effort between the towns in the watershed and groups like Friends of Royal River.

VISION STATEMENT

The most critical hidden natural resource is the large sand and gravel aquifer that serves as a source of plentiful, clean water for the citizens of North Yarmouth and Yarmouth. It is our hope that in the year 2020, these water supplies will remain clean and plentiful for future generations of citizens of North Yarmouth and Yarmouth as a result of strong efforts to protect them.

In the year 2020, an abundance of wildlife in North Yarmouth will be due to conservation efforts within areas like the large undeveloped area that includes Knight's Pond and Deer Brook, and is shared with the Town of Cumberland. This will have been as a result of the cooperative efforts of the towns of Cumberland and North Yarmouth working with landowners to preserve the area.

Another special place is the scenic gateway to the Town from the south on Route 115. Two railroad overpasses and a dramatic view of open fields and forests provide a stunning entryway. Given the proximity of this area to built-up portions of Yarmouth and future access to water and sewer, this area may be transformed into an attractive village neighborhood. There could be gateway signage that welcomes people and publicizes community events. Similar signage could be located at other gateways and at the entrance to the Village.

The Village contains civic and cultural treasures that should establish the setting for the addition of new uses envisioned for the year 2020. These cultural treasures include the Congregational Church, the Wescustogo Grange Hall and the many other historic buildings. To the east of the Village along The Lane and Sweetser Road are more historic buildings, with the most notable, Skyline Farm, a historic farm museum with open fields and woods. Another special place is the Town Forest, evidence of a prior era's Yankee thriftiness in having planted a red pine plantation for future generations. These are all important cultural resources that should be retained for future generations.

The Year 2020: Where will People Live, Work and Play?

Over the next two decades North Yarmouth will continue to be a bedroom community to its more urban neighbors, but by the year 2020 there may be more small businesses in the Village Center. The footprint of the Village Center will shift to the west and north to provide greater protection for groundwater supplies. Hopefully, most of the Town's important special places will be permanently preserved as parks or open space. We hope to see people walking, bicycling and interacting with neighbors on these trails and in the parks.

There should be a thriving Village Center, with community facilities, such as Wescustogo Grange Hall, the Village Green, the Town Office and Memorial School, all interconnected to adjacent village neighborhoods by sidewalks. Small village businesses should provide shopping convenience for residents, maybe a pharmacy, service station, small grocery store, hardware store, doctors and other professional offices. Some older homes will likely be converted to office space, while others will remain as residences. New houses and businesses should be incorporated into the village in a harmonious manner that preserves the historic integrity of the Village. Residential neighborhoods should be located nearby on quiet residential streets with sidewalks to encourage healthy, active lifestyles. Routes 115 and 9 will still be major thoroughfares, but traffic will travel slowly through these areas, and there will be safe provision for pedestrians and bicyclists. Perhaps local transit associated with the more urban areas to the south will be available.

By the year 2020, the Village will probably have expanded to include areas towards Cumberland and Yarmouth, and areas north east of the Village Center along and between Routes 231 and 9. Village scale residential neighborhoods, some similar to Walnut Hill Heights, should lie adjacent to the Village Center. There may also be small housing complexes, perhaps condominiums for seniors and maybe an assisted

VISION STATEMENT

living facility. Some homes in the expanded village area will be attached, on smaller lots, or smaller in size so that they are affordable and convenient for young families and senior citizens on fixed incomes. Children should be able to walk to Memorial School and the new school that might be located in the Village. Homes will be located in friendly, close knit neighborhoods that are designed with landscaping and building placement to provide privacy, but also with sidewalks, playgrounds, parks and public spaces for people to meet and congregate.

New homes in rural areas of the community will likely be located in small developments that preserve open space, and are screened from roadways to maintain privacy and rural character. Open space in these developments will be consistent with the Town's efforts to preserve important greenways, wildlife corridors, and other natural resources.

Many rural areas of the community will consist of fields and forests, but active farming and forestry will be different from in the past. There will be people who raise a few livestock, or have a small garden to generate supplemental income, or maybe just as a hobby. There will also be agriculturally related businesses, such as Christmas tree farms, nurseries and maybe market gardens to supply residents with locally grown fruits and vegetables, or ornamental plants for landscaping. Perhaps there will be a farmer's market, or cooperative market garden. Privately owned recreational uses of open land will become more common, such as golf courses and horse farms.

CHAPTER 3. GROWTH MANAGEMENT PROGRAM

Maine's Growth Management Law establishes the criteria for **North Yarmouth's Growth Management Program**, which consists of this Comprehensive Plan Update and its Implementation Program. The Comprehensive Plan contains goals and policies, and makes recommendations for how they should be implemented. Once the Plan is adopted, the Town begins implementing the recommendations; this is called the Implementation Program.

The Growth Management Program is designed to utilize a combination of regulatory and non-regulatory tools to achieve its goals. The foundation for the program is the **Future Land Use Plan**, which maps out rural areas and areas for future growth. The recommendations from other sections of the Plan, such as Municipal Facilities and Services, Transportation, Housing and the Open Space Plan are designed to dovetail with the Future Land Use Plan's blueprint for development. **The coordinated use of all of the tools available to the Town is required to effectively guide growth.**



GROWTH MANAGEMENT PROGRAM

Overall Growth Management Goals

1. Implement a Growth Management Program consistent with the “Vision for North Yarmouth to the Year 2020”.
2. Implement a Growth Management Program that is consistent with the goals of the various sections of this Plan, including most importantly, the following goal: *Encourage orderly growth and development in appropriate areas of the community, while protecting rural character, making efficient use of public services, and preventing sprawl.*

Policies

1. Implement a program that incorporates land use regulation, open space planning, education, management of services and facilities including capital improvements and transportation management, inter-local initiatives, and fiscal and taxation policies.
2. Monitor the effectiveness of this Growth Management Program in meeting the stated goals, and revise as necessary to achieve the goals or to reflect changing circumstances.

Implementation Highlights

The Policies will be implemented as follows:	Responsible Party ¹	Year
1. Oversight of the Implementation Program to be accomplished at least once a year to evaluate progress in meeting the goals of the Growth Management Program.	Implementation on Committee	April 2004, then annually
2. Residential Growth Management through a differential residential growth cap that limits the amount of new housing on a yearly basis to protect existing and future public water supplies, and to allow development to occur at a pace consistent with the Town’s ability to provide services and facilities, such as public sewer. <u>A permanent residential growth cap will apply to the Farm and Forest District. A temporary residential growth cap will apply to the Village Center, Village Residential and Transitional Residential Districts.</u> It is anticipated that this temporary cap will be in place for 3 years. (See Chapter 4 of Book I for additional information and requirements regarding the growth cap.) The following criteria should be considered: <ol style="list-style-type: none">a. Historic and projected growth rates;b. The goal of 60% to 70% of future residential development to occur in the Village Center and Village Residential Districts, with some future portion allocated to the Transitional Residential Districtsc. The goal of no more than 30% to 40% of residential development to occur in the Farm and Forest Districts	Implementation on Committee	2004, update every 3 years

¹ Bold denotes the entity or individual with primary oversight or responsibility.

G R O W T H M A N A G E M E N T P R O G R A M

d. The affects on housing affordability e. The affects on municipal services and facilities, including schools f. The affects on neighboring communities		
3. Zoning and Subdivision Amendments to protect critical natural resources, conserve open space and provide a blueprint for the location and character of future development.	Ordinance Committee	2004 & ongoing
4. Open Space Planning to preserve critical natural resource areas, such as the Royal River Greenway, through initiatives for purchase of land, conservation easements, development rights programs, landowner agreements and other efforts.	Land Stewardship Committee	2004 & ongoing
5. Administration and Enforcement capacity to include additional staffing and planning resources, such as improved mapping and data management, and training for municipal officials on protecting natural and cultural resources. Increased staffing and enforcement capacity will be needed to address implementation of this Plan and anticipated growth and development.	Selectmen	2004 & ongoing
6. Taxation Policies that are equitable and support land preservation, particularly for critical natural resources, open space, forestry and farming.	Selectmen, Assessor	2004 & ongoing
7. Facilities and Services and Capital Investment Priorities and Policies to address anticipated growth and the need for affordable housing, and to support making Village Districts highly desirable places to live and do business because of more services and facilities, and to provide efficient use of taxpayer dollars.	Selectmen	2004 & ongoing
8. Transportation Initiatives to address traffic speeds, highway capacity and safety, and promote and support bicycle and pedestrian modes.	Selectmen, Ordinance Committee	2004 & ongoing
9. Sound Fiscal Management through an effective Capital Investment Program and creative use of a variety of funding mechanisms, such as grants, special assessments, user fees and impact fees.	Selectmen, Administrative Assistant	2004 & ongoing
10. Regional Partnerships with other towns (e.g., Central Corridor Committee, Portland Area Transportation Committee), the Friends of the Royal River, etc.	Selectmen & Others	2004 & ongoing

CHAPTER 4. FUTURE LAND USE PLAN

Goals

1. Encourage orderly growth and development in appropriate areas of the community, while protecting rural character, making efficient use of public services, and preventing development sprawl. (State Goal)
2. Safeguard agricultural and forest resources from development that threatens those resources. (State Goal)
3. Establish a land use plan consistent with regional growth trends, where within the regional context North Yarmouth serves as a transitional area between the more urban/suburban towns of Cumberland and Yarmouth and the more rural towns of Pownal and New Gloucester.
4. Establish a land use pattern that safeguards the North Yarmouth and Yarmouth public water supplies.
5. Establish a land use pattern that defines specific growth and rural areas to preserve open space, farmland and environmental resources while encouraging sustainable growth.
6. Control the pace and timing of development and promote a land use pattern that will assure cost effective and efficient delivery of public services, and maintain a safe and efficient transportation network.
7. Ensure that new development is compatible with the existing scale and rural character of North Yarmouth and does not negatively impact the site and/or surrounding areas.
8. Attain a goal of at least 60 to 70 percent of new residential uses to be located within the Village Center, Village Residential or Transitional Residential Districts areas over the next ten years. Attain a goal of no more than 30 to 40 percent of new residential uses to be located in Farm and Forest District over the next ten years.

Policies

1. Utilize the land use regulations as the primary tools for managing the location and character of future growth and development. The regulations should consist of growth areas, transitional growth areas, rural areas and critical natural resource areas designed to direct growth to suitable locations within the community and to maintain open space and protect important natural and cultural resources. Growth areas should be those areas most cost-effectively served by public services and facilities. The following policies establish the criteria for designation of growth, rural and critical natural resource areas:
 - a. Establish growth areas (Village Center Districts and Village Residential Districts) for residential, and village scale commercial and light industrial development in areas that:
 - i. Are already developed, or are adjacent to developed areas where public services and facilities (including public water, and potentially sewer) can be most efficiently and cost-effectively

FUTURE LAND USE PLAN

- provided now and in the future;
 - ii. Are within proximity to state highways and are accessible to existing utilities;
 - iii. Do not include the Royal River Greenway, significant portions of the large undeveloped area including Knight's Pond and the Deer Brook area, water supply recharge areas, [large] areas with significant wildlife habitat, and other significant natural resources, such as large areas of forest and farmland, archaeologically sensitive areas, etc.; and
 - iv. Are consistent with growth areas in neighboring communities.
- b. Establish transitional growth areas (**Transitional Residential Districts**) that are suitable for future village scale development when adjacent areas of Yarmouth are zoned for growth and sewer becomes available.
- c. Establish rural areas² (**Farm and Forest Districts**) to maintain natural resource integrity, while providing for very low density development that are:
- i. Existing and future public water supply recharge areas;
 - ii. High value plant and animal habitats;
 - iii. Large undeveloped habitat blocks, particularly those greater than 1,000 acres in size and/or associated with the Royal River, Chandler Brook, East Branch, Pratt's Brook, Deer Brook and Knight's Pond;
 - iv. Farmland and forestland; and
 - v. Backland areas not included in other districts.
- d. Establish resource protection areas² (**Resource Protection Districts** - modification of existing Shoreland Zoning and Floodplain Regulations) to protect the most sensitive and important natural resource areas by prohibiting development of floodplains, and critical shoreland areas of rivers, brooks, and wetlands.
2. Utilize zoning to control land use, and development density, designs and impacts. Utilize design and performance standards that are specific, but flexible enough to give the administering authority adequate guidance, while allowing for creativity. Provide incentives and greater flexibility for desirable development, such as elderly housing or development that provides recreational and open space amenities.
3. Control the pace, timing, and location of development by limiting the number of residential building permits issued on a yearly basis (building cap) in the Farm and Forest Districts. Continue to grant waivers to the growth cap for gifts to blood relatives and long-time residents planning to relocate. Investigate the legality and desirability of granting waivers for desired development designs and amenities that will benefit the Town.
- As a temporary measure maintain the residential growth cap in the Village Center Districts, Village Residential Districts and Transitional Residential Districts for a period of 3 years after the adoption of this Plan. Maintain the current rate of growth, but allow at least 60 to 70 percent of new residential growth to be located in these areas. The purpose of this temporary cap is to provide additional time to increase municipal and school capacity to support growth unrestricted by a residential growth cap. During this time period, maintain the existing waivers, including those for affordable senior housing

² Critical natural resource areas are included under both of these designations. They include existing and future water supply recharge areas, the Deer Brook-Knight's Pond wildlife habitat block, the Royal River Corridor including the Chandler Brook and East Branch, and the Pratt's Brook Corridor.

FUTURE LAND USE PLAN

and add waivers for affordable housing³. The gradual phasing out of the residential building cap should be based on progress in evaluating specific needs and developing additional school and town capacity. Any extension of this growth cap beyond 3 years requires the following actions to be taken and criteria to be met:

- a. A clear, quantified assessment of the fiscal or other municipal capacity problems that necessitate the continued imposition of a growth cap. The number of units, over and above the cap that could be reasonably expected if the cap were lifted must be identified. The municipal services impacted by development and unable to accommodate the additional units must be identified. Such identification will include a quantification of the services required by each unit and a clear quantification of existing capacity, demonstrating the lack of existing capacity.
 - b. The cap will be re-adjusted to allow growth at a rate demonstrated through the analysis completed in i. above.
 - c. The Capital Investment Plan and the Capital Improvement Plan will be reviewed and adjusted, as necessary, to address the capacity needs required to eliminate the growth cap.
 - d. The growth cap will not be extended more than an additional 2 years.
4. Protect and enhance residential neighborhoods, particularly those located in growth areas, through land use regulations that minimize any negative impacts from non-residential uses.
 5. Require greater scrutiny of subdivisions, mobile home parks, multifamily developments, commercial uses, industrial activities, and other uses with the potential for significant impacts on the community.
 6. Establish a land use regulatory system consistent with the goals and recommendations of the Open Space Plan, to include consideration for critical natural resource areas and the Map of Conservation Lands (*See Chapter 13, Open Space Plan*).
 7. Assure that new development does not overtax public services and facilities, including roads, or negatively impact the environment. Assure that new development pays for any expansion or upgrade of public facilities and services necessitated by the development, particularly when the development is located outside designated growth areas.
 8. Provide adequate administration and enforcement, including maintenance of up-to-date land use and natural resource information and maps that are user-friendly and accessible to town officials, developers and the public.
 9. Assure that local regulations are clear, straightforward and coordinated to facilitate administration, compliance, and enforcement. Assure that applicants pay for the cost of administering permit applications and related expenses.
 10. Utilize non-regulatory approaches to growth management where possible, to promote desired land use patterns (*See Chapter 3, Growth Management Program*) and the preservation of important critical natural resource areas and open space (*See Chapter 13, Open Space Plan*).
 11. **Regional Coordination:** Work with neighboring communities and the Greater Portland Council of Governments to address and coordinate growth and development in the region. Seek to maintain land use designations that are compatible with those of neighboring towns. Maintain a mutual protocol for

³ “Affordable housing” means decent, safe and sanitary dwellings, apartments or other living accommodations for a household whose income does not exceed 80% of the median income of the Portland Housing Market Area.

F U T U R E L A N D U S E P L A N

the review of permits for land use activities with potential impacts on North Yarmouth and neighboring towns. This should include situations where state and federal review is required.

