

# **Town of Lamoine 2020 Comprehensive Plan**

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## **Appendices**



**Lamoine Town Meeting – March 18, 2020**



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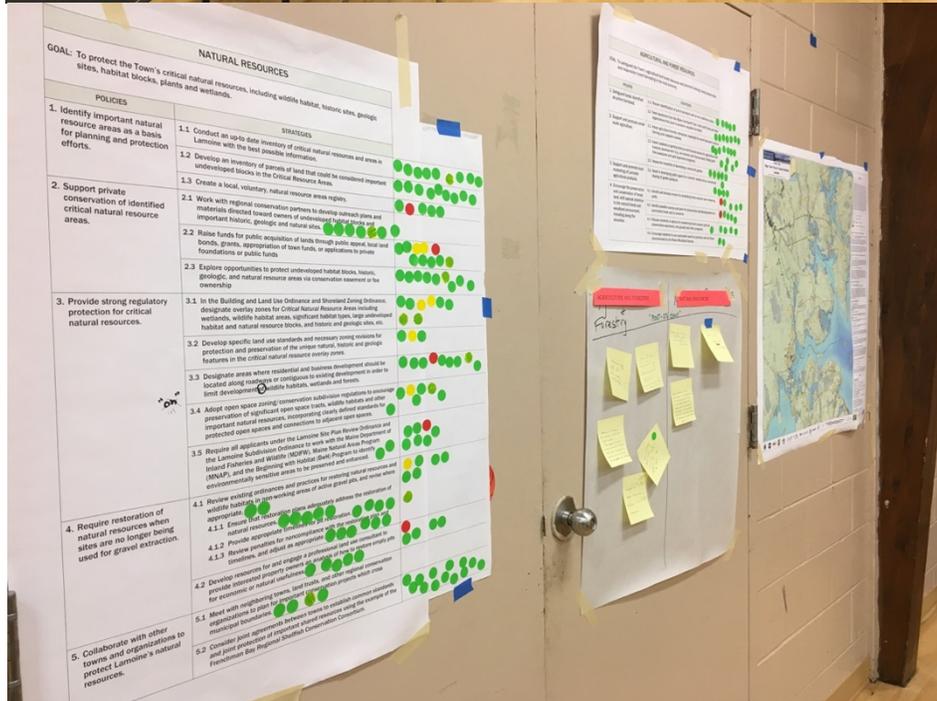
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# Appendix A: Public Participation

The documents in this Appendix A are contemporaneous records of the survey responses, meetings with groups, and community meetings described in pages 2 to 4 of the Plan.



# **A1: Report of the Lamoine Comprehensive Planning Committee, October 2013**

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To the Municipal Officers and Budget Committee of the Town of Lamoine:

## Introduction and Mission:

The undersigned members of the Comprehensive Plan Planning Committee (the “Committee”) were appointed by the Selectfolk in May of this year. The Committee was to determine the process for updating the town’s comprehensive plan, and to determine the budget that will be necessary to do so. The deadline for the committee’s conclusions is December 31, 2013.

## The Work of the Committee:

The Committee, ably assisted by Town Administrative Assistant Stu Marckoon, held several meetings as part of its consideration of this matter. Minutes of these meetings are on the Town website.

- A. We held an organizational meeting on June 13, 2013 and outlined the work we intended to accomplish. The Committee selected Fred Stocking as Chair, with Kathie Gaianguest as Vice-Chair and Stu Marckoon as Secretary. Stu provided as background that the Lamoine Comprehensive Plan was approved in 1996 and is now considered outdated by the State of Maine. He provided each member with a copy of the 1996 Plan. Committee members determined that they would review the 1996 Plan and some recent plans developed by towns of similar size (Trenton and South Thomaston were mentioned). We planned to meet once to discuss this material in July and to plan our meeting with a municipal planning representative from the State in August.
- B. On July 25 we met and discussed the process and content of the various plans reviewed. We noted the tendency to turn comprehensive plans into descriptions of features of the Town, rather than discussion and recommendations regarding planning for the future. Plans also varied greatly in public input sought and received. They also varied in content, with some containing a Vision Statement for the town as well as required elements.

The State sent us electronic data on Lamoine in the twelve subjects that must be included in a comprehensive plan. The data provided is quite detailed in some areas, for instance wildlife habitat, but virtually non-existent in others, such as infra-structure and transportation. Whether the data is useful or complete, by rule it meets Lamoine’s duty to provide data in the comprehensive plan, so long as the plan is completed within three years of receipt of the data by the State.

We also reviewed Chapter 208 of the regulations of the former State Planning Office, which sets out the requirements for plans by subject area in considerable detail. Each member of the committee reviewed a copy of this material to review prior to our meeting with a representative of the State in August.

- C. On August 7<sup>th</sup>, we met with McGregor (Mac) Stocco, who does municipal planning assistance on comprehensive planning from the newly created Department of Agriculture, Conservation and Forestry. Mr. Stocco discussed the history of municipal comprehensive plans in Maine and the relationship between Town action and State review. The Growth Management Act, dating from the 1980’s established that towns could set limits on land uses, but could not do so arbitrarily.

