

## **Boothbay Harbor Draft Comprehensive Plan Abridged Summary**

A Comprehensive Plan for Boothbay Harbor can help sustain the vibrant downtown and attractive residential neighborhoods, protect working waterfronts, improve walkability, and balance economic prosperity with an excellent quality of life. Many Maine communities prepare comprehensive plans to help guide their towns to a desired future, even though there is no requirement to have one. Should a community decide to create a comprehensive plan, the plan is not required to be consistent with the Growth Management Act (T30-A §4301 et seq.) although there are advantages in the form of incentives and local regulatory authority available if a plan has been determined to be consistent with the Act and the consistency determination has not expired. On September 23, 1996 Boothbay Harbor officially adopted a new comprehensive plan and it was found consistent with the Growth Management Act (Act) on March 14, 1997 by the State Planning Office. Under the Comprehensive Plan Review Criteria Rule (Rule), however, this consistency determination expired on December 31, 2012.

Boothbay Harbor has experienced some significant shifts in its economy and population over the almost two decades since the previous plan was prepared. The commercial fishing industry has undergone much retrenchment with the closure of vast areas of fishing grounds and the selling off of much of the groundfishing fleet. At the same time, lobster hauls have increased dramatically, although the prices received by local fishermen have been inconsistent at best. Another critical trend has been the “aging” of the town (along with Maine and other states), which is a major challenge and opportunity for workforce, health care, and other parts of our community.

The 1996 plan anticipated that the population of Boothbay Harbor would increase from a projected 2,850 in 1997 to 3,100 by 2005 due to continued net in-migration of new residents to the community. In fact, the population experienced a decrease to an estimated 2,151 in 2011, due primarily to continued out-migration of younger people and a lessening in the growth rate of new year-round residents. As the peninsula continues to recover from the historic recession of recent years, these trends may ease but significant improvement will hinge on job creation and affordable housing along with maintenance of Boothbay Harbor’s quintessential small town coastal Maine environment.

A comprehensive plan consistent with the State Act can foster constructive discussions among neighbors and develop a basis for sound decisions in town management. There are also advantages in state law available to a community with a consistent comprehensive plan:

- It is required to substantiate a zoning ordinance that regulates land use beyond the shoreland zone (absence of a consistent plan does not automatically invalidate a zoning ordinance but it makes it harder to sustain specific provisions if challenged in court)
- A zoning ordinance enacted pursuant to a consistent comprehensive plan is binding on state agencies unless overridden by the Governor
- It is required to substantiate an impact fee ordinance or a rate of growth ordinance
- State growth-related capital investments can only be made in growth areas designated in a consistent comprehensive plan
- Municipalities with consistent comprehensive plans receive preferences in the award of some state grant and award programs such as
  - Community Development Block Grants
  - Land for Maine’s Future
  - Municipal Investment Trust Fund
  - DEP 319(h) Non-Point Source Protection Grants
  - DEP State Revolving Loan Fund

- SPO Plan Implementation Grants
- Land and Water Conservation Fund

For these reasons, in 2012 Boothbay Harbor decided to begin the process of updating its 1996 comprehensive plan with the goal of ensuring that it would be consistent with the Act and the Rule. The Rule requires significant public input and opinion on key community issues and to help accomplish this, a survey was prepared and made available on-line and in several public locations in Boothbay Harbor. One hundred and sixty-six individuals completed the survey. Surveys results are presented in the full plan, unabridged plan summary and under separate cover at <http://lcrpc.org/bbh-comp-plan>. In addition, all meetings of the Comprehensive Plan Committee were open to the public and several articles on the comprehensive planning process were published in local newspapers.

The Rule also requires preparation of a Vision Statement and a Future Land Use Plan. The following Vision Statement summarizes the hoped-for future of Boothbay Harbor that will be realized with successful implementation of the plan.