FUTURE LAND USE PLAN

Justification for Monitoring/Adjusting Residential Growth

North Yarmouth is relatively rural community in transition to a more suburban one. Unlike its more suburban neighbors (Yarmouth, Cumberland and Gray, in particular), it still has very limited administrative staffing, limited public works capacity, no local police protection and continues to utilize an almost entirely volunteer fire and rescue department (only backup paramedic through Yarmouth is paid). Additionally, there is very limited municipal infrastructure within the proposed growth areas. The lack of a sewer, and even public water in many areas limits the potential density of future development, including the development of affordable housing. Internal streets and pedestrian amenities are non-existent within the growth areas, and even if they were the Public Works Department does not currently have the capacity to maintain them.

Regarding the schools, a few extra years would give SAD #51 additional time to “catch its breath”, given the extensive current school expansions. The District needs to re-evaluate enrollment projections and school capacity without the building cap in an effort to determine future school needs. The new Middle School and plans for renovations to the High School are based on the current capacity, not future needs without residential building caps.

Growth pressures on the Town are significant given its proximity to more urban areas, its rural character and the reputation of the school district. North Yarmouth has one of the highest population growth rates in the region and the trend is projected to continue. The Town’s concern over uncontrolled growth is based on the desirability of the school district, and the ongoing influx of families with children moving into the Town. Cumberland, the other member of the school district currently has a building cap. Additionally, adjacent towns, such as Cumberland and Yarmouth have not reached built out in areas with infrastructure. Totally lifting the cap in North Yarmouth would therefore contribute to regional sprawl.

For these reasons, a temporary residential growth cap is proposed for the growth area to give North Yarmouth, and the school district, time to prepare for lifting the cap. Ideally, the residential growth caps in the growth areas of both Cumberland and North Yarmouth (SAD #51 towns) will be eliminated at nearly the same time. This is a responsible approach that allows for most of the projected rate of growth, but provides an upper limit that would prevent growth above and beyond what the Town is able to handle and what is certainly its reasonable share of the region’s growth.

This Plan proposes a proactive, comprehensive approach to preparing to lift the cap within the next 3 years. The Future Land Use Plan proposes a dramatic change in zoning to include a growth area suitable for future development. This area needs to be developed in a “smart” fashion, with a master plan for the infrastructure, including future sewer and water service, and a plan for internal streets and pedestrian amenities. The Capital Investment Plan (*See Table 12-2*) outlines a number of actions designed to increase municipal capacity and infrastructure to the growth area, including additional administrative staffing, a study to determine public works needs, a sewer feasibility study and a master plan for future development of the area. The temporary cap will also improve the timing with respect to the development of a new Yarmouth Water District water supply and connector lines that will support the Town’s growth area designation.


The temporary residential building cap will give the Town the time it needs to plan and adequately prepare for future development so that it will be better able to address critical affordable housing needs, such as through provisions for water and sewer. Lifting the cap will not address the lack of affordable housing. Without the temporary cap development will proceed as it has in the past (i.e., large homes on 3 to 5 acre lots) instead of the higher densities that would allow for affordable housing options. In the meantime, the Affordable Housing Plan includes a number of strategies to support the development of

FUTURE LAND USE PLAN


affordable housing, such as a building cap waiver for affordable housing proposals (the Town already has a affordable senior housing overlay in effect). Accessory apartments will be allowed town-wide to serve as an income enhancement for homeowner's, including elderly looking to stay in their homes longer and younger families looking to purchase and/or build their first homes. The Plan also suggests requiring that developers of ten or more lots or units set aside 10% as affordable lots or units, and working with Cumberland and Yarmouth to address local affordable housing needs.

These proposals will allow a fair share of growth to occur in the community through a planned approach that will also address long-term affordable housing needs. Area towns, such as Cumberland, Gray, Freeport, Yarmouth and Falmouth have the administrative capacity and major infrastructure in place (such as town planners and engineers, sewer and water, paved shoulders and walkways connected to village or service centers) to accommodate higher density development, including affordable housing. While North Yarmouth is responsibly preparing to accommodate this kind of growth we would hope that this infrastructure is maximized in the towns where it is currently available. The proposed temporary residential building cap in the growth area will allow time for North Yarmouth to “catch up” with its suburban neighbors to prepare for additional growth.


Implementation Strategies

The Policies will be implemented as follows:	Responsible Party	Year
<p><i>(Note: Most of the following are recommended amendments to the Zoning Ordinance. See also, Statements of Purpose, Table 4-1 and the Future Land Use Map)</i></p> <p>1. Establish Zoning Districts:</p> <ul style="list-style-type: none"> a. Village Center Districts (growth area) b. Village Residential Districts (growth area) c. Transitional Residential Districts (transitional growth area) d. Farm and Forest Districts (rural area, critical natural resources) e. Resource Protection Districts (critical natural resource area) <p>2. District Provisions - Establish a system of regulatory requirements, including incentives and disincentives for desired development:</p> <ul style="list-style-type: none"> a. In Village Center, Village Residential and Transitional Residential Districts: <ul style="list-style-type: none"> i. Streamline permitting requirements and procedures, without compromising overall goals ii. Establish minimum lot sizes, residential densities, and other dimensional requirements, consistent with traditional village layout; allow considerable flexibility to achieve desired development patterns <i>(See Table 6-1)</i> iii. Establish a temporary residential building cap consistent with Goals #6 and #8, and Policy #3. iv. Provide infrastructure and amenities, and require that new development is consistent with the master plan for open space networks, recreational areas, streets, sidewalks, etc. 	<p>Ordinance Committee; <i>Zoning amendments require Town Meeting approval</i></p> 	<p>2004 & ongoing</p>

FUTURE LAND USE PLAN

<p>b. In Farm and Forest Districts:</p> <ul style="list-style-type: none"> i. Maintain the building cap, consistent with Goal #8 of this Land Use Plan. ii. Protect open space and important natural resources by limiting residential, commercial and other non-resource based uses (resource-based uses include forestry, farming, low intensity outdoor recreation, mineral extraction, and related uses). iii. Require conservation subdivisions (including cluster development) that preserve critical natural resources and open spaces consistent with the Map of Conservation Lands and/or Open Space Plan. Require that <u>at least 50 to 60%</u> of the parcel be permanently preserved as open space. iv. Provide incentives to maximize the preservation of open space, with flexible regulations to allow landowners opportunities to develop or otherwise maintain or enhance property values. <p>c. In Resource Protection Districts:</p> <ul style="list-style-type: none"> i. Prohibit most structural development ii. Allow these areas to be used in meeting open space set-aides in conservation subdivisions. <p>3. General Standards: Include the following provisions, applicable to all uses and lots:</p> <ul style="list-style-type: none"> a. Require permits for the creation of new lots and driveways to assure adequate access for emergency vehicles, to maintain safe access to public roads, and to maintain an orderly development pattern. b. Continue to require adequate lot sizes, sewage treatment, protection of water resources, minimization of soil erosion and sedimentation, etc. (<i>See Chapter 7, Water Resources, Natural Resources</i>) c. Continue to restrict obnoxious or injurious noise, air emissions, odors, smoke, glare, dust, fumes waster materials, etc. d. Continue to regulate earth removal, including gravel pits. e. Continue to require adequate off street parking and loading. Require access management, including adequate sight distances for all driveways and access roads. f. Require that homebuilders and developers utilize the Map of Conservation Lands, which delineates conservation networks, to design their developments. (<i>See Chapter 13. Open Space Plan</i>) <p>4. Site Plan Review, Subdivisions, and Mobile Home Parks: Continue to provide a higher level of scrutiny for multiplexes, mobile home parks, subdivisions, commercial and industrial uses, and institutional uses. (Home occupations, single and two family residences and forestry and agriculture are exempt, consider adding accessory apartments)</p> <ul style="list-style-type: none"> a. Continue the two-tiered approach, with major and minor subdivisions, levels of review, and requirements. b. Utilize design and performance standards to address the following: retention of topsoil and preservation/enhancement of natural landscape 	<p>Ordinance Committee</p> 	<p>2004 & ongoing</p>
--	--	---------------------------


FUTURE LAND USE PLAN

<p>and vegetation; water quality and quantity; sewage treatment and waste disposal; erosion and storm water runoff; storage and handling materials, including toxics; aesthetics and scenic resources; environmentally sensitive areas; archaeological and historic resources; screening and visual buffers; emergency access; lighting and signage; parking and loading; sidewalk and other pedestrian amenities; traffic impacts, and site access and road design.</p> <ul style="list-style-type: none"> c. Include provisions for conservation development, or clustered residential, commercial development and mixed-use planned developments. Encourage well-designed developments that preserve important aspects of the natural and cultural landscape. d. Continue to require a municipal facilities and services impact analysis, and mitigation to assure that new development does not overtax public services and facilities, including roads. e. Continue to require performance guarantees or other similar requirements to assure that developers provide adequate facilities for their developments [e.g. roads, water and sewer extensions (if applicable), sidewalks]. Include mechanisms to assure that appropriate public officials have been consulted (Fire Chief, Road Commissioner, Yarmouth Water District, etc.). f. Consider requiring developers to meet with abutters and neighbors to address concerns prior to development reviews. g. Review and update the subdivision regulations, and consider town meeting adoption of a subdivision ordinance. <i>(Current “regulations” implement state statute and were adopted, and can be amended by the Planning Board).</i> h. Amend as appropriate the Subdivision Standards to assure that they are consistent with the growth and rural area goals. In particular, review road access and frontage requirements so that lots have access via internal private roads as opposed to direct access to public roads. Also, allow smaller lot frontages in village areas to provide for more walkable neighborhoods. <p>5. Special Uses:</p> <ul style="list-style-type: none"> a. Continue to allow home occupations throughout town as long as they are clearly incidental to residential uses. Consider a similar approach for accessory apartments. b. Continue to regulate junkyards, automobile graveyards, mass gatherings and other uses that might negatively impact neighborhoods. Consider the need to add campgrounds. The standards should address the unique aspects of each of these uses, such as traffic, noise, light, dust, crowd containment, environmental hazards, and minimizing adverse impacts surrounding properties. c. Amend the provisions governing telecommunications towers to reflect current technology. Telecommunications towers should be designed to minimize adverse visual impacts and protect the health, safety and welfare. Consider the following: - (i) encourage colocation, which is the use of a tower by more than one service provider, (ii) limit the number and location of telecommunications towers, provided all equivalent carriers are treated equally (iii) allow access to public 	<p>Ordinance Committee</p> 	<p>2004 & ongoing</p>
---	--	---------------------------

FUTURE LAND USE PLAN

<p>property for the construction of telecommunications towers, and require adequate setbacks to protect neighboring properties. <i>(See Maine State Planning Office Manual "A Wireless Telecommunications Facility Siting Ordinance", Sept 1998 for more suggestions)</i></p> <p>d. Continue to regulate manufactured housing and mobile home parks as allowed by state law.</p>	Ordinance Committee	2004 & ongoing
<p>6. Development Rights/Land Banking Programs: Consider the development of purchase of development rights, transfer of development rights and/or land banking programs that compensate landowners and allow development rights to be shifted from rural areas to growth areas. Monitor regional and state initiatives.</p>	Implementation Committee	2004 & ongoing
<p>7. General:</p> <p>a. Assure internal consistency between land use regulations, and conformance with federal and state regulations.</p> <p>b. Assure that regulatory standards are specific, provide adequate guidance on requirements, and are consistent with the growth management goals.</p> <p>c. Consider codification of the town's ordinances and regulations into one municipal code.</p>	Ordinance Committee, Selectmen	2004 & ongoing
<p>8. Administration and Enforcement:</p> <p>a. Increase administrative staffing for land use regulation and enforcement. Periodically review administrative and enforcement levels to determine if there is a need for additional staffing and/or funding. This review should occur at least every five years or when major changes are made to the regulations.</p> <p>b. Maintain consistent and clear procedures for obtaining permits, and allowing public review of proposed projects. Clarify review procedures for special exceptions.</p> <p>c. Strictly enforce local laws and regulations, and include an educational component to code enforcement activities, particularly with regard to protection of water, natural and cultural resources <i>(See Chapters 4, 7 and 8)</i>.</p>	<p>Selectmen, Administrative Assistant, Code Enforcement Officer, Conservation Commission</p> <p style="text-align: center;">↓</p>	2004 & ongoing
<p>9. Information and Mapping: Develop a new workstation with GIS tools for mapping and data compilation to include property tax, land use, natural resource, transportation and public facilities data. Take advantage of state or GPCOG technical assistance and funding for the development of a complete geographical information system (GIS) for the Town.</p>		
<p>10. Regional Planning and Coordination:</p> <p>a. Work with the Greater Portland Council of Governments (GPCOG) and others to coordinate regional planning. Continue to actively participate on the GPCOG Board of Directors, and on initiatives such as the Central Corridor Committee.</p>	Selectmen, Administrative Assistant, Implementation Committee, Ordinance	2004 & ongoing

FUTURE LAND USE PLAN

<ul style="list-style-type: none"> b. Meet with Cumberland, Yarmouth, New Gloucester, Pownal and Gray to coordinate orderly expansion of regional growth, including discussions regarding public water and sewer service. c. Meet with representatives of New Gloucester and Pineland to address the impacts on North Yarmouth. Participate in any studies related to Pineland, such as the Tax Increment Financing Study required by New Gloucester. d. Review comprehensive plans and land use regulations of neighboring towns, and work to assure compatibility of districts, land use provisions, and procedures for joint reviews and permitting. Amend the Zoning Ordinance, as appropriate. e. Meet with representatives of the Town of Cumberland and SAD #51 to manage growth within the two towns. Advocate for consistent land use regulations, including the use of residential growth caps only in rural areas. Re-evaluate SAD #51 enrollment projections and school capacity under scenarios without residential growth caps in growth areas. 	<p>Committee, Planning Board</p> 	
<p>11. Monitor the Growth Management Program: The Implementation Committee shall meet annually to assess the effectiveness of the growth management program and implementation of the Comprehensive Plan. Closely monitor residential growth rates with respect to the goals of 60% to 70% of residential development to occur in the Village Center Districts, Village Residential Districts and the Transitional Residential Districts, and no more than 30% to 40% of residential development to occur in the Farm and Forest Districts. Adjust the growth management program, if necessary to meet these goals. Closely monitor the temporary residential growth cap in preparation for lifting the cap within the next 3 years. Evaluate growth impacts on facilities and services to include consideration for:</p> <ul style="list-style-type: none"> a. The need for additional school capacity and the cost to expand capacity b. The demand on administrative staffing, including permitting and enforcement capacity c. The demand on Public Works due to new and/or increasing road and infrastructure responsibilities (staffing, equipment and buildings) d. The demand for increased fire and rescue services, including the need for paid staff, due to population growth and demographic changes e. The need for local police protection f. The rate and pattern of development with respect to efficient and cost-effective land use pattern g. The progress in meeting long-term affordable housing goals of at least 6 new affordable housing units per year. h. Progress in increasing access to public water supplies and in bringing sewer into growth areas. i. The desire to manage the Town in a fiscally sound manner without drastic, abrupt increases in tax levels <p>Facilitate monitoring the growth management program by establishing a system to track the location and extent of development relative to the growth and rural area designations. (Planning and Code Enforcement Staff could be assigned this task).</p>	<p>Implementation on Committee, Selectmen, Planning Board</p>	<p>2004 & ongoing</p>

FUTURE LAND USE PLAN

--	--	--

Statements Of Purpose For Zoning Districts (Districts Displayed On Future Land Use Map)

Growth areas should be attractive places for future development. They are made more attractive through more relaxed and flexible regulation (without compromising the desirability of mixed-use areas for homes), through public investments in the infrastructure (e.g., town acceptance of subdivision roads, sidewalks, water, and sewer), and through other policies, such as those related to road maintenance and service priorities.

The Village Center District is the civic and cultural core of the community, and a growing center of commerce. It consists of village scale mixed uses and residential neighborhoods. The density and intensity of uses reflect the likelihood that centralized sewer service may not be feasible within the next five to ten years (1 unit/ ½-1 acre)⁴. The district is attractive, well maintained and highly desirable for residential living and the development of compatible commercial enterprises that provide convenient access to goods and services. Public facilities and services are well maintained and highly accessible. These areas are pedestrian friendly, with public space for community interaction. Natural vegetation, supplemented with plantings, provides privacy, improves aesthetics, minimizes noise, and otherwise enhances the environment. Design and performance standards include provisions to buffer residential uses from any potential undesirable affects of nonresidential uses. Dimensional standards are flexible to allow for creative development designs consistent with the existing village character. New village uses are sensitive to the existing historic character, topography and natural resources of the area. Open space and passive recreational areas are within walking distance of all areas of the district. New development occurs along streets off the main thoroughfare to maintain safety. District provisions also provide a high level of protection to groundwater recharge areas of the Yarmouth Water District.

Note: One of the primary purposes of the Village Center District is to encourage build-out in this area prior to more intensive development of the Village Residential District. The Town would prefer to have commercial enterprises locate in the Village Center District rather than in outlying areas of the Village Residential District.

Village Residential Districts allow for future expansion of the historic pattern and character of the village center area, to include medium density residential neighborhoods (1 unit/ ½-1 acre)⁴ and small scale, low intensity nonresidential uses, such as corner grocery and convenience stores. The density and intensity of uses should reflect the likelihood that centralized sewer service might not be feasible within the next five to ten years. The Village Residential District should be similar to the Village Center District, but should reflect a desire to have slightly slower development of commercial enterprises.

Transitional Residential Districts are areas adjacent to Yarmouth along Sligo and North Roads. These districts are designed to accommodate a portion of anticipated residential growth in the future after Yarmouth zones adjacent areas for growth and after sewer becomes available. These districts are designed to allow for orderly expansion of development from Yarmouth into North Yarmouth. Transitional Residential Districts should allow medium density residential growth (1 unit/acre; ½ acre with sewer).

⁴ This Comprehensive Plan recommends that a regional study be conducted to determine the feasibility and cost of providing public sewer. It is anticipated that it will be 5 to 10 years before public sewer might be available in North Yarmouth. Sewer must serve residential lot sizes of less than 1 acre, unless common engineered systems or other technology is used that assures that on-site septic systems will not contaminate groundwater resources.

FUTURE LAND USE PLAN

Residential Districts should be similar to Village Districts with respect to the desire to provide attractive places for future growth. While primarily residential in nature, home occupations and small-scale non-residential uses should be allowed.

Farm and Forest Districts protect existing and future water supplies, and conserve forest and farmland, wildlife habitat and high priority open space, such as the Royal River Corridor, Pratt's Brook Corridor, and the Deer Brook – Knight's Pond area. These Districts allow low-density residential uses (1 unit/3 acres) and support resource-based land uses, such as forestry, agriculture and low-intensity outdoor recreation. Conservation and/or cluster subdivisions that preserve at least 50% to 60% of the land in open space are required. Home occupations and other compatible, low-intensity non-residential uses are permitted, but must be designed to be consistent with the purposes of this district. Land uses that generate considerable traffic or require access to public services or facilities are restricted. Access management and preservation of rural scenic character is maintained through site distance requirements, curb cut limitations, screening and preservation of natural buffers along the main roads. The rate of new residential construction is limited in these areas.

Natural Resource Protection Districts provide the highest level of protection in areas where development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values when associated with wetlands and shore lands. Natural Resource Protection Districts include:

- a. 100 Year floodplains;
- b. Areas within 250 feet from Royal River, Chandler Brook and East Branch;
- c. Areas within 150 feet from Deer Brook, Toddy Brook and Pratt's Brook;
- d. Areas within 150 feet of the Deer Brook wetland and Knight's Pond;
- e. Wetlands greater than 2 acres in size and smaller wetlands when identified as having high value for wildlife habitat, flood prevention, water quality preservation, etc. (include consideration for an adequate wetlands buffer consisting of a 50 foot zone of no disturbance and a build setback of 75 to 100 feet.

Note: Shoreland Zoning could be treated as an Overlay District to the base district, or entirely incorporated into the Zoning Ordinance. In cases where the provisions conflict, the more restrictive provisions shall apply.

In addition to the districts described above, there would be the following overlay districts⁵:

Royal River Greenway Overlay District (includes Chandler Brook and the East Branch) – preserves the river corridor in open space uses. Greenway boundaries include 100-year floodplains, adjacent wetlands and their buffers, wellhead recharge areas within the corridor, existing town-owned land, and existing and future conservation land, including subdivision set-asides. The corridor should be a minimum of 500' on either side of the river; the current 250' building setback would remain, and the 250' building set back would be expanded to include Chandler Brook and East Branch. Within the area between the 250' building setback and the 500' minimum corridor boundary, subdivisions must be clustered with the portion of land within the corridor utilized to meet the open space set-aside requirements. All allowed building permits must be obtained from the Planning Board. Applicants must build within the corridor in a manner consistent with the goals of the corridor, such as maintaining adequate buffers and wildlife habitat. (*See Chapter 13. Open Space Plan*)

⁵ Overlay districts encompass one or more underlying districts and impose additional requirements above those required by the underlying district. In the Affordable Senior Housing overlay, certain requirements of the underlying district are relaxed or waived.

FUTURE LAND USE PLAN

Groundwater Protection Overlay District – provides protection to critical groundwater recharge areas of existing and future public water supplies. Should prohibit high-risk uses (e.g., gas stations, auto repair, furniture refinishers) and require best management practices for other uses with potential risks (e.g., offices, retail businesses, residences, parking lots). Restrictions would be greatest within the areas of primary concern (2500 day travel time zones). Minimum lot sizes (including per residence) should be at least 2-3 acres depending on location within the district. Subdivisions and other developments should be required to conduct hydrogeologic studies to demonstrate that their development will not negatively impact groundwater. *(See Future Land Use Map and Chapter 7. Water Resources, Marine Resources and Other Natural Resources)*

Affordable Senior Housing Overlay District – provides incentives for the development of affordable senior housing through waivers for dimensional standards and the building cap. Requires access to public water system. *(See Chapter 5. Affordable Housing Plan)*

Skyline Preservation Overlay District – addresses safety and aesthetic issues associated with communications towers and other tall structures. Provisions should be reviewed and amended to address current technology. *(See Chapter 4. Land Use Plan)*

FUTURE LAND USE PLAN

Table 4-1. Recommended Future Land Use Districts (See Future Land Use Map at the end of this document)

Districts	Village Center	Village Residential	Transitional Residential	Farm and Forest	Resource Protection ⁶
Purposes	Civic and cultural core; center of commerce; mixed uses; walkable	Village scale mixed uses, attractive, walkable neighborhoods	Residential growth consistent with Yarmouth zoning; small non-residential uses allowed.	Preserve rural character with low-density residential development and minimal impact on roads & services. Protect water supplies, large tracts of wildlife habitat, forest, farmland, and critical resource areas.	Greatest protection; floodplains, wetlands, streams, etc. plus buffers
Examples Of Permitted Uses^{7&8}	Residential uses, incl. multifamily; churches, schools, retail, services, etc.	Residential uses, incl. multifamily & mobile home parks; churches, schools, small neighborhood businesses <1,000-2,000 sf.	Residential uses, incl. multifamily & mobile home parks	1 & 2 family residences, agriculture, farm stands, forestry, agricultural/forestry related businesses	Limited disturbance of soil & vegetation.
Examples of Special Exception Uses⁹	Wholesale, light manufacturing, etc.	Commercial (>5,000 sf.); wholesale, light manufacturing, etc. but with limitations on size and impacts	Same as Village Residential	Camping; mineral extraction; low intensity outdoor recreation, very limited commercial/industrial, unless forestry or agriculturally related.	Passive recreational facilities, canoe launches, bridges
Examples of Prohibited Uses	Drive-in business; uses not compatible with residential uses (e.g., create noise, dust, odors, etc.), junkyards, retail > 30,000 sf.			Multiplexes, mobile home parks, churches, schools, traffic, generators, uses that might overtax infrastructure	Most structures and roads prohibited.

⁶ Similar to shoreland zoning and floodplain regulations, with some expansion of buffers and protection for smaller wetlands.

⁷ Accessory apartments, home occupations to be allowed town-wide with limits on size and impacts. Accessory apartment is a residential unit that has been added onto or created within a single family home. Recommended to replace in-law apartments. Agriculture and forestry to be allowed town-wide.

⁸ Overlay Districts, such as the Groundwater Overlay District further limits the types of uses allowed.

⁹ Special Exceptions are uses not ordinarily appropriate for the district. However, the Board of Appeals may approve special exceptions if they can be shown to be harmonious with the area.

FUTURE LAND USE PLAN

Table 4-1. Recommended Future Land Use Districts (Continued)

District	Village Center	Village Residential	Transitional Residential	Farm and Forest	Resource Protection
Minimum Lot Size or Maximum Residential Density ^{10&11}	Residential - 1 unit/½-1 acre; Commercial - 0	Residential - 1 unit/½-1 acre; Commercial – ½-1 acre	Residential- 1 unit/acre; 1 unit/½ acre with sewer	Residential - 1 unit/3 acres	Residential – generally, not allowed
Subdivisions (Maximum Density, etc) ¹²	Streamlined review. <u>Encourage</u> conservation/clustered development that creates recreational/open space networks consistent with village character and the Map of Conservation Lands (Open Space Plan).			Conservation/cluster subdivision <u>required</u> . At least 50% to 60% open space set-aside	Include in open space set-aside.
Rate of Growth Benchmarks (10-year period)	At least 60-70% of residential growth. Utilize a temporary residential growth cap, if necessary		Used towards Village district benchmarks. ¹³	Allow no more than 30-40% of residential growth. Re-evaluate rate of growth system every three years	Not applicable
Approach to Roads	Include consideration for interconnected sidewalks, bikeways and streets. Town acceptance of streets allowed.			Limit size/length of new roads, except farm and forest roads. New roads remain privately owned and maintained.	Not applicable.

¹⁰ For residential lots less than 1 unit/acre, either require sewer or strong evidence (plume studies, peer review, etc.) that septic will not contaminate adjacent wells (see footnote 3). Can also take into consideration wetlands, steep slopes, and other un-developable areas in calculating minimum lot size (net residential acreage provision). Common septic systems currently prohibited for multiplexes; re-evaluate this prohibition in light of current technology. Elderly housing incentive allows the maximum residential density to be ½ of what is otherwise required.

¹¹ Require minimum lot size/density of at least 2-3 acres or more in areas with surface/ground water drainage towards YWD wells.

¹² Conservation or cluster subdivisions to be consistent with Map of Conservation Lands (includes Critical Resource Areas) and Open Space Plan; allow reduction in space and dimensional standards; require permanent preservation of open space.

¹³ Growth should be monitored to assure consistency with Yarmouth zoning and sewers.

FUTURE LAND USE PLAN

Table 4-2. Recommendations for Other Dimensional Requirements	
Min. Road Frontage Min. Front Setback from Public Road¹	Dimensional requirements along major roads are to be consistent with state and local access management standards (limitations on curb cuts, site distance requirements, etc.). Shared driveways, access via minor roads and internal subdivision streets should be required, where appropriate. Road frontages, setbacks and possibly lot sizes should be larger for lots with access via major roads. Setbacks along major roads should include space for screening, particularly in rural areas and/or along scenic corridors.
Min. Side/Rear Setback from Property Line¹	Side and rear setbacks should be designed to provide minimum separations between structures on adjacent lots for privacy, fire safety and protection from potential undesirable impacts from neighboring land uses. Larger setbacks should be required to allow for screening and buffers between residential uses and most non-residential uses. Larger setbacks and buffers are particularly important along the boundaries of commercial and/or industrial sites, or along public roads where screening is desirable for aesthetic and environmental reasons.
Max. Structure Height	Height requirements should take into consideration the type of structure, its visual impact, safety issues, and the ability of the town to provide fire protection. Standard maximum heights for buildings in growth areas range from 35 to 50 feet.
Max. Impervious Surfaces	Surfaces impervious to water infiltration, such as structures and roads, should be limited in area to provide areas for storm water infiltration and to slow runoff. This requirement also serves to control the size and bulk of development relative to lot size.
¹ Dimensional requirements can be modified to provide incentives for desired development patterns (appropriate to each district), such as for open space/cluster development, condominiums, affordable housing, planned unit development, or to provide continuity and consistency in village development patterns.	

CHAPTER 5. AFFORDABLE HOUSING PLAN

Goals

1. Encourage and promote affordable housing opportunities for all Maine residents. (State Goal)
2. Provide a diversity of adequate, affordable housing choices for all segments of the population.
3. Provide support and encourage the development of affordable housing for rental and purchase that meets the needs of present and future low and moderate income North Yarmouth residents. At a minimum, strive to have at least 6 new rental or ownership units per year within the range of affordability for low and moderate income households.

Note: *This goal is greater than the 10% threshold required by state law and responds to North Yarmouth's share of the gap/unmet need as defined by the Greater Portland Council of Governments (See Book II, Table 2-11) The State's Comprehensive Planning and Land Use Regulation Act requires that communities strive to make at least 10% of new residential housing within the range of affordability for low and moderate income households, based on a five-year historical average of residential development. "Affordable housing" means decent, safe and sanitary dwellings, apartments, or other living accommodations for a household whose income does not exceed 80 percent of the median income for the Greater Portland Housing Market Area.*

Policies

1. Allow a variety of housing types to provide for the needs of current and future residents, and allow the greatest densities of new residential development to occur in locations readily accessible to municipal services. Particular attention should be given to locating affordable housing in designated growth areas.
2. Continue to encourage the development of affordable senior housing.
3. Encourage the development of affordable housing consistent with the existing character of North Yarmouth for low and moderate-income households.
4. Monitor the Town's progress at meeting affordable housing goals and adjust strategies, as necessary.
5. **Regional Coordination:** Monitor regional housing trends and participate in regional efforts to promote affordable housing.

Implementation Strategies

The Policies will be implemented as follows:	Responsible Party	Timeframe
1. Amend the Zoning Ordinance, as necessary, to permit a wide range of housing opportunities, as follows: <i>(Also see Future Land Use Chapter).</i>	Ordinance Committee; Zoning	2004 & ongoing

H O U S I N G

<ul style="list-style-type: none"> a. Permit smaller minimum lot sizes, and other dimensional requirements in Village Districts. b. Assure that road construction and other design standards do not increase housing costs unnecessarily. c. Allow cluster and conservation development, with provisions to permit more affordable development designs. d. Continue to permit affordable housing types, such as mobile homes, mobile home parks, and multifamily housing. e. Allow accessory apartments associated with single-family homes, but eliminate the requirement that they be limited to family members. f. Consider allowing the renovation and re-use of existing structures in the Village Center Districts and other growth area districts, as appropriate, to accommodate affordable housing, g. Continue to encourage the development of affordable senior housing by allowing greater flexibility, such as waivers of dimensional standards and the building cap (Senior Housing Overlay Zone). h. Consider allowing a density bonus, waivers from dimensional standards, and/or waivers from any growth area residential caps for low-moderate income housing. Require that residential subdivisions or developments of 10 units or more provide at least 10% of the proposed lots or units as affordable units (affordability should be required in any subsequent resale or future rental). Explore other applicant options, such as provisions for affordable units/lots off-site, or donations of land or money to a non-profit housing entity. i. Support the efforts of non-profit housing developers, such as Habitat for Humanity, through regulatory waivers and by giving them preference in developing parcels owned by the town. 	<i>amendments require Town Meeting approval.</i>	
<p>2. Investigate the latest technologies associated with on-site septic systems and the feasibility of public sewer for the Village Districts.</p>	Implementati on Committee	2005-2009
<p>3. Monitor housing growth and affordability. Review residential building permits, property transfers, housing costs every three years (at a minimum) to determine overall trends, including success at meeting affordable housing goals. Explore other affordable housing options, if necessary. Also monitor the affects of any temporary residential buildings caps in the growth areas on housing.</p>	Implementati on Committee	2008
<p>4. Assist first-time homebuyers and others by providing information on Maine State Housing Authority programs at the town office.</p>	Administrativ e Assistant	Ongoing
<p>5. Regional Coordination: Work with neighboring towns and within the Greater Portland area to address affordable housing needs. Participate in regional efforts of the Greater Portland Council of Governments.</p>	Selectmen, Affordable Housing Committee	Ongoing

CHAPTER 6. ECONOMIC DEVELOPMENT PLAN

Goals

1. To promote an economic climate which increases job opportunities and overall economic well-being. (State Goal)
2. To support an increase in economic growth appropriate to the nature and character of the community.