*Water: Boothbay Harbor cherishes the natural world which surrounds us: the clean air, beautiful landscapes of woods, fields, water, and rock, and amazingly diverse habitats and fisheries. There is one “resource” that is dominant, that seems to pervade all aspects of our environment, and of our community’s current and future development – water.*

*Fresh water, tidal flats, wetlands, and coastal and ocean waters – water is integral to most every aspect of life in Boothbay Harbor. From shellfish and fishery resources, wildlife habitats, scenic views and recreation, to shipbuilding, real estate and tourism, these assets are the foundation of this community, our sense of place and our economic future. The diverse ways we enjoy and use these assets are both complementary and competing. In addition, the community recognizes the continuing risks of flooding and sea-level rise. Boothbay Harbor’s future requires a more holistic and responsible stewardship to protect water quality, improve and manage public access to the water, and encourage new, compatible maritime uses by linking together development standards, economic incentives, infrastructure improvements, public education, and resource monitoring.*

*We envision that:*

- *the water quality in Adams and Knickerbocker Ponds will continue to meet or exceed state and federal standards.*
- *Boothbay Harbor’s work in coordination with state and federal agencies will continue to improve the quality of harbor and coastal waters and benefit local fisheries, boating, aquaculture, and tourism sectors.*
- *the Town will monitor rising sea levels and storm surges, and take steps to plan to protect susceptible areas or reduce potential adverse impacts.*
- *significant natural habitats will be preserved and maintained.*

*The Economy: Will we create our future or stand by and deal with what comes? Choosing to build on our strengths and create opportunities for our future generations, local businesses will adapt to changing trends and market demands within their industries and increasingly connect by technology and capital with state, federal, and global networks. The community will support quality education at all levels, a critical ingredient to economic success. Continual strategic planning can clarify Boothbay Harbor’s role in important sectors such as health care, education, marine sciences, fisheries, renewable energy, shipbuilding, and tourism, and determine how, at a municipal level, local officials and citizens can coordinate with state and federal resources to increase local employment and higher wage levels.*

*We envision that:*

- *an economic development plan for the Town will help retain and create local jobs. The focus will be on expanding the number and variety of year round businesses, and encouraging local businesses and entrepreneurs. Community members and entrepreneurs will find Boothbay Harbor a welcoming place to do business and the number and variety of year round businesses will grow.*
- *schools and local employers will work together to increase opportunities for high school apprenticeships and employment with local businesses.*
- *health care in Boothbay Harbor will remain a major employer and economic sector. given the town's demographic characteristics, new and expanded health care services will reflect community and regional needs in innovative and affordable ways.*
- *the fishing and boatbuilding industries will adapt to the changing ocean environment and local and national economies and thrive in new sectors (aquaculture, for example) and new technologies.*
- *Town government will facilitate the growth of aquaculture and other marine industries, in partnership with neighboring towns, state and federal agencies, Bigelow Labs, Darling Center, and the local tourism sector.*
- *Boothbay Harbor will continue to be a premier destination for travelers, known for its high-quality experience, service, lodging, dining, and events.*

*Community: Residents and visitors value the Harbor's unique community of people and places: eclectic downtown businesses; neighbors catching up at the Post Office, Library, and coffee shops; events at the school and the Y that bring everyone together; schooner wrecks and other archaeological sites in the harbor; and favorite walks, views and streetscapes. How do we change to stay vibrant and unique, yet protect these special qualities? Startling demographics about our increasingly older population and job trends challenges us to welcome new ideas and new residents. We can build on Boothbay Harbor's ability to attract young families and to sustain older generations by better utilizing existing resources and creating the right mix of affordable housing, employment, health care, and transportation resources. As inevitable and unexpected change occurs, Boothbay Harbor will find tools to support a community where our older residents thrive in their later years, where young people come to work and raise families, and where the past is still present in our residential and commercial neighborhoods and along the waterfront.*

*We envision that:*

- *the downtown will be sustained and enhanced with a mix of vibrant business, residential, and community uses.*
- *young families will choose to stay in or move to Boothbay Harbor and become active participants in community life by taking advantage of all available employment, affordable housing, job training and educational opportunities.*
- *town facilities and services will be operated and expanded as cost-effectively as possible and will meet the needs of year-round residents, local businesses, and seasonal visitors.*
- *energy-efficient land uses, green building practices, renewable energy sources, weatherization, and other land and building adaptations to changing ocean level will reflect the community's balance between economic and environmental values.*