Policies

1. Allow limited commercial and light industrial activities, consistent with the Town's character, to thrive by allowing them in a number of locations within the Town.
2. Encourage economic activities that contribute to the tax base and enhance the character of the community, such as:
 - Businesses compatible with walkable neighborhoods in Village and Residential Districts,
 - Home occupations and convenience businesses for residents to reduce vehicle trips on roads,
 - Businesses that promote healthy lifestyles (e.g., health and fitness centers, farmer's markets)
3. Recognize the Village as the center of the community and a desirable location for additional village-scale business and commercial development subject to the limits imposed by the Groundwater Protection Overlay District.
4. Recognize agricultural and forestry activities (including non-traditional types) as important.
5. Assure that commercial and industrial uses are well designed and constructed so they do not negatively impact neighborhoods, transportation systems, municipal services and facilities, natural resources and the overall character of the community.
6. Encourage and support the local business community in its efforts to promote local products and services.
7. Investigate the desirability of making improvements to the Village to support expanded business activity. Pursue Village improvements, if there is adequate public support.
8. **Regional Coordination:** Work with the Greater Portland Council of Governments, the Southern Maine Economic Development District, and neighboring communities to support and monitor economic development in the region.

Implementation Strategies

The Policies will be implemented as follows:	Responsible Party	Timeframe
1. Amend the zoning, as necessary, to allow for appropriate limited commercial and light industrial activities, including forestry and agricultural uses, as follows: (<i>See Chapter 4. Future Land Use for more details</i>)	Ordinance Committee <i>Town Meeting vote required</i>	2004 & ongoing

E C O N O M I C D E V E L O P M E N T

<ul style="list-style-type: none"> a. Allow a variety of commercial and light industrial activities within the Village Center District, and allow more limited commercial development within the Village Residential District. b. Prohibit drive-in services associated with fast food restaurants, and possibly other businesses such as banks and pharmacies. Also, prohibit commercial or industrial establishments larger than 30,000 square feet. c. Continue to allow home occupations throughout town while maintaining the character and property values of adjacent residential properties and neighborhoods. d. Continue to allow agricultural and forestry-related activities throughout town. 	<i>for Ordinance amendments</i> 	
<ul style="list-style-type: none"> 2. Require that commercial and industrial uses meet site design and performance standards that address environmental issues, traffic and parking, nuisances, and impacts on public services and facilities. 3. Encourage the formation of a local business group to promote local business through activities such as: <ul style="list-style-type: none"> a. Purchase of Department of Transportation business signs. b. A local business directory, and or WEB page (possibly linked to Town WEB page) c. A community bulletin board at the Town Office, where local businesses could post business cards or advertisements. 	Selectmen to encourage formation of local groups. 	2004
<ul style="list-style-type: none"> 4. Encourage the formation of a local agricultural group to promote sustainable agriculture through education on marketing, management, conservation, etc. Encourage the involvement of Skyline Farm, People, Places and Plants, and others. Utilize the expertise of federal, state and county governments. 5. Encourage support for making improvements to the Village infrastructure, (such as sidewalks, lighting, underground utilities, street furniture, landscaping, parking, water, sewer, etc.). Seek outside sources of funding, such as State planning grants and capital improvement grants. 	Selectmen, Village Improvement Committee	2005/06
<ul style="list-style-type: none"> 6. Regional Coordination: <ul style="list-style-type: none"> a. Stay abreast of regional economic development issues and activities by maintaining contact with the Greater Portland Council of Governments and the Southern Maine Economic Development District. b. Monitor economic development trends and initiatives in neighboring towns that could have a significant impact on North Yarmouth, such as Pineland (New Gloucester), and address positive or negative effects. Work with other bordering towns so that every town amends their zoning to require that its neighboring towns be informed about major developments during the permitting process in adjacent communities. 	Administrative Assistant, Selectmen	Ongoing

CHAPTER 7. WATER RESOURCES, MARINE RESOURCES AND OTHER NATURAL RESOURCES PLAN

Goals

- 1. Protect the quality and manage the quantity of water resources, including lakes, aquifers, great ponds and rivers. (State Goal)**
- 2. Protect other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, shorelands, scenic vistas, and unique natural areas. (State Goal)**
- 3. Protect, conserve and manage surface and ground water resources to maintain a healthful, attractive and productive natural environment for current and future generations.**
- 4. Protect and enhance North Yarmouth's natural landscape and resources to maintain a healthful, attractive, thriving and productive natural environment for current and future generations.**
- 5. Protect shellfish resources located in Yarmouth and promote access to these resources for commercial fishermen and the public.**

Policies

- 1. Protect and conserve important water and other natural resources through an approach that includes education, open space planning, land use regulation, and a variety of other land preservation techniques.**
- 2. Educate the public and municipal officials on a regular basis, especially the Code Enforcement Officer, Public Works Director, Planning Board and Zoning Board of Appeals on issues and techniques pertaining to conservation and protection of water resources and other natural resources.**
- 3. Assure that town officials, employees and contractors utilize best management practices and other techniques to protect surface and ground water resources, and prevent soil erosion and sedimentation.**
- 4. Identify and correct existing and potential sources of contamination to ground water, surface water and uplands. Actively monitor businesses that utilize, store or dispose of hazardous or toxic materials. Enforce applicable federal, state and local regulations diligently.**
- 5. Assure a high level of protection for ground water resources, and in particular aquifers associated with existing and future public wells. Support the Yarmouth Water District in its efforts to protect existing and future public water supplies.**
- 6. Assure a high level of protection for shoreland areas, and in particular shorelands of the Royal River, Chandler Brook, East Branch, Deer Brook and Pratt's Brook.**

WATER RESOURCES, MARINE RESOURCES, OTHER NATURAL RESOURCES

7. Require that all land use activities have adequate wastewater treatment systems, do not pollute water resources, utilize best management practices, minimize storm water runoff, and are located on lots large enough to accommodate the use.
8. Direct development to areas with suitable soils, slopes and drainage, and discourage or restrict development on floodplains, steep slopes, and highly erodible soils and in wetlands. Assure that any development, including road construction, that does take place in these areas minimizes environmental degradation and municipal costs.
9. Encourage the concept of “designing with nature¹⁴” in all land use activities, through sensitive land development that respects the existing landscape, including topographic features, natural vegetation and other natural resources.
10. Maintain healthy populations of a diversity of native animal species by conserving significant natural areas, including: large blocks of wildlife habitat, deer wintering areas, habitat for threatened and rare species, wildlife travel corridors and shoreland areas, waterfowl and wading bird habitat, and other important plant, animal and fisheries habitats.
11. Require that subdivisions and other developments be designed to be compatible with and complimentary to natural environments, and that they do not harm natural resources.
12. Protect and manage marine resources, including shellfish beds and flats in Yarmouth through continued representation on the Yarmouth Shellfish Conservation Commission.
13. **Regional Coordination:** Work with neighboring communities, land trusts, conservation organizations and others to protect shared surface and groundwater resources and other natural resources. Consult with neighboring towns, the Yarmouth Shellfish Commission, the Friends of the Royal River, the Friends of Casco Bay, the North Yarmouth Land Trust and other public and private entities to manage and preserve significant resources of common interest.

Implementation Strategies

The Policies will be implemented as follows:	Responsible Party	Timeframe
1. Public Education: Provide public education on protection of natural resources, with an emphasis on “designing with nature” as follows: <ol style="list-style-type: none"> a. Provide information at the Town Office and local library b. Distribute information when issuing building permits c. Work with the Yarmouth Water District to educate landowners within the water supply aquifer d. Work with the Friends of the Royal River to educate landowners of 	Conservation Commission, Code Enforcement Officer, Town staff	2004 & ongoing

¹⁴ “Designing with nature” means designing development to be compatible with the existing natural landscape by minimizing the extent and intensity of buildings, roads, lawns and other alterations, and by preserving or enhancing natural systems, such as natural vegetation, wildlife habitat, vernal pools, etc.

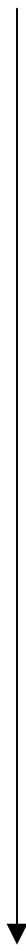
WATER RESOURCES, MARINE RESOURCES, OTHER NATURAL RESOURCES

<p>shorelands and within the watershed</p> <p>e. Encourage schools to educate about natural resources</p> <p>f. Explore the “designing with nature” concept through a series of workshops for residents and landscapers. Assemble resource materials for this program and make available to homeowners - to include information from the Beginning with Habitat Program, the Cooperative Extension Service and other organizations.</p>		
<p>2. Education and Assistance to Municipal Officials:</p> <p>a. Establish a mechanism whereby municipal officials (e.g., Code Enforcement Officer, Public Works Director, Planning Board, Zoning Board of Appeals) receive ongoing training on soil and water conservation, best management practices, wildlife management and other natural resource issues. Send new members/employees to workshops and programs for training.</p> <p>b. Utilize existing educational programs, publications, and technical and financial assistance available through state, federal, county and non-profit entities (i.e., County Soil and Water Conservation District Urban Conservation Program, the Nonpoint Education for Municipal Officials Program (NEMO), the Beginning with Habitat Program, Maine Department of Environmental Protection, Maine Department of Transportation, etc.</p>	<p>Selectmen, Administrative Assistant, Conservation Commission</p>	<p>2004 & ongoing</p>
<p>3. Public Works Practices and Responsibilities:</p> <p>a. Review construction and maintenance practices of public works employees and contractors to assure best management practices are utilized to minimize phosphorus, salt, sand and contaminant runoff into water bodies or infiltration into ground water. Consult the County Conservation District, NEMO, Maine Departments of Transportation and Environmental Protection for best management practices.</p> <p>b. Conduct an annual inventory to assess and correct any erosion and sedimentation problems associated with roads, bridges, culverts and other facilities.</p>	<p>Selectmen, Administrative Assistant, Public Works Director</p>	<p>2004 & ongoing</p>
<p>4. Water Quality Monitoring:</p> <p>a. Monitor water quality and address any potential contamination at: the former town landfill, former town burn site, sand and salt storage areas, Cassidy’s Pit (former tire dump), the McKin Superfund site, threats associated with natural gas or petroleum pipelines, any of the 34 locations identified in the 1991 Comprehensive Plan, etc.</p> <p>b. Support the Yarmouth Water District (YWD) in monitoring ground water, and work with the District to address water quality threats within critical water supply areas.</p> <p>c. Establish an ongoing water-quality monitoring program for the Royal River, Chandler Brook, East Branch and other water bodies. Encourage schools, organizations and residents to “Sponsor a River,</p>	<p>Selectmen, Administrative Assistant, Conservation Commission</p>	<p>2004 & ongoing</p>

WATER RESOURCES, MARINE RESOURCES, OTHER NATURAL RESOURCES

Stream or Wetland”. This effort could include community service projects and funding through grants and donations.		
<p>5. Water Resources Protection:</p> <ul style="list-style-type: none"> a. Assist the YWD in efforts to purchase land, and otherwise protect water supplies, such as the use of alternative ice removal equipment on roadways in sensitive areas, public safety notifications of accidents in sensitive areas, and no spray agreements in aquifer recharge areas. Yarmouth should be an active participant in these efforts. b. Support the efforts of the Friends of the Royal River to preserve the Royal River corridor, including the identification of areas suitable for acquisition, through conservation easements or other measures. 	<p>Selectmen, Administrative Assistant, Road Commissioner, Fire Chief, Conservation Commission</p>	<p>2004 & ongoing</p>
<p>6. Zoning Recommendations: Amend as necessary to:</p> <ul style="list-style-type: none"> a. Include critical natural resources areas, such as public water supplies, floodplains, wetlands, and important wildlife habitat in Farm and Forest and Natural Resource Protection Districts, to the extent feasible. <i>(See Chapter 4. Future Land Use Plan)</i> b. Continue to protect water resources through standards for uses with the potential for contaminating water resources (e.g., petroleum/chemical storage tanks, common engineered subsurface wastewater disposal systems, junkyards and other activities that use hazardous or toxic materials). Require that businesses that utilize, store and/or dispose of “reportable quantities” * of hazardous or toxic materials submit an annual certification that these materials are being handled so as to prevent environmental degradation. <i>(*These are businesses that must report to the Department of Environmental Protection.)</i> c. Meet the minimum requirements of the State Shoreland Zoning Act, but go beyond the minimum requirements as follows: <ul style="list-style-type: none"> i. Continue to require (expand, if necessary) that buildings be set back at least 250 feet from the Royal River, Chandler Brook and the East Branch. ii. Require adequate building setbacks and vegetative buffers along all streams, rivers and wetlands. <i>(See Chapter 4. Future Land Use Plan)</i> d. Continue to prohibit building on 100-year floodplains. e. Require that landowners control storm water runoff, erosion and sedimentation. Minimize impervious surfaces through provisions for clustered development, minimum lot coverage requirements, shared and/or shorter driveways, grassed swales, etc. <i>(see NEMO recommendations)</i> f. Within existing and future wellhead protection and recharge areas, prohibit high-risk uses (e.g., gas stations, auto repair, furniture refinishers) and require best management practices for other uses with potential risks (e.g., offices, retail businesses, residences, parking lots). Restrictions should be greatest within the areas of primary concern (250 day and 2500 day travel time zones). Minimum lot sizes 	<p>Ordinance Committee, Town Meeting <i>vote required for ordinance amendments</i></p>	<p>2004 & ongoing</p>

WATER RESOURCES, MARINE RESOURCES, OTHER NATURAL RESOURCES

<p>(including per residence) should be at least 2-3 acres (larger would be better) depending on location within the district. Subdivisions and other developments should be required to conduct hydrogeologic studies to demonstrate that they would not contaminate groundwater. Common engineered subsurface wastewater disposal systems should be prohibited within the 2500-day travel time zones, at a minimum. <i>(See “Best Management Practices for Ground Water Supplies: A Guide for Public Water Suppliers and Municipal Officials”, Maine State Drinking Water Program. Also, see list of “Potential Sources of Contamination, Current or Past”, Maine Drinking Water Program – Book II.</i></p> <ul style="list-style-type: none"> g. Require that the YWD and any other public water suppliers be notified about projects proposed within wellhead protection areas, as required by state law. h. Require that septic systems be located at least 300 feet from public water supply wells, and underground fuel storage tanks be at least 1,000 feet away, as required by state law. i. Continue to regulate sand and gravel extraction. Require that reclamation materials not contain any materials that might degrade ground water. Require notification of the YWD for all applications for sand and gravel extraction and/or reclamation. j. Revise, as necessary, the subdivision/mobile home park/multi-family and site plan review provisions to adequately address water quality and quantity; sewage treatment; waste disposal; erosion and storm water control; buffers; storage and handling materials, and other environmental issues. k. Consider establishing a wetlands mitigation program where developers altering wetlands are required to pay into a wetlands compensation fund to be used for wetlands acquisition and stewardship. l. Require that development be designed to generally conform to existing topography, minimize cut-fill operations, and to preserve existing natural land cover to the extent feasible to maintain natural systems, preserve aesthetics, reduce soil erosion, and maintain wildlife habitat. Where development and roads are permitted in areas with steep slopes, highly erodable soils, or wetlands, assure that construction minimizes environmental degradation and utilizes best management practices. m. Require that steep slopes greater than 20%, poorly drained soils, wetlands and other surface bodies, floodplains, and areas within the 250 ft. setback from the Royal River, Chandler Brook and the East Branch not be included in the calculations for minimum lot size. This should be applicable to all new buildable lot divisions. n. Require that the Conservation Commission comment on subdivisions and other developments early in the permitting process (pre-application/sketch plan/preliminary review phase -involvement early in the process is critical). Consider formal involvement of a Conservation Commission member on the Planning Board, either as an official member of the Planning Board or as a liaison between the boards. 	<p>Ordinance Committee, Planning Board, Conservation Commission</p>  <p>Conservation Commission, Future Land Committee</p>	<p>2004 & ongoing</p> <p>2004/05</p>
<p>8. Open Space Plan: Complete detailed natural resources inventories and include critical natural resources in the Open Space Plan. Include</p>		

	consideration for high value wetlands and vernal pools; wellhead protection and groundwater recharge areas; significant plant, wildlife and fisheries habitats. (<i>See Chapter 13. Open Space Plan</i>)		
	<p>9. Regional Coordination:</p> <ul style="list-style-type: none"> a. Public Water Supply Aquifers – <ul style="list-style-type: none"> i. Work with Yarmouth, Cumberland, the Yarmouth Water District, land trusts and others on protection for existing and future public water supplies. ii. Conduct a joint study with Yarmouth to determine the feasibility of a public sewer system to protect Yarmouth’s water supplies. b. Watershed Protection - Work with neighboring communities, Friends of the Royal River, land trusts, conservation organizations and others, as follows: <ul style="list-style-type: none"> i. Royal River Watershed – Auburn, Poland, Raymond, New Gloucester, Gray, Pownal, Cumberland, Durham, Freeport, Brunswick, Yarmouth, Cumberland County Conservation District, and the Friends of the Royal River ii. Presumpscot River Watershed, Knight’s Pond – Cumberland and other towns in the watershed iii. Cousins River Watershed, Pratts Brook – Pownal, Yarmouth and other towns in the watershed c. Water Bodies and Riparian Areas - neighboring towns, including Gray, Pownal, New Gloucester, Yarmouth and Cumberland to advocate for consistent management of shared water bodies and riparian areas, such as consistent shoreland zoning between adjacent towns. d. High Value Plant and Animal Habitats - Consult with neighboring towns, as appropriate, to advocate for consistent protection of these habitats, to include discussions regarding the maintenance of cottontail habitat shared with Yarmouth, and turtle habitat along the banks of the Royal River and other water bodies, as appropriate. e. Large Undeveloped Habitat Blocks - Work with neighboring towns, including Yarmouth, Cumberland, Gray and Pownal to coordinate conservation of large undeveloped habitat blocks, such as the large 2,000+ acre area shared with Cumberland, the 1,000+ acre area shared with Gray and the 1,000+ acre area shared with Yarmouth. Habitat blocks associated with the Royal River, Chandler Brook and the East Branch should be incorporated into a regional Royal River corridor plan. f. Marine Resources – Continue to work with the Yarmouth Shellfish Commission and Yarmouth to protect and manage shellfish and clam flats. 	<div style="text-align: center;"> North Yarmouth member of YWD Board of Trustees, Selectmen Conservation Commission, Ordinance Committee  </div>	2004 & ongoing
		Representative, Yarmouth Shellfish Commission	2004& ongoing