- *the community will preserve traditional public access to open space and the shore, develop new public trails, and expand recreation opportunities for all ages.*
- *improvements to transportation and transit infrastructure and services, including bus, van, and ferry services, and bike-pedestrian safety and access will continue to be important town priorities.*
- *visitors and residents will continue to enjoy the historic character of the downtown and surrounding neighborhoods and scenic views to the harbor from streets and public spaces.*

The Rule requires that a community identify both “growth areas”, where most development will occur in the next decade, and “rural areas”, which are areas that are deserving of some level of regulatory protection from unrestricted development and which contain important resources or undeveloped open space or which are significantly impacted by soils, wetland, topographic or similar constraints to development (note that all districts other than the rural district are considered growth districts). The proposed rural district is depicted on the Proposed Future Land Use Map at the end of this document. In addition, the Rule requires identification of those growth areas where public services such as water and sewer do not now exist and are not proposed to be extended in the future. For purposes of this plan, the general residential district has been divided into general residential–growth and general residential–rural districts based on current and future availability of these services. These proposed districts are also presented on the Proposed Future Land Use Map.

As noted above, the Rule requires the plan to include recommended strategies to accomplish the goals of the community. The following summarizes some of the more significant strategies in the plan. For the complete list of strategies, see the unabridged summary or the full plan at <http://lcrpc.org/bbh-comp-plan>.

- Appoint an historic resources committee including representatives of the Boothbay Region Harbor Historical Society to evaluate the need for a comprehensive survey of historic and archeological and, if necessary, plan for such a survey.
- The Historic Resources Committee will develop an inventory of significant views of the harbor and identify aspects of the community’s historic character and suggest mechanisms for protecting them.
- The West Harbor Pond Watershed Association with support from the Maine Department of Inland Fisheries and Wildlife expands current efforts to monitor and address invasive plant species.
- The plan recommends that Boothbay Harbor and Boothbay continue to coordinate efforts to manage water quality. Specific areas of focus include invasive species, water quality monitoring, and phosphorus control. If deemed competitive, the two towns should consider a joint grant application to address non-point source pollution.
- The town continues to send representatives to regional water quality meetings related to endeavors in the Sheepscot and Damariscotta river basins and continue to cooperate with the town of Boothbay regarding Knickerbocker Lake.
- Revise subdivision and site plan review standards to reflect more intense storm events. Adopt low-impact development standards.
- The Planning Board develops a list of key scenic views, including specific locations, for inclusion in the land use code; the Planning Board or its designee drafts new standards to encourage preservation of key scenic resources; and the Planning Board contacts the local land trust and the land owners to inquire if there is mutual interest in protecting these view sheds.
- Permit land use activities that support productive agriculture and forestry operations, such as roadside stands, greenhouses, firewood operations, sawmills, log buying yards, and pick-your-own operations.
- Seek incentives for fostering development of small scale, intensive agricultural production activities. Emergence of new production technologies enables successful operation of intensive agricultural production systems. Such activities can be wholly directed toward production of valuable crop species such as, vegetable species, micro-greens, and herbs and spices, or integrated production

systems which incorporate the culture of aquatic species as well; and review town ordinances to identify provisions that may discourage or needlessly adversely affect small scale operations.

- Identify needs for additional recreational and commercial water access (which includes parking, boat launches, docking space, fish piers, and swimming access).
- Work with local property owners, land trusts, and others to protect major points of visual and physical access, including boat launches, to coastal waters, especially along public ways and in public parks. Consider purchasing rights of first refusal, permanent easements and/or fee title for access points or properties of critical importance to marine, civic, or recreational activities.
- Continue to evaluate and amend or draft if necessary local ordinances to ensure that they provide priorities for commercial boats, fairly allocate moorings, provide for clear mooring standards and relocate moorings as necessary to accomplish efficiency of harbor use, improved navigation and safety, and separation of harbor user groups. Increase float space and dinghy space as feasible to meet current needs.
- Continue to evaluate and amend or draft if necessary dock regulations to minimize the potential negative impacts of a proliferation of these structures in ecologically sensitive areas, or areas where navigation might be impeded.
- Continue to make appropriate improvements to public landings as needed. Provide off-street parking improvements to satisfy existing needs at these landings. Acquire property or perpetual use rights to support landing use within areas not currently adequately served.
- Continue to work with the Department of Marine Resources regarding impacts on water quality resulting from existing and potential pollution sources. Identify and mitigate existing pollution resulting from subsurface septic disposal, overboard septic discharge into coastal waters and vessel septage discharge. Utilize volunteer water quality monitoring to pinpoint pollution sources. This method could be used to identify malfunctioning septic systems or other pollution sources in problem areas on the Boothbay Harbor shoreline.
- Consider applying for funding from the Maine Coastal Program or other agency to develop a strategy to improve the resiliency of public and private buildings and facilities that have been identified as at-risk from the impacts of rising sea level and storm surge and work with the Harbormaster, Select Board, Town Manager and Code Enforcement Officer to implement such strategy.
- Consider amending local ordinances to increase the height and resiliency of buildings and facilities at risk from rising sea level and storm surge as they are repaired, improved or replaced.
- Work with the Department of Marine Resources to monitor changes in local marine resources such as shellfish habitat, new invasive species, marine incubator habitat and commercial fish stocks.
- The Select Board will investigate appointing an economic development committee with members representing town boards, local businesses, business organizations, community residents, and representatives of the fishing and boatbuilding industries. The committee will find funding for an economic development strategy. The committee oversees the drafting of this strategy and holds outreach meetings with the business community and the general public.
- The proposed Economic Development Committee will develop on-going relationship with county, regional, state and federal agencies about grant and loan programs to help meet the Town's needs, and recommends to the Select Board which funds should be sought. Joint grant applications with adjoining towns shall be considered whenever deemed feasible.
- The Economic Development Committee will support efforts in the region to identify land either locally or regionally suitable for business growth and development.
- The Economic Development Committee will work with the School administration and teachers, and local businesses to expand opportunities for student mentoring and apprenticeships, and assist communications about workforce skills needed and school-based resources required to provide such skills.

- The Planning Board should consider creating a Marine Enterprise Zone in partnership with neighboring towns, state and federal agencies, Bigelow Laboratory, Darling Center and the local marine industries and tourism sectors to facilitate the growth of aquaculture and other marine industries.
- The Town Manager, Public Works Director, Select Board Economic Development Committee, and Chamber of Commerce identify strategies to upgrade municipal tourist facilities and assist the private sector in improving tourist services.
- Maintain, enact or amend ordinances to allow the addition of at least one accessory apartment per single family detached residence in growth areas, subject to site suitability.
- Investigate creating a community affordable/workforce housing committee, identify potential non-profit and for-profit developers, and create partnerships to explore and develop housing opportunities for both rehabilitation and new construction.
- Support the efforts of local and regional housing organizations in addressing affordable and workforce housing needs, including improving housing conditions through the use of state, federal, non-profit and private resources.
- Seek to achieve a level of at least 10% of new residential units built or placed during the next decade be affordable (housing costing not more than 30% of a household's total annual income).
- Investigate amending ordinances to encourage open space subdivisions, houseminiums and other types of affordable residential development
- The select board will investigate appointing a Recreation Committee or Recreation Department that will work with the YMCA and the Public Works department to improve active and passive recreational opportunities.
- Continue to work with Edgecomb, Boothbay and Southport in ensuring adequate state funding for state and state-aid roads that serve multiple communities and implement the recommendations of the Route 27 Corridor Management Plan.
- Continue to work with Boothbay, Edgecomb and LCRPC in soliciting funding from MDOT to conduct a transit study that would determine the feasibility of establishing seasonal bus service to the peninsula and improvements to the existing privately-funded trolley service.
- Work with Wiscasset to evaluate the potential for ferry service between the communities and other coastal communities in the mid-coast.
- Implement the recommendations of the Boothbay-Boothbay Harbor Bicycle-Pedestrian Plan including enhancements of and extensions to the sidewalk network, improvements to intersections frequented by pedestrians and development of an off-road connection between the YMCA and the Coastal Maine Botanical Garden. Continue to require developments in the vicinity of sidewalks to provide interconnections to sidewalks.
- Work with Coastal Trans, Inc., and other related organizations to better meet the needs of elderly and disabled residents who lack their own transportation by providing transit services within Town and to regional medical, shopping and other destinations.
- Support a seasonal shuttle service between Boothbay Harbor and the Wiscasset and/or Newcastle railroad stations to provide tourists, mid-coast residents and local residents with a convenient transit option for travel to and from the community.
- Explore opportunities to work with neighboring communities to plan for and finance shared or adjacent capital investments to increase cost savings and efficiencies.
- Amend the Downtown Business District Standards:
  - i. To prohibit new primary residential uses on the ground floor of commercial streets. Accessory residential uses such as the private living quarters of bed and breakfasts and of other lodging establishments would be allowed.
  - ii. Restrict new ground floor uses on commercial streets to those dependent on easy pedestrian access (such as, but not limited to, retail operations and food serving establishments).