CHAPTER 8. HISTORIC AND ARCHAEOLOGICAL RESOURCES PLAN

Goals

1. **Preserve the state's important historic and archaeological resources. (State Goal)**
2. **Preserve and enhance North Yarmouth's historic and archaeological heritage.**

Policies

1. Use education, open space planning, land use regulation, and land acquisition techniques, where appropriate.
2. Educate the public and municipal officials, especially the Code Enforcement Officer and Planning Board, about protection of historic and archaeological resources.
3. Support and encourage the North Yarmouth Historical Society in its endeavors to preserve the cultural heritage of the community.
4. Support efforts to identify significant archaeological and historic resources; require that these resources be professionally surveyed and assessed, as appropriate, before development proceeds.
5. Require consideration for archaeological and historic resources in subdivisions, mobile home parks and multifamily developments, commercial and industrial developments, and for development in shoreland areas.
6. Consider the adoption of a Historic Preservation Ordinance to protect historically significant properties and architecture.
7. **Regional Coordination:** Continue to act as the repository and caretaker for the safe keeping of the Ancient North Yarmouth historical records.

Implementation Strategies

The Policies will be implemented as follows:	Responsible Party	Timeframe
1. Public Education: Provide public education on preservation of historic and archaeological resources. Utilize the same mechanisms as in Chapter 7.	Historical Society, CEO	2004 & ongoing
2. Education and Assistance to Municipal Officials: Establish a mechanism whereby municipal officials (e.g., Code Enforcement Officer, Planning Board, Zoning Board of Appeals) receive training on preservation of historic and archaeological resources. Coordinate with recommendations in Chapter 7.	Selectmen, Administrative Assistant, Historical Society	2004 & ongoing

HISTORIC AND ARCHAEOLOGICAL RESOURCES

<p>3. North Yarmouth Historical Society: Support the Society financially and in-kind in its educational and research efforts by:</p> <ul style="list-style-type: none"> a. Assisting in finding exhibition and research space b. Assisting in additional inventory efforts c. Assisting in nominations of buildings or sites to the National Register of Historic Places. 	<p>Selectmen</p>	<p>2004 & ongoing</p>
<p>4. Identification of Significant Resources: Seek funding from the Maine Historic Preservation Commission, Maine State Archives and other sources to complete the inventories of significant archaeological and historic resources.</p>	<p>Historical Society, Selectmen</p>	<p>2004 & ongoing</p>
<p>5. Sensitive Archaeological Areas: Include sensitive archaeological areas in Resource Protection or Farm and Forest Districts.</p>	<p>Ordinance Committee, Historical Society,</p>	<p>2004 & ongoing</p>
<p>6. Other Regulatory Standards – Amend the Zoning, as necessary to:</p> <ul style="list-style-type: none"> a. Require consideration of significant historic and archaeological resources for development in shoreland areas, subdivisions and other developments. Require professional archaeological surveys for subdivisions and other developments when located within mapped archaeologically sensitive areas. This requirement could be waived if these areas are included in permanent open space set-asides. b. In situations where significant historic or archaeological resources may be impacted, require that the Maine Historic Preservation Commission and the North Yarmouth Historical Society be notified and given an opportunity to comment on the development early in the permitting process. c. Consider the development of historic preservation standards to protect the integrity of historic properties and architecture (<i>see Portland Landmarks for model language appropriate to North Yarmouth</i>). 	<p>(Town Meeting vote required for ordinance amendments)</p>	
<p>7. Open Space Plan: Complete more detailed resource inventories where needed; include important archaeological and historic resources in the Open Space Plan (<i>See Chapter 13. Open Space Plan</i>).</p>	<p>Historical Society, Land Stewardship Committee</p>	<p>2006/07</p>

CHAPTER 9. OUTDOOR RECREATION AND SCENIC RESOURCES PLAN

Goals

1. **Promote and protect the availability of recreational opportunities for all citizens, including access to surface waters. (State Goal).**
2. **Preserve open space that benefits residents for scenic, ecological, agricultural, historic, archaeological and recreational purposes as identified in the open space inventory.**
3. **Promote the use of outdoor recreational facilities as a mechanism to encourage active, healthy lifestyles.**

Policies

1. Maintain an ongoing long-range planning effort to preserve and enhance and acquire parks, trail systems, open space and scenic resources through an integrated approach that includes open space planning, land use regulation, and other land preservation techniques.
2. Provide an outdoor recreation program that provides a balance between passive and active recreation areas¹⁵.
3. Encourage the use of recreational facilities that support maintaining physical fitness, such as walkways and trails.
4. Ensure public access to the Royal River Corridor at a number of convenient locations that include small boat access, public parks and recreational trails.
5. Identify and preserve high value scenic resources essential to maintaining the unique character of the town. Significant scenic resources should be visible to the general public from a public way, public recreation area or other public location, and should be a unique or rare feature, or spectacular example of common one.
6. Require consideration for open space, passive and/or active recreation areas and scenic amenities in all new developments.
7. **Regional Coordination:** Work with neighboring communities and other organizations to preserve open space, recreational amenities and scenic resources.

¹⁵ Passive Recreation areas include parks, trails, canoe launches, and picnic areas. Active recreation areas include ball fields, tennis courts, and playgrounds.

O U T D O O R R E C R E A T I O N A N D S C E N I C R E S O U R C E S

Implementation Strategies

The Policies will be implemented as follows:	Responsible Party	Time-frame
1. Long-range Town Parks and Recreational Plan: Identify facility and program needs, priorities, opportunities for regional cooperation and potential funding sources. Review population and demographic trends at least every five years to address recreational needs. Include recommendations contained in this Plan. <i>(Consult the Maine Bureau of Parks and Recreation for Recreational Guidelines)</i>	Recreation Committee, Selectmen	2004 & ongoing
2. Recreation and Physical Fitness: Promote the use of recreational facilities, in particular those that encourage physical fitness. Prepare and distribute a recreational brochure/map depicting parks and playfields, pedestrian and bike ways, hiking and skiing trails, river access, and other public recreational facilities.	Recreation Committee, Conservation Commission	2004 & ongoing
3. Athletic Fields and Facilities: Conduct study and survey to determine the types of ball fields and/or other facilities currently needed within the Town.	Recreation Committee	2004
4. Interconnected Trail Systems: Complete an inventory and assessment of existing trails. Conduct a study to identify new trails that could provide links with existing trails, the Village Districts, public lands and recreational areas and provide a Royal River trail system. Use exiting rights-of-way (i.e., abandoned railroad beds, power lines and gas pipelines), where allowed. Plan for an interconnected trail system, where trail development is phased and linked to subdivision/development activity. In general, the <u>snow mobile trail system model</u> should be used in the development of trails. This entails organization of a trails club/group to approach landowners for permission to use existing trails or create new trails, and to maintain and police trails with landowner consent. <i>(See Chapter 13. Open Space Plan)</i>	Recreation Commission, Conservation Commission, trails club	2005/06 ongoing
5. Scenic Resources: Conduct a detailed inventory and assessment of scenic resources to include a photographic record or description that clearly identifies what is considered a “scenic resource” worthy of protection. Consider criteria included in the Inventory of this Plan.	Conservation Commission, Ordinance Committee	2006/07
6. Zoning and Subdivision: Amend as necessary to do the following: <ul style="list-style-type: none"> a. Require that new developments provide adequate recreational facilities and open space set-asides linked to existing or planned facilities, such as recreational trail systems and the Royal River Greenway. Open space set-asides should include high value scenic areas and critical natural resources. b. Require that developers of subdivisions and other developments consider scenic resources and aesthetics in development designs. c. Consider scenic, road-based, corridor overlay districts with design and 	Ordinance Committee, <i>Town Meeting vote required for ordinance amendments</i>	2004 & ongoing

O U T D O O R R E C R E A T I O N A N D S C E N I C R E S O U R C E S

<p>performance standards to maintain scenic integrity.</p> <p>d. Revise the Skyline Preservation District (Zoning Ordinance) to address current aesthetic and safety issues associated with telecommunications towers, and other tall structures.</p> <p>e. Provide an opportunity for Conservation Commission and Recreation Commission review of developments with recreational or open space components.</p>		
<p>7. Open Space Plan: Continue to expand the inventories of important scenic, recreation and open space resources. <i>(See Chapter 13. Open Space Plan)</i></p>	<p>Land Stewardship Committee Selectmen</p>	<p>2004 & ongoing</p>
<p>8. Funding Recreation and Open Space Preservation: Fund recreation and open space preservation through a variety of sources including user fees, grants, donations, open space impact fees, general funds, etc. Include capital improvements to recreational facilities in the capital improvements program.</p>	<p>Land Stewardship Committee Selectmen</p>	<p>2004 & ongoing</p>
<p>9. Village and Residential District Recreational and Open Space Amenities: Provide a high level of recreational amenities (parks, playgrounds, walkways and bikeways) in these areas as incentives to new development. <i>(See Chapter 3. Growth Management Plan and Chapter 10. Transportation.)</i></p>	<p>Selectmen</p>	<p>2004 & ongoing</p>
<p>10. Regional Coordination:</p>		
<p>a. Continue to participate in the Cumberland Community Education and Recreation Program.</p>	<p>Selectmen</p>	<p>2004 & ongoing</p>
<p>b. Coordinate management of the Royal River Greenway, preservation of the undeveloped area including Deer Brook and Knight's Pond, and recreational trail systems with neighboring communities and other interested parties, such as the Friends of the Royal River.</p>	<p>Land Stewardship Committee</p>	<p>2004 & ongoing</p>

CHAPTER 10. TRANSPORTATION PLAN

Goals

1. **Plan for, finance and develop an efficient and safe transportation system consistent with regional systems and the Future Land Use Plan. Aim to accommodate existing and future transportation needs, including the movement of pedestrians, vehicles (including bicycles), goods and services within and through the community.**
2. **Provide bicycle and pedestrian facilities to promote exercise and community interaction.**

Policies

1. Maintain a safe, efficient, and cost-effective transportation system through long-term programming, prioritizing and financing of maintenance and capital improvements. Prioritize transportation system improvements and maintenance based on current function and the Growth Management Plan goals.
2. Plan for potential new roads and other transportation facilities within designated growth areas, and utilize transportation policies to discourage new development in rural areas.
3. Consider adopting a policy that the Town will take over ownership and/or maintenance of privately developed transportation facilities in growth areas, if requested and if they are constructed to town specifications. Clearly state that the Town will not accept privately built roads in rural areas.
4. Maintain highway capacity, safety and efficiency on highways by managing the location and design of driveways. Require the highest level of access management along Routes 115, 9 and 231, North Road, and any other roads that serve significant volumes of traffic.
5. Seek to maintain traffic speeds below posted speed limits, particularly on roads in the Village Districts.
6. Monitor MDOT traffic volume and accident data and improve problem areas.
7. Assure that subdivisions and other developments will not cause unreasonable road congestion or unsafe conditions. Require that roads serving subdivisions and other developments conform to recognized road construction and design standards, and that these standards are consistent with the goals of the Growth Management Plan.
8. Provide networks of pedestrian and bicycle facilities, particularly within Village Districts and consistent with the Growth Management Plan.
9. Enhance the transportation “gateways” or highway entrances to promote the community.
10. **Regional Coordination:**
 - a. Advocate for adequate maintenance and improvement of regional transportation facilities including: state highways, railroads, airports and seaports. Support regional rideshare programs and public bus transportation.

TRANSPORTATION

- b. Seek out opportunities to coordinate activities with neighboring communities in an effort to use resources more efficiently.
- c. Participate in regional planning programs, such as through the Portland Area Comprehensive Planning Committee (PACTS).

Implementation Strategies

The Policies will be implemented as follows:	Responsible Party	Time-frame
<p>1. Transportation Management/Capital Improvements Planning: Continue to utilize the Road Survey and Management System to evaluate and plan capital improvements to town roads. Consider purchasing an accounting program to enhance system management. Include pedestrian and bicycle facilities, parking areas and bridges in the system.</p>	Selectmen, Administrative Assistant, Public Works Director	2004 & ongoing
<p>2. Prioritize Transportation Improvements, including road maintenance based on current function (e.g. major collectors, a higher priority than local roads), and the intent of the Growth Management Plan to encourage growth in the Village Districts.</p>	↓	
<p>3. Transportation Networks in Village Districts:</p> <ul style="list-style-type: none"> a. Actively plan for future placement of new roads and other transportation facilities so that as development progresses, internal roads and facilities will be coordinated to provide a well-designed transportation network. b. Require that developers of subdivisions and other major developments design transportation systems to allow for interconnecting streets and sidewalks. Include provisions to allow Town acceptance of transportation facilities if they are built to required specifications. 	Selectmen, Implementation Committee Ordinance Committee, Public Work Director	2005 & ongoing 2004 & ongoing
<p>4. Access Management:</p> <ul style="list-style-type: none"> a. Continue to inform landowners and potential buyers of land about MDOT access management permitting requirements. Information on MDOT permits should be available at the Town Office. b. Amend the Zoning Ordinance as follows: <ul style="list-style-type: none"> i. Require that applicants for zoning/building permits provide evidence of an MDOT Entrance/Driveway Permit. ii. Establish a Town Driveway Opening Permit system to require adequate site distances, culverts, materials, storm drainage, etc. Require that driveways be located off side roads rather than major roads and require shared driveways, where feasible. iii. Make lot frontages, lot sizes and other requirements for land along high traffic roads consistent with access management regulations. Lot frontages and lot sizes along highways should be designed to minimize access points to major highways. iv. Update Zoning and Subdivision access standards to require adequate site distances, road grades and intersection designs for 	Administrative Assistant, Ordinance Committee Public Works Director	2004 & ongoing 2004 & ongoing