- iii. Allow residential and professional office operations on the upper floors of commercial streets.
- Revise General Business District Standards: The following changes are recommended:
  - i. Amend roadside landscaping, buffering, and architectural harmony guidelines in order to improve the appearance of the area;
  - ii. Enact measures to encourage the development of back lots including requiring site plan review applicants to designate rights of way that connect their properties to adjoining parcels. If all adjoining land faces severe development constraints, access provision requirements to adjoining parcels would be waived;
  - iii. Give the planning board the authority to require applicants to create curb cuts on secondary roads that connect with Route 27 rather than on the highway itself;
  - iv. Offer incentives such as reduced frontage or parking requirements for applicants who locate on secondary roads;
  - v. Give the planning board the authority to require stricter buffering and vegetative planting standards for uses normally located on the back of a property such as dumpsters, fuel storage tanks, and old equipment. Overall, the site plan review standards would assure that future development will be protected from negative impacts of uses on existing, developed properties;
  - vi. Give the planning board the authority to require applicants to designate areas for bus stops and bicycle racks.
- Revise General Residential District: The plan recommends the following changes:
  - i. Divide the General Residential District into the General Residential-Growth and General Residential-Rural Districts based on the existing or likely future presence of public water and sewer services; maintain existing permitted uses and dimensional requirements;
  - ii. Developers that agree to install amenities such as sidewalks and common open space per the open space subdivision guidelines would be granted a density bonus of one unit for every ten units built
  - iii. All increases in densities would require clear evidence that water supply and waste water disposal arrangements are adequate.
- Evaluate Creating a Business Park District: This is a “floating zone” that would not be assigned a location until voted upon at town meeting. It would be an area designed to attract light manufacturing and research businesses. Other uses would be allowed only if they are accessory to the primary intended uses. It would meet the following criteria:
  - i. All operations allowed in the park would be subject to performance and buffering standards to assure that they have no adverse impacts on surrounding properties. The standards would be stricter if there were adjacent residential uses;
  - ii. The minimum lot size would be 2.5 acres for a previously developed non-residential property. This would facilitate reuse of a vacant property. For an undeveloped property, a 5-acre minimum would be required.
- Create the Rural District: The primary developed uses are single-family homes and those related to natural resource-based businesses and services, nature tourism/outdoor recreation businesses, farmers’ markets and farm stands, and home occupations. The following provisions are recommended:
  - i. The minimum lot size would be 80,000 square-feet;
  - ii. Open space subdivisions would be mandatory with the individual minimum lot size as small as 20,000 square-feet if water supply and waste water disposal arrangements meet state standards;
  - ii. Land not normally considered suitable for development (wetlands and steep slopes) would not be counted toward the 80,000 square-foot minimum in an open space subdivision.
- The Planning Board will evaluate the potential positive and negative impacts of a new Village Residential District, including permitted uses and dimensional requirements and, if deemed to beneficial to the community and residents within the district, drafts suitable amendments to the land use code.

## Proposed Future Land Use Map