TRANSPORTATION

<p>site plan review, subdivision and mobile home parks. Include control of the number, location and design of curb cuts. Restrict direct access to public roads for lots in subdivisions & mobile home parks.</p> <p>v. Require traffic impact analysis for major developments projected to generate considerable traffic. Require mitigation.</p>		
<p>5. Traffic Speeds, High Accident Locations, Highway Capacity:</p> <p>a. Reduce traffic speeds on highways by advocating increased enforcement of speed limits by the Maine State Police and County Sheriff's Department. Ask the MDOT to explore and implement traffic calming options, such as education and signage, for problem areas such as the Village. Continue to advocate for reducing the speed limits. <i>(See Chapter 11. Public Facilities and Services)</i></p> <p>b. Evaluate traffic volume and accident data at least every 5 years. Work with the MDOT to address high accident locations (e.g., Routes 115/231 intersection and southern 115/9 intersection) and to bring State Roads up to MDOT standards.</p> <p>c. Monitor highway and intersection capacity on an ongoing basis, and in particular the Intersection of Route 231 and North Road, where traffic associated with Pineland may increase significantly.</p> <p>d. Strongly advocate for construction of state highways to MDOT standards, and consideration for bicycle and pedestrian facilities.</p> <p>e. Strongly advocate for MDOT acceptance of North Road between Routes 9 and 231 as state roads.</p> <p>f. Strongly advocate for adequate analysis of the impacts of Pineland on North Yarmouth within any development studies. Encourage Pineland to share in the costs of these studies. Seek mitigation of impacts.</p> <p>g. Advocate for transportation alternatives, such as carpooling, passenger rail service, bicycling, walking, etc. Explore the development of a park and ride facility/program associated with Pineland.</p>	<p>Selectmen, Administrative Assistant, Public Works Director</p>	<p>2004 & ongoing</p>
<p>6. Road Construction Standards: Establish road construction standards based on the anticipated level and type of use, the location with respect to Zoning District, and the character of the neighborhood. Include specific standards and criteria for roads to be accepted by the Town and only accept roads in Village and Residential Districts. Require that developers pay their share of the costs of making existing substandard roads adequate to serve their proposed developments to include in-kind contributions, impact fees or actual construction of roads (particularly in Farm and Forest Districts).</p> <p>7. Bridges: Monitor the MDOT inventory and assessment process. Improve bridges using the most cost effective funding mechanisms available. Include in the Capital Improvements Program.</p>	<p>Selectmen, Administrative Assistant, Public Works Director</p> <p style="text-align: center;">↓</p>	<p>2004/05</p>
<p>8. Bicycle and Pedestrian Improvements:</p> <p>a. Continue to evaluate pedestrian and bicycle facility needs, particularly in Village Districts; include necessary improvements in the Capital Improvements Program.</p>	<p>Selectmen, Administrative Assistant, Public Works</p>	<p>2004 and ongoing</p>

TRANSPORTATION

<ul style="list-style-type: none"> b. Monitor the MDOT reconstruction project for Route 9 (highway widening with a paved shoulder/bikeway and a separate sidewalk between Memorial School and the Cumberland town line). Identify other similar projects, and seek MDOT funding, as appropriate. c. Advocate for pedestrian and bicycle amenities when MDOT or the Yarmouth Water District is making improvements to roadways, waterlines along roadways and/or bridges. d. Advocate for adequate travel widths for bicycles along Routes 231, 9 and 115, and North Road as opportunities arise. e. Actively pursue outside sources of funding, including MDOT and Maine Department of Economic and Community Development grants to construct bicycle and pedestrian facilities. f. Amend the Zoning Ordinance to include consideration for pedestrian and bicycle facilities in subdivisions and other developments. 	Director, Safe Walk and Bike Ways Committee	
<p>9. Parking Improvements:</p> <ul style="list-style-type: none"> a. Widen Parsonage Road to include parking, and consider additional parking near the Town Office Park ball field. Coordinate with SAD #51 to address overflow parking along Route 9 during large events. b. Evaluate parking needs, particularly in Village Districts, and include necessary improvements in the Capital Improvements Program. c. Pursue outside sources of funding, including MDOT and Maine Department of Economic and Community Development grants to construct adequate parking facilities in the Village. d. Amend the Zoning Ordinance to include flexible parking standards for subdivisions and other developments. Public parking should be considered in meeting the requirements for locating in Village Districts, thereby providing an incentive for locating in the village. 	Selectmen, Administrative Assistant,	2004
	Ordinance Committee	2004 & ongoing
<p>10. Enhance the Town's Gateways through signage, landscaping, and other streetscape improvements. Include signage that promotes community events. Obtain Community Gateways Grants, as appropriate.</p>	Selectmen, Administrative Assistant	2006/07
<p>11. Street and Shade Trees: Inventory and create a maintenance plan for street and shade trees for the Village Center and Village Residential Districts and along important scenic areas and travel corridors. Seek a cost-share grant and technical assistance from the Maine Forest Service to conduct community forestry planning.</p>	Conservation Commission, Tree Warden	2005/06
<p>12. Regional Coordination:</p> <ul style="list-style-type: none"> a. Actively participate in the Portland Area Community Transportation (PACTS) programs, including the GPCOG Central Corridor Study, the MDOT 20-Year Plan, the MDOT 6-Year Capital Improvement Program, and the MDOT Biennial Transportation Improvement Program. b. Seek opportunities to perform capital and maintenance projects more cost-effectively through coordination with neighboring towns. c. Monitor transportation studies developed for Pineland, and provide input as appropriate. 	Selectmen, Administrative Assistant	2004 & ongoing

CHAPTER 11. PUBLIC FACILITIES AND SERVICES PLAN

Goals

1. **Plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development. (State Goal)**
2. **Provide community services and facilities to assure the welfare and safety of all residents consistent with sound fiscal and growth management policies.**

Policies

1. Periodically review (and upgrade as appropriate) town administrative staffing. Periodically review the provision of municipal services and facilities to address the changing needs of the community consistent with the Growth Management Plan.
2. Continue to prudently finance capital improvements through the Capital Equipment Replacement and Facilities Plan that maximizes efficiencies, utilizes a variety of funding mechanisms, spreads costs out over time, and is consistent with Growth Management Goals.
3. Maintain (and improve if necessary) the Town's public buildings and facilities, including the Town Office, Public Works Facility, Walnut Hill Fire Station, Wescustogo Hall, town parks and cemeteries.
4. Maintain and continue to improve and expand the town's equipment, including up-to-date administrative equipment and software, Public Works equipment, and Fire and Rescue equipment.
5. Maintain and explore ways of adopting an environmentally sound, consumer responsive and economically feasible solid waste disposal system. Increase recycling rates and reduce the volume of solid waste, thereby minimizing the cost of waste disposal.
6. Continue to provide high quality fire and rescue services consistent with the changing needs of the community. Utilize mutual aid agreements to enhance service levels and coverage.
7. Assure the provision of adequate police services, including consideration for regional approaches to increasing police coverage.
8. Continue to support the efforts of the Yarmouth Water District to provide clean and relatively inexpensive potable water. Diligently seek equitable participation in this effort from Yarmouth.
9. Investigate the feasibility of public sewer within North Yarmouth.
10. Continue to participate in the Cumberland Community Education and Recreational Program and Prince Memorial Library services.
11. Continue to work with MSAD #51 to provide high quality public education. Increase communication with residents about the School District budgeting process.
12. Maintain good communications between the Town and its citizens.
13. **Regional Coordination:** Coordinate the provision of public services and facilities with neighboring communities in an effort to use resources more efficiently. Participate in regional planning programs, such as the Greater Portland Council of Government's Central Corridor Committee.

PUBLIC FACILITIES AND SERVICES


Implementation Strategies

The policies will be implemented as follows:	Responsible Party	Timeframe
<p>1. Town Administration and Town Office:</p> <ul style="list-style-type: none"> a. Evaluate administrative and staffing levels at least every 5 years, and make adjustments as necessary. b. Increase administrative staffing for land use regulation and enforcement through the addition of a full-time position with the following responsibilities: code enforcement, building inspection and issuance, plumbing inspection, private road inspection and staffing for the Planning Board and Zoning Board of Appeals. c. Continue to budget for computer system upgrades and capital improvements for the Town Office within the Capital Equipment Replacement and Facilities Plan (<i>See Table 12-1</i>). Consider the development of a new GIS workstation to aid in efficient planning and code enforcement. d. Seek a Community Development Block grant for improvements to the Town Office, including an elevator to provide handicapped access to all levels of the Town Office. <p>2. Public Works Department:</p> <ul style="list-style-type: none"> a. Evaluate physical plant, equipment and personnel levels at least every 5 years, more often when there is a significant increase in responsibilities. A major evaluation will be needed if the Town accepts responsibility for private roads. b. Continue to budget for capital improvements through the Capital Equipment Replacement and Facilities Plan (<i>See Table 12-1</i>). <p>3. Solid Waste Disposal and Recycling:</p> <ul style="list-style-type: none"> a. Continue to participate in Regional Waste System's solid waste disposal and recycling programs, weekly curbside pick up, and the large item and hazardous waste drop-off programs. b. Appoint a Recycling Committee to research and investigate strategies for increasing recycling rates and reducing the volume of solid waste. c. Investigate, and implement as appropriate, options for controlling the cost of waste disposal, such as a pay-per bag curb-side pick-up program, a curb-side recycling program, and recycling of additional materials, such as cardboard. Investigate the availability of state grant monies to establish a curbside recycling service and the possibility of regional coordination in the effort. <p>4. Fire and Rescue:</p> <ul style="list-style-type: none"> a. Evaluate physical plant, equipment and personnel levels at least every 5 years, more often when there is a significant increase in 	<p>Selectmen</p> <p>Selectmen</p> <p>Selectmen, Administrative Assistant, Budget Committee</p> <p>Selectmen, Administrative Assistant</p> <p>Selectmen, Public Works Director, Administrative Assistant, Budget Committee</p> <p>Selectmen</p> <p>Selectmen</p> <p>Recycling Committee</p> <p>Selectmen, Fire Chief, Administrative</p>	<p>Every 5 years 2004</p> <p>Ongoing</p> <p>2006</p> <p>Ongoing</p> <p>Ongoing</p> <p>2005/06</p> <p>2005/06</p> <p>Ongoing</p>

PUBLIC FACILITIES AND SERVICES

<p>responsibilities, such as the addition of senior housing. Evaluate within the next 5 years the need to pay fire and rescue personnel for time spent on calls and in training programs.</p> <ul style="list-style-type: none"> b. Continue to provide support to volunteer fire and rescue personnel by paying for training and equipment. Continue to budget for capital improvements through the Capital Equipment Replacement and Facilities Plan (<i>See Table 12-1</i>). c. Continue to provide at a minimum, basic level EMT service, with back-up paramedic service. d. Continue to charge for use of rescue services. e. Continue to explore regional delivery of fire and rescue services. 	<p>ve Assistant, Budget Committee</p>	
<p>5. Police Protection:</p> <ul style="list-style-type: none"> a. Seek maximum police coverage through the Maine State Police and County Sheriff's Department. Continue to provide substation office space to the Sheriff's Department to increase coverage. b. Continue to investigate options for local police coverage through a regional intergovernmental agreement, such as a contractual agreement with a neighboring community or sharing a police department with several communities. 	<p>Selectmen, Administrati ve Assistant</p>	<p>2004 & ongoing</p>
<p>6. Public Water, Yarmouth Water District: Continue to work with the YWD to provide adequate, low-cost public water supplies to Yarmouth and North Yarmouth.</p> <ul style="list-style-type: none"> a. Assist in efforts to protect public water supplies, such as the use of environmentally friendly alternative ice removal on roads, public safety notifications of accidents and no spray agreements in sensitive areas. b. Coordinate construction of wells, installation of water lines, road and sidewalk improvements, etc. to provide maximum efficiency. c. Coordinate any future land use initiatives, including infrastructure improvements within or adjacent to critical water supplies (recharge areas), to protect water supplies. Coordinate water quality protection efforts with Yarmouth. 	<p>Administrati ve Assistant, Public Works Director, Fire Chief</p>	<p>Ongoing</p>
<p>7. Public Sewerage: Conduct a study to determine the feasibility of providing a sewer system to growth areas. Consider an agreement with Yarmouth to provide a high level of protection to public water supplies in return for providing sewer service to North Yarmouth.</p>	<p>Selectmen</p>	<p>2005-2008</p>
<p>8. Cumberland Community Education and Recreation Program (CCERP): Review population and demographic trends at least every 5 years to assess recreational needs, and incorporate into a long-range plan. The North Yarmouth Representatives to the CCERP should be members of the Town's Recreation Committee.</p>	<p>North Yarmouth Representati ves, Recreation Committee</p>	<p>Ongoing</p>
<p>9. Education:</p> <ul style="list-style-type: none"> a. Continue to work with MSAD #51 officials to provide high quality 	<p>North Yarmouth</p>	<p>Ongoing</p>

PUBLIC FACILITIES AND SERVICES

<p>public education through the most cost effective means.</p> <ul style="list-style-type: none"> b. Continue to support and participate in the twice-a-year meetings between MSAD #51 officials, the Cumberland Town Council and the North Yarmouth Board of Selectmen to address issues of concern and emerging needs, such as revising school enrollment projections that were based on the current residential growth caps in North Yarmouth and Cumberland. This is particularly crucial since the recent and planned school expansions (Middle School and High School are based on these enrollment projections with capacity to serve current conditions. c. Work with the School District to improve communication with residents and participation in the budgeting process through measures such as: <ul style="list-style-type: none"> i. Display MSAD #51 agendas and minutes at the Town Office ii. Publish information on the budget process and meetings in newsletters and on the School and Town WEB sites. iii. Encourage the MSAD #51 to continue to communicate with the public through cable TV, notices on the Greely High School marquee, in local newspapers, at the library and at all schools. iv. Advocate that the budgeting process highlight those meetings where public input would be most effective and useful. Well-advertised opportunities for public input early in the budgeting process are needed. <p>10. Communication: Utilize a variety of methods to communicate with residents, to include consideration for the following:</p> <ul style="list-style-type: none"> a. Quarterly newsletter (<i>Opinion Survey indicated this was the best</i>) b. Annual Town report c. Town WEB page with links to MSAD #51 and other sites d. Public notices in The Forecaster, Shopping Notes and the Portland Press Herald e. Reporters attending meetings and/or reporting on town affairs f. A North Yarmouth Local cable TV access channel g. Town welcome signs with space to promote community events at gateways. 	<p>School Board Representati ves, Administrati ve Assistant</p>  <p>Administrati ve Assistant and town committees and boards</p>	<p>Ongoing</p>
---	---	----------------

CHAPTER 12. FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN

Overview

This plan establishes a framework for long-range programming and financing for the replacement and expansion of public facilities and services. A primary goal is to anticipate major expenditures, and to prioritize and schedule the funding of these projects in a fiscally sound manner that minimizes drastic changes in tax levels. By anticipating future needs, the Town is better able to take advantage of outside funding opportunities as they arise. There are three major approaches to paying for capital needs: (1) Pay Out Now 100 percent of cost; (2) Borrow and Pay Debt Service; and (3) Save and Buy, through a sinking fund/reserve account. A balanced capital investment program may use all three of these approaches, plus other funding mechanisms depending upon circumstances, such as lease purchase agreements, grants, special assessments, trust funds, user fees and impact fees.

In 1998 North Yarmouth established a Capital Investment Planning Process that consisted of the Capital Equipment Replacement and Facilities Plan. The Plan specifies when each capital asset will be replaced or added and how much money should be accrued annually so funds will be available at the time of scheduled replacement or purchase (*See Table 12-1*). The Capital Investment Trust Fund was established for these funds, a “save and buy” approach.

The Town’s Road Survey and Management System is also designed to plan and budget for major improvements to roads. However, these funds are raised on an annual basis as operating expenses. This is a “pay out now” approach.

The Town has also established a Future Land Fund. This fund allows the Town to set aside funds for future land purchases so the Town can act quickly when land becomes available.

In 2000, the Town established impact fees as a mechanism to raise money for capital improvements needed to serve new development. This is a “pay its own way” approach by charging at the beginning for infrastructure needed by new development. Impact fees are assessed on new residential and commercial development, including expansions. The fees are applied towards capital needs for emergency services and recreational open space made necessary by the new development¹⁶. Given projected growth, and the number of potential capital improvements needed in the near-term, this is a very important method of funding emergency services and recreational open space needs. Impact fees can also be used to fund highway improvements, sewer and water, and school improvements. Impact fees have totaled about \$60,000 per year.

Goals

- 1. Plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development. (State Goal)**

¹⁶ The Comprehensive Planning and Land Use Regulation Act establishes the legal requirements for impact fees (Title 30-A MRSA Sec. 4354).

FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN

2. Maintain a cost-effective long-range programming and financing process for the replacement and expansion of public facilities and services required for existing and projected growth and development.

Policies

1. Maintain an adequate, up-to-date and equitable property tax system.
2. Continue to utilize the Capital Investment Planning Process and expand or change as necessary to meet the needs of future growth and development.
3. Maintain a balanced capital investment program that utilizes the most cost-effective and efficient funding mechanisms. Work to increase revenues from sources other than the property taxes, such as grants, special assessments, trust funds, user fees and impact fees.
4. Utilize impact fees and other mechanisms to require that developers/builders of new development pay for capital improvements needed to serve the new development.
5. Reduce the need to borrow money to operate town government in anticipation of property tax income and other revenues.

Implementation Strategies

The policies will be implemented as follows:	Responsible Party	Timeframe
1. Town-wide Revaluation: <ol style="list-style-type: none"> a. Conduct a town-wide revaluation of taxable property. Assure that property valuations are consistent with the goals of the Growth Management Plan and the designation of growth and rural areas and preservation of open space, to the extent legally permitted. b. Prepare new tax maps. Investigate the cost and trained staffing needs necessary to purchase and implement a Geographic Information System (GIS) that is compatible with other mapped information. 	Selectmen, Assessor, Administrative Assistant	2005
2. Capital Investment Planning: <ol style="list-style-type: none"> a. Continue to utilize the current budgeting process, including the Capital Equipment Replacement and Facilities Program (<i>See Table 12-1</i>). Expand this to cover new capital needs, such as a sidewalk plow. b. Continue to utilize the Road Survey and Management System (<i>See Book II.</i>) Expand this to include coverage for new needs, such as sidewalks. c. Consider the potential investment needs identified in Table 12-2. 	Selectmen, Administrative Assistant, Public Works Director, Fire Chief, Budget Committee	Ongoing
3. Non-property Tax Revenues: <ol style="list-style-type: none"> a. Sustain and enhance the collection of fees and other non-property tax revenues. 	Selectmen, Administrative Assistant	Ongoing

FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN

b. Research and apply for public and private grants, as appropriate <i>(See Table 12-2, and other sections of this Comprehensive Plan)</i>		
4. Impact Fees: a. Continue to utilize impact fees to shift the burden of providing necessary capital improvements for emergency services and open space and recreation onto the new development that is requiring these improvements. b. Review the existing impact fee ordinance and record keeping system to determine its effectiveness and the need for any adjustments. <i>(See the new State Planning Office manual “Financing Infrastructure Improvements through Impact Fees: A Manual for Maine Municipalities on the Design and Calculation of Development Impact Fees”).</i> c. Evaluate the amount of impact fees being levied as the Growth Management Program is implemented. Adjust as appropriate to pay for capital improvements made necessary by new development.	Selectmen, Administrative Assistant, Ordinance Committee	2004 & ongoing
5. Eliminate Need for Tax Anticipation Notes: Eliminate the need for tax anticipation notes (money borrowed to cover expenses before tax income is received) at the beginning of the fiscal year by establishing an undesignated fund balance, or surplus to cover 2 to 3 months operating costs. Consider Changing the Fiscal Year to from July 1 to June 30 , and sending out property tax bills twice a year to improve cash flow. Changing the fiscal year would involve the establishment of a Charter Commission and would take two years to accomplish.	Selectmen, Budget Committee	2004 & ongoing

The following pages include:

- **Table 12-1. Capital Equipment Replacement and Facilities Plan - 2004**
- **Table 12-2. Summary of Other Projects with Potential Funding Requirements (Ten Year Timeframe)** - This Comprehensive Plan has identified a number of recommendations with potentially significant financial implications. Many of these recommendations are key to implementation of this Plan. Some projects require study prior to any capital investment, and some are long-term, and dependent on growth within the community.

FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN

Table 12-1. Capital Equipment Replacement and Facilities Plan - 2004

Item	Est. Cost	Budget	Accrued	2003	Accrued	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015`	Accrued
		<u>2002</u>	<u>12/31/02</u>	<u>Approp.</u>	<u>to date</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Appro p.</u>	<u>Next purchase</u>
Mower/Tractor (JD 4300)	20000	1538	4810	1576	6386	2600	2675	2760	2850	2930	1820	1861	1895	1935	1975	2020	2065	20201
Backhoe (2003)	100000*		39404	37880		9500	9785	10070	10400	10700	11015	11350	11700	12030	12395	10000	10000	108945
Front-end Loader (1994)	90000	11531	49421	**	49421	7250	7470	7700	7950	8175	8450	8675	8900					105091
Plow Truck (2001 Mack)	110000	6675	6810	6842	13652	7013	7188	7360	7533	7706	7879	8052	8300	8550	8810	9100	9373	110518
Plow Truck (1994 Ford L8000)	110000	8328	53015	8536	35927	12345	12345	12345	12720	13100	13490	9166	9166	9166	9166	9166	9166	112272
Plow Truck (1998 Intl)(trade)	110000	6765	28993	6934	61551	7100	9200	9200	9200	9475	9775	10050	10355	10675	11000	11330	11700	68651
Utility Vehicle (2002 F550)	40000	17940	-		0	8000	10000	10000	12000	10000	12000	14000	16000					40000
Utility Vehicle (1/2 ton-used)	8000	0	-	2500	2500	2500	2500	3000	3000	3000	3000	3000	3000					7500
JD 318 Cemetery Mower *	7500				0	5000	1000	1250	1500	2000	2500							13250
Rawson Screen Plant (leased)	85000						10000	10000	10500	11000	12000	13000	13500					80000
Computer System - Upgrades		5125	5228	5253	10481	5384	5519	5651	5784	5917	6050	6183						****
Ambulance	200000	18750	13856	16000	29856	16800	17600	18400	19200	20000	20800	21600	22250	22900				239262
Fire Truck (1977 Pierce) ***	279000	33333	51385	33333	84718	40000	40000	40000	40000	40000								284718
Engine 2 Fire Truck (2016)	335000				0	25750	25750	25750	25750	25750	25750	25750	25750	25750	25750	25750	25750	309000
Tank 3	210000				0	35000	35000	35000	36100	37200	38250							216550
Engine Four										25000	25000	25000	25000	25000	25000	25000	25000	
Ongoing Facility Maintenance Fund		8610	31000	8825	15825	9046	9267	9488	9709	9930	10151	10372	10593	10814	11035	11256	11477****	
Land Purchase Reserve Fund		25000	55389	25000	30389	25000	25000	25000	25000	25000	25000	25000	25000	25000	25000	25000	25000	330389
		143595	339311	152679		218288	230299	232975	239197	266884	232931	193060	191409	151820	130131	128622	129531	
Debt Service							-40000	-40000	-40000	-40000								-160000
Screening Plant							-10000	-10000	-10500	-11000	-12000	-13000	-13500					-80000
				152679		218288	180299	182975	188697	215884	220931	180060	177909					

Computer system - no plans to replace entire system - upgrades paid through supply account - could cap at \$20,000

Plow Truck 1994 Ford L8000 - taken out of rotation - Keep until 2009 - Swap Accrued Funding

Plow Truck 1998 International - Taken out of rotation - Replace in 2004 - swap accrued funding and utilize trade value of \$35-40K

1977 Fire Truck - use accrued funds, and 2004 appropriation - borrow remainder - leave in CIP to show expense for now - transfer to debt service in 2005

Facility Maintenance fund - 2004 expenditure of \$7200 - Municipal Building Central Air

JD 318 Mower - Replacement cost of \$7500 - \$2500 from Cemetery General Fund

Screening Plant - presently lease/purchase - paid off 2005 - 2005 and out years could be funded via a charge back from PWD accounts

Sidewalk Plow or Blower - May need by winter of 2004...possibly not until 2005...will look at equipment share or lease purchase and add into operations.

Source: Administrative Assistant

FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN

Table 12-2. Summary of Other Projects with Potential Funding Requirements (Ten Year Timeframe)

**Items to be re-evaluated with respect to a temporary residential building cap – within 3 years*

Project Title	Project Description	Potential Funding	Year	Comments
Route 9 widening	Rebuild & widen to include sidewalk and paved bike shoulders	MDOT (<i>Local Match \$40,000</i>)	2004	High priority
Improvements to North Road between Rte 9 & Yarmouth TL	Rebuild and widen road to include paved bike shoulders	MDOT (<i>Local Match \$150,000</i>)	2005	High priority - safety and traffic increases due to Pineland
Improvements to North Road between Route 9 and Route 231	Rebuild and widen road to include bike shoulders, address dangerous intersection at Route 231	Strongly advocate for MDOT funding; local match required at a minimum	2004-2005	High priority given safety & traffic increases due to Pineland
Amendments to Zoning Ordinance; Preparation of Municipal Code*	Hire consultant to assist in drafting amendments and mapping	State Planning Office Implementation Grant (<i>\$3,300 local match</i>)	2004 & ongoing	High priority
Preservation of High Value Open Space/ Critical Natural Resource Areas	Seek long-term preservation of high-value open space and natural resources.	Impact Fees, Town Appropriations, Friends of the Royal River; Maine State Planning Office Grant; Land for Maine's Future Program, Maine Outdoor Heritage Fund, Land and Water Conservation Fund, USDA Programs, Inland Fisheries & Wildlife & other state agencies, land trusts, foundations, etc.	2004 ongoing	High priority
Town Management and Staffing*	New position for Code Enforcement, Building Inspection, Zoning Board of Appeals and Planning Board Staffing	Local (<i>\$35,000</i>)	2004	High priority
Property Revaluation	Town-wide revaluation needed; currently <80% of state valuation	Local \$50,000-\$60,000	2005	High priority
Town Office Improvements	Elevator, central air conditioning	Community Development Block Grant (<i>Local Match \$20,000-\$30,000</i>)	2005	High priority
Administrative Computer Software & Hardware - Mapping – Tax, Land Use, Natural Resources	Continue to upgrade software. Also consider mapping and geographic information system (GIS) capabilities. Address need for trained personnel.	Local funds, cost unknown	2004 ongoing	Medium priority; ongoing effort

FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN

Police Protection*	Current Regional Study Underway, also investigating contracting for services through another town	Local (\$80,000 - \$120,000)	2004	Medium priority
Sewer Feasibility Study/Sewer Construction*	Investigate the feasibility of sewer for the Village areas. Approach Yarmouth regarding inter-local cooperation in protection of public water supply in return for access to sewer at a reasonable cost.	Department of Economic and Community Development (Planning Grant \$10,000) Regional Challenge Grant (max \$15,000, with 100% match) to develop Inter-municipal District agreement/comp plan).	2005 – 2008	High Priority, but potentially very expensive. Will require considerable time and effort.
Master Plan for Village to accommodate residential and village scale commercial growth*	Develop plan that considers improved facilities (e.g., sidewalks, bike paths, lighting, streets, street and shade trees, underground utilities, sewer and water options, etc.)	Department of Economic and Community Development (<i>Planning Grant \$10,000</i>) Maine Bureau of Forestry for Shade Tree Program	2005 and ongoing	High priority, major undertaking that may take a number of years to implement
Gateways to North Yarmouth	Signage, landscaping and other improvements at entrances to town or village, Route 115 town line	Department of Transportation Gateways Grant (\$5,000 & local match)	2005	Very achievable; requires specific project development
Increased Recycling, Curb-side Pick-up, Pay-per Bag Waste Disposal	Feasibility Study needed to determine best approach	State Recycling Grant, Local funds; increased recycling could offset increase in solid waste disposal costs	2005-2006	Medium – High priority
Recreation and Open Space Planning	Study recreation and open space needs, and develop a recreation plan. Implement.	Maine Land and Water Conservation Fund, Maine Outdoor Heritage Fund; Corporate Sponsors; fundraising; local funds; corporate sponsors	2006-2008	Medium priority, ongoing
Affordable/Senior Housing*	Study to identify opportunities to encourage and support affordable housing. Town participation may be necessary. Extension of sewer will make it more economically feasible.	Local, Department of Community and Economic Development; Maine State Housing Authority; Regional Partners	2005-2006	Becoming increasingly urgent within the region; regional approach is desirable
Paid On-Call Fire and Rescue Services**	Study needed to determine best approach	Local, user fees for rescue implemented	2009	Medium priority, at this time
Public Works*	Study needed to determine impact of taking over maintenance and/or ownership of private roads – capital and personnel needs	Local funds	2004 & ongoing	Medium priority, at this time

FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN

SAD #51 – Revise Projections and Capacity Needs*	Re-evaluate enrollment projections and school capacity needs as a result of eliminating the residential growth caps in growth areas	SAD #51	2004-2005	High Priority
Expansion of Access to Public Water*	Work with the YWD in the development of a new water supply and increasing access to public water supplies in the growth areas	YWD	2004 & ongoing	High Priority
**North Yarmouth currently pays for back up, on-call paramedic services through Cumberland and Yarmouth.				

CHAPTER 13. OPEN SPACE PLAN “NORTH YARMOUTH LAND STEWARDSHIP PROGRAM”

Introduction

Open space is undeveloped forested and unforested land. It includes wetlands, streams and other water bodies, both publicly and privately owned. The Land Stewardship Program is designed to preserve, manage and protect important open space resources. It includes surface and groundwater, wildlife habitat, farm and forestland, passive recreation areas (parks, water access and trails)¹⁷, historic and archaeological areas and scenic resources.

The Land Stewardship Program will require a coordinated and concerted effort by a number of groups within the community. Given the need for coordination and communication, the Land Stewardship Program is to be administered by a Land Stewardship Committee made up of representatives from the Conservation Commission, Future Land Committee, Planning Board, Zoning Board of Appeals, Recreation Committee, Historical Society and others as deemed appropriate. The North Yarmouth Land Trust, the Friends of the Royal River, the Yarmouth Water District, and trails clubs are others who are critical to the successful implementation of the program.

Land preservation efforts will need to identify specific opportunities for land preservation based on a number of factors, including most importantly landowner interest and willingness to sell and/or formally agree to preserve open space. While the overarching goal of the Plan is long-term preservation, short-term options may allow time to find other resources such as grants, etc. In many cases, timing is everything with respect to taking advantage of opportunities to act based on landowner decisions. These efforts must be sensitive to the need for landowner privacy.

Priorities and considerations for land preservation must be established. Certain town commissions should also provide input to the Planning Board and others in reviewing development proposals. The Future Land Committee may be best suited to contacting and working with landowners to carry out specific land preservation actions. This information can then be presented to the Board of Selectmen and the Town Meeting as justification for a municipal expenditure or acceptance of land. The North Yarmouth Land Trust and the Friends of the Royal River may be best suited to long-term ownership, either outright or through conservation easements. These organizations have as their primary mission preservation of open space. Land trusts are also often better able to negotiate with landowners confidentially and more quickly than towns.

Goals

- 1. As a long-range goal, permanently preserve 20% to 25% of the Town as open space. This translates into 2,700 to 3,400 acres.**
- 2. As a shorter-term goal, permanently preserve 10% or 1,370 acres of the Town as open space by the year 2015.¹⁸**

¹⁷ Passive recreation means relatively undeveloped open space areas for walking, hiking, canoeing, nature observation, etc., as opposed to recreational facilities, such as tennis courts, playgrounds and ball fields. The reason for this distinction is the potential impacts on surrounding land uses.

¹⁸ Approximately 380 acres are permanently protected through conservation easements and/or State ownership.

O P E N S P A C E P L A N

3. Provide an open space program that preserves a range of important open space resources and passive recreation areas for future generations. Implement a program that achieves these goals while being sensitive to landowner desires.

Policies

1. Provide the highest level of permanent protection to the most highly valued open spaces (critical natural resources) and passive recreational areas, such as the Royal River Greenway corridor, the public water supply, the Deer Brook and Knight's Pond area and an interconnected trail system.
2. Advocate that the Yarmouth Water District permanently protect and preserve wellhead recharge areas (i.e., 2,500 day travel time zones) through ownership or conservation easements.
3. Identify and conserve other valuable open space and passive recreation (trails/parks) areas so that future development can be designed to conserve and enhance these areas. Require (and/or provide strong incentives) that future housing and development be designed to be compatible with important open space, passive recreation areas and cultural and natural resources.
4. Continue to support an active land conservation and preservation effort that includes volunteer committees and a land acquisition program.
5. Utilize land preservation approaches that entail working with willing landowners.
6. Establish a flexible and effective land preservation program that utilizes a variety of funding sources and approaches, including working cooperatively with neighboring towns, local land trusts, the Friends of the Royal River and others.

Implementation Strategies

The Policies will be implemented as follows:	Responsible Party	Time-frame
1. Land Stewardship Program: Establish a Land Stewardship Committee to oversee implementation of a "Land Stewardship Program". The Committee should include representation from town boards/committees, including the Planning Board, Zoning board of Appeals, Conservation Commission, Future Land Committee and Recreation Committee. Input should also be sought from the Historical Society, trails group, snowmobile clubs, North Yarmouth Land Trust, Friends of the Royal River and others, as appropriate. This committee could meet quarterly, or as often as necessary to provide oversight and coordination of activities.	Selectmen	2004
2. Open Space Plan Inventory: <ol style="list-style-type: none"> a. Complete the inventory to include important water resources, wildlife resources, historic and archaeological resources, passive recreational areas, and scenic resources as recommended in other sections of this document. b. Inventory the status of existing town-owned land and other publicly owned land. Include tax-acquired land, existing conservation and recreational easements and set-asides in subdivisions to determine open space and passive recreational values, opportunities and needs. 	Conservation Commission, Historical Society, Recreation/ Trails group(s)	2004 & Ongoing

OPEN SPACE PLAN

<p>3. Prioritize Open Space and Critical Natural Resources: Utilize the Open Space Inventory and the criteria in Tables 13-1 and 13-2 to identify:</p> <ul style="list-style-type: none"> a. High value areas appropriate for long term preservation through acquisition, conservation easements or other similar mechanisms. Evaluate existing town-owned land and other public/semipublic land to identify opportunities for permanent preservation. b. Important open space resources appropriate for other conservation measures, such as through land use regulation, landowner agreements and educational efforts. 	<p>Land Stewardship Committee, Conservation Commission</p>	<p>2004 & ongoing</p>
<p>4. Map of Conservation Lands: Create a Map of Conservation Lands based on the prioritization of open space resources in #3. The Map (possible overlay of the tax maps) should delineate conservation networks of important open space to provide guidance to landowners and developers as to where new development is encouraged/may be placed on their properties. (<i>See "Growing Greener Putting Conservation into Local Codes", by Randall Arendt, Natural Land Trust, 1997, for more information on this approach.</i>) This map should be:</p> <ul style="list-style-type: none"> a. Posted at the Town Office as an educational tool. b. Given to all applicants for building permits for new houses with suggestions for conservation of resources (<i>See Chapter 7. Water and Natural Resources and Chapter 8. Historic and Archaeological Resources</i>) c. Utilized in the development and subdivision review process (<i>See Chapter 4. Future Land Use Plan</i>) d. Utilized in the land acquisition and preservation program. 		
<p>5. Landowner Contacts and Negotiations: Develop a working relationship with landowners with property identified as having value for conservation and/or open space preservation. Depending upon the landowner's wishes, timing and the individual situation, assist in negotiations with Selectmen, Friends of the Royal River, North Yarmouth Land Trust, or other appropriate entities in protection efforts.</p>	<p>Future Land Committee, Land Stewardship Committee</p>	<p>2005 & ongoing</p>
<p>6. Funding Land Preservation: Continue to maintain and expand the land acquisition fund through impact fees and annual town meeting appropriations. Consider establishing an automatic funding mechanism so that a certain amount or percentage of money automatically goes into the land acquisition fund every year. Seek other sources of funding through grants, cooperative purchases, and general obligation bonds, etc. Explore different approaches, such as conservation easements, lease agreements, right of first refusal, land banking, purchase and resale with easements, purchase of development rights, transfer of development rights, etc.</p>	<p>Selectmen, Land Stewardship Committee, Future Land Committee</p>	
<p>7. Impact Fee Ordinance: Review and update the existing Impact Fee Ordinance and methodology for calculating the fees. Open space impact fees should be designed to provide for the open space/recreational needs necessary to support population growth. Consider increasing the fees based on the calculated needs, and increase the proportion of fees to be dedicated</p>	<p>Selectmen, Land Stewardship Committee</p>	<p>2004/05</p>

O P E N S P A C E P L A N

to the preservation of open space (consider 50% of total fees). (<i>See Financing Infrastructure Improvements through Impact Fees, Maine State Planning Office, January 2003.</i>)		
8. Monitor and Maintain Conservation Easements: Ensure that there is adequate monitoring and maintenance of conservation easements and other similar agreements, including those held by the North Yarmouth Land Trust, the Friends of the Royal River and any others.	Land Stewardship Committee	2004 & ongoing
9. Monitor Progress at Meeting the Open Space Preservation Goals: Monitor progress at meeting open space preservation goals and the overall Land Stewardship Program at least every five years, if not more often. Report to the Comprehensive Plan Implementation Committee on progress (<i>See Chapter 3. Growth Management Program, page</i>).	Land Stewardship Committee	2009, or sooner
10. Regional Coordination: Seek to work with neighboring towns, the Friends of the Royal River, North Yarmouth Land Trust, and others to promote the preservation of open space. Particular attention should be given to areas of common interest, such as the undeveloped block of open space shared with the Town of Cumberland and the Royal River Greenway.	Land Stewardship Committee	2004 & ongoing

*Specific Recommendations for Priority Open Space Areas*¹⁹

Royal River Greenway, including Chandler Brook and the East Branch (Highest Priority)

The Land Stewardship Committee's highest priority should be the establishment of a Royal River Greenway. This corridor has multiple values, including existing parks, existing and potential trails, public water access, scenic areas, ground and surface water resources, archaeological resources, wildlife habitat, and regional importance. Some specific recommendations for this corridor include:

- Designate the Greenway boundaries to include 100-year floodplains, adjacent wetlands and their buffers, wellhead recharge areas within the corridor, existing town-owned land, and existing and future conservation land, including subdivision set-asides. The Greenway corridor should be a minimum of 500' on either side of the river; the 250' building setback would remain as it is now, except that the 250' building set back would be expanded to include all of Chandler Brook and the East Branch. Within the area between the 250' building setback and the 500' minimum corridor boundary, subdivisions must be either designed to preserve maximum conservation values or clustered with the portion of land within the corridor utilized to meet the open space set-aside requirements.
- Require that all allowed building permits (non-subdivision) for the Royal River Corridor be obtained from the Planning Board. Applicants must build within the corridor in a manner consistent with the goals of the corridor, such as maintaining adequate buffers and wildlife habitat.
- Strictly limit road building within the Shoreland Zone of the Corridor (250' setback). However, certain passive recreational structures, such as bridges for the trail system should be allowed.
- Permanently preserve Wescustogo Park as an open space and passive recreation area
- Consider permanently preserving other town owned land (former town dump), and open space set-asides within the greenway
- Develop a trail connection between Wescustogo Park and Meeting House Park (high priority)

¹⁹ Priority open space areas were identified through an extensive public process, including the public opinion survey, the visioning workshops and the open space planning workshops.

OPEN SPACE PLAN

- Obtain Mill Road river access
- Contact landowners within the corridor to encourage land stewardship and land preservation
- See also, shoreland buffers and building setbacks of at least 250 feet (*See Chapter 7. Water and Other Natural Resources*)
- See also, Consideration for Greenway recommendations in all development proposals (*See Chapter 7. Water and Other Natural Resources and Chapter 4. Future Land Use*)
- Advocate for a Regional Royal River Greenway

Protection of Public Water Supply Areas (Highest Priority)

The Yarmouth Water District owns considerable land around the wells including the 200-day travel time zones and a portion of the 2,500-day travel time zones²⁰. This Plan strongly recommends permanent protection for all areas within the 2,500 day travel time zones, which includes land owned by the Water District, land owned by the Town, and some land in private ownership. This goal could be achieved as follows:

- Place permanent conservation easements on town-owned land within the 2,500-day zones
- Strongly advocate that the Water District also place permanent conservation easements on land within the 2,500-day zones.
- Contact landowners to determine their interest in permanent protection of land within the 2,500-day zone. Various options for protection should be explored including purchase of a right of first refusal, purchase of development rights, conservation easements, etc. The long-term goal should be permanent protection. The Water District should take the lead in financing these purchases with cooperation/participation from both Yarmouth and North Yarmouth.

Large Undeveloped Area including Deer Brook and Knight's Pond (High Priority)

The large undeveloped area, shared with the Town of Cumberland, has been identified by the Beginning with Habitat Program²¹ as one of the largest in southern Maine. This area was also identified as a high priority open space in the visioning and open space workshops. According to the Beginning with Wildlife Program its most significant value is as unfragmented wildlife habitat. It is mostly forested with a network of trails and is very scenic. To effectively preserve this large area would involve landowner cooperation and a joint effort with the Town of Cumberland. Explore various approaches, such as purchase of conservation easements or development rights, use of transfer of developments rights, or land banking to compensate willing landowners. Given the large size of this area the Town should focus its efforts to do the following:

- Permanently preserve any town-owned land in this area.
- Contact landowners to determine their interest in participating in an effort to preserve this area.
- Seek permanent preservation of the Deer Book area since it has multiple values, particularly for wildlife habitat (high priority). Establish a minimum resource protection buffer along Deer Brook of 150' along both sides.
- Seek permanent preservation for areas with frontage on Knight's Pond for wildlife protection and possibly public access.
- Begin discussions with the Town of Cumberland and the Friends of the Royal River to seek outside sources of funding, such as the Land for Maine's Future Program to preserve this large tract of land.

²⁰ The 2,500 day-travel time zones are critical ground water recharge areas that are mapped by the Water District.

²¹ *Beginning with Habitat* (Notebook and Maps); Maine Inland Fisheries and Wildlife, Maine Natural Areas Program, Maine Audubon, Maine State Planning Office, U. S. Fish and Wildlife, Maine Cooperative Fish and Wildlife Unit, Southern Maine Regional Planning, Nature Conservancy and Wells National Estuarine Research Preserve; January 2003.

OPEN SPACE PLAN

Growth Area Open Space (High Priority)

Provisions for open space and passive recreation areas within and adjacent to growth areas, (or transitional growth areas) is a very high priority. These areas contribute significantly to the quality of life within growth areas and should be viewed as essential amenities to making growth areas attractive places to live. The following are recommendations for growth or transitional growth areas:

Village Area including Town Forest Skyline Farm, The Lane, Water Supply Areas – The Village and areas around the Village have considerable open space amenities, including the Town Forest, Skyline Farm, The Lane and areas protected because they are water supply recharge areas. There are also a number of existing and potential trails. Suggestions for this area include:

- Permanently protect through conservation easements land within the Water District recharge areas (*See Protection of Public Water Supply Areas*).
- Consider permanent protection of town-owned land through conservation easements, to include all or portions of the Town Forest parcels.
- Also, consider opportunities to protect high value open space in other areas of the Town through creative use of town-owned land in the village area, such as:
 - Use of money from timber harvesting on the town forest for land preservation efforts
 - A land swap of town land for purchase of development rights or conservation easements for high priority open space in other areas of the Town, such as the Royal River Corridor or the Deer Brook area. Depending on the situation, the town land may be better used for affordable housing, for example.
- Evaluate the need for permanently preserved open space and passive recreation areas in the expanded Village Residential District. This should be done in conjunction with the development of the Map of Conservation Lands that shows important conservation networks.

Pratt's Brook Area

The Pratt's Brook area has been identified as an important open space resource. Suggestions for protecting this area, and in particular important wildlife habitat, include expanding the width of the resource protection buffer to 150 feet on both sides of the brook, and possible development of a Pratt's Brook Greenway that provides open space adjacent to or within a transitional/future growth area.

Interconnected Parks and Trails System

Considerable progress has been made in the development of parks and trails. These recommendations envision a town-wide system that interconnects with a regional network of trails. This trail system would connect growth areas with open space areas, parks, access to water bodies and to areas outside the community, such as Pineland and Bradbury Mountain. The snow mobile trail system model should be used in the development of trails. This entails organization of a trails club/group to approach landowners for permission to use existing trails or create new trails, and to maintain and police trails with landowner consent. At some point in the future when and if there is a good working relationship with landowners, the club/group could seek landowner permission to establish trail easements. This overall approach should dovetail with trail easement requirements in subdivisions, and high priority trail connections where purchase of easements should be pursued at an earlier date. Adequate manpower for this initiative is imperative.

The **Old Railroad Bed** that runs north and south through town was identified as a very desirable trail corridor. The rail line was abandoned in the 1960s. Following abandonment, ownership of the right-of-

OPEN SPACE PLAN

way was transferred to the approximately 30 abutting landowners. This right-of-way would provide a very desirable link in the town's trail system and should be investigated to determine the feasibility of obtaining public access and use as a passive recreational trail.

O P E N S P A C E P L A N

Table 13-1. Considerations For Determining Priorities

Type or Characteristics	Priority*	Considerations for Determining Priorities
Existing and Future Ground Water Supplies	1	Areas vital to protection of existing and future water supplies are a high priority. Must involve coordination with Yarmouth Water District and should include financial participation by Yarmouth.
Important Wildlife Habitat, including travel corridors, wetlands, large blocks of unfragmented habitat, & habitat for threatened and/or endangered species	2	Large blocks of forest provide habitat for many more species than small blocks, especially if they include streams and wetlands; tracts larger than 500 acres are most desirable. Areas along streams and wetlands are also very important. Uncultivated fields and fields hayed late in the season are also important. Further work to identify specific priorities is necessary.
Lands crucial to maintaining clean surface water resources	3	Very important, overlaps with other categories, such as shoreland habitats and protection of water supplies. A watershed approach is most comprehensive, with protection of shoreland areas most crucial.
Farm and Forest Land	4	Contributes significantly to the “rural feel”. Overlaps with other categories, such as wildlife habitat, clean water resources, and scenic resources. Consider economic value of farm and forestland.
Interconnected Trails Systems	5	A number of existing trails in town, and existing and planned trail systems in neighboring towns. Interconnections with existing trails and public lands are a high priority. A central loop and includes a major portion of the Royal River and Wescustogo and Meeting House parks is a high priority. See other proposed trail systems on Map.
Outdoor Recreational Areas – Parks	6	There are a number of existing outdoor recreation areas, so not a high priority at this time. However, consider new potential park areas as development increases.
Historic and Archaeological Areas	6	Should be considered as contributing to multiple use value of other resources, unless a very significant historic or archaeological resource is identified.
Land that provides access to water bodies	7	Already have 2 public accesses to the Royal River. An additional access at Mill Road is desirable if the opportunity arises.
Scenic views/scenic highway corridors	8	Should be considered as contributing to multiple use value of other resources unless a very significant scenic resource is identified.
Areas with landscape Characteristics that Contribute to the Rural “Feel”.	No Rank	An important consideration for most proposals for land preservation and/or management. How a piece of land contributes to the overall “rural feel of the community” and fits into the overall landscape, including neighboring land uses is important.
* Note: The priority ranking is #1 the highest priority and #8 the lowest priority. This is the result of ranking by participants at two Open Space Workshops held in June 2003.		

OPEN SPACE PLAN

Table 13-2. Other Considerations For Determining Priorities

	Examples
Desirability of Large parcel (20+ acres)	Large tracts undeveloped habitat (20+ to 250 acres, depending on the species) not crossed by roads provide critical habitat for a number of wildlife species, such as bear, moose, fisher, eagles and many other bird species. As land is developed and habitats become fragmented, the existence of these species becomes increasingly threatened.
Contiguous with Other Similar or Important Parcels	The addition of open space to existing town-owned parks or conservation land can increase the value of the preserved open space for passive recreation, trails and wildlife habitat.
Regional Connections	The Royal River Corridor has regional open space value for recreation (canoeing and fishing) and as a wildlife corridor. Interconnected Trail systems, such as trails providing connections to Pinelands and/or Bradbury Mountain Yarmouth and North Yarmouth cooperation on protection of water supply
Proximity to Built-up Areas	Some parks, trails and other open spaces should be located within or near growth areas as a development incentive.
Dispersed Geographic Location ion	Open space and passive recreation areas should also be located in a number of locations throughout town to allow greater public access and enjoyment by citizens.
Scenic/Visible from Public Place	A scenic vista visible from a highway is more valuable than a scenic vista without public access.
Multiple Values	Multiple values can add to the importance to some tracts of open space: <ul style="list-style-type: none"> • A scenic historic farmstead with river frontage may be more valuable than a farm without these other characteristics • Trail systems that provide connections to public parks and or river access, or are near built-up areas may be more valuable than trails though undeveloped land without these multiple values In some instances, an open space resource may be very important because of a single value, such as a well head protection area for the public water supply
Note: This was prepared for the Open Space Workshops held in June 2003.	

High Value Open Space Areas Map (see next page)

Trails, Conservation and Public Lands and Scenic Views (see next to last page)

Future Land Use Map (see last page)