Land use regulation must be consistent with a town's comprehensive plan. **Comprehensive plans must provide a factual basis and a community consensus for any management of growth and limitation of property rights.**

State law has at various times provided incentives, in terms of preferences for state grant funds, for towns with current comprehensive plans. However, the current State funding climate has virtually eliminated such grant funds, so this is no longer a compelling reason for a town to have a current plan.

Mr. Stocco further noted that State review of a town's comprehensive plan is not required. However, State review provides the town with a finding that the town comprehensive plan is consistent with State standards. In the absence of a State-approved plan, a Town's land use ordinances may be challenged and the Town may have the obligation to prove in Court that those ordinances and the comprehensive plan comply with State standards. It is this "consistency finding" which expired because it was issued more than 12 years ago. **Lamoine's 1996 Plan is still in effect, but it is no longer considered to be consistent with State standards, and is therefore open to attack.**

In addition, the data on which the 1996 Plan was based generally dates to 1990, and is considerably outdated.

As to process, Mr. Stocco noted that his office is required to provide information and technical assistance, as is the Hancock County Planning Commission (HCPC), which has a State contract to provide municipal planning assistance, even to non-member towns such as Lamoine. He suggested that specific information requests to the HCPC would be the best way to get assistance without fees. Clearly writing the bulk of the plan is something that needs to be paid for. In fact, Mr. Stocco encouraged use of unpaid volunteer resources, but only up to a point. He noted that complete reliance on volunteer help may introduce delay and other uncertainties into the project.

In terms of advice, Mr. Stocco stressed broad and inclusive community input, engaging students, teachers, all community groups, etc. at all stages of the process. The plan will be no good and will not have legitimacy if it is the product of only a few people without general input. He recommended engaging with various groups at their locations, i.e. going to them for their ideas and involvements, rather than depending on a few public hearings. He also noted that many comprehensive planning committees focus on data-gathering, as it is interesting and non-controversial. The result is that actual policy discussion of the really important issues in the town is minimized and dealt with only in the most general terms. He emphasized that the most successful plans are oriented toward using the data and community input to envision how the town can develop locally and within its region.

Finally, Mr. Stocco left us with two large bundles of material: "Comprehensive Planning: A Manual for Maine Communities," and "Updating your Comprehensive Plan, 50 Recommendations for Making Plan Updates More Effective." Stu indicated that the Hancock County Planning Commission had prepared a rough "Proposal for Comprehensive Plan Update Services."

The committee determined to review this material and meet again on September 12th to determine what more needs to be done before the committee completes its work.

- D. At the September 12<sup>th</sup> meeting, the Committee started with the question of whether work was needed. There was general agreement that a detailed examination of the 1996 Plan was outside of the scope of this committee. However, we noted that the changing demographics of the town, the declining school population, concerns about land /open space use, and the relatively slim recommendations set out in the 1996 Plan, all point to the need for a new plan. The Committee believes that the town would benefit from a current discussion about its future needs and directions.

Similarly, this committee cannot prescribe the work or process of a committee which may be appointed in the future and charged with updating the 1996 Plan. On the other hand, without some general sense of the scope of work, it is difficult to come up with a budget. Review of the HCPC proposal provided some framework. The Committee also reviewed a possible timeline prepared by the Chair (a revised version of this timeline, modified to show activity by July to June fiscal years is attached). There was considerable discussion of the logistics of gathering citizen input, and the advantages and disadvantages of relying on volunteer efforts as opposed to hiring consultants.

The Committee agreed to meet one more time to consider a final report and budget. There was general agreement to the attached time-frame. It assumes approval of the Comprehensive Plan update at Town Meeting in the Spring of 2014. The balance of the 2013-2014 fiscal year would see appointment and organization of a Comprehensive Plan Update Committee, with minimal associated expense.

The next two fiscal years would see the bulk of the activity of the project. Based lightly on HCPC proposal the Committee projected that the work of each of these two years might require \$7,500.00 in funds for consultants (\$6,000.00 each year) and other services and town activities. After that time, the project will either have been completed or in the final stages, requiring minimal expense.

The Committee agreed to meet on October 23<sup>rd</sup> to consider a draft final report and put together a budget to append to that report. This report followed from that meeting.

#### Recommendations of the Committee:

The Committee makes the following recommendations to the municipal officers and budget committee of the Town of Lamoine:

1. The Town of Lamoine should undertake to update its Comprehensive Plan, which was approved in 1996. The primary reasons for this are:
  - A. The data and citizen input that went into the 1996 Plan are now over 20 years old;
  - B. Changing demographics, most notably including an increase in older citizens and a decline in school-age children, as well changes in technology, the local economy, and surrounding areas, require revisiting some assumptions about Lamoine's future;
  - C. The 1996 Plan is no longer considered to be consistent with State standards, making Lamoine's land use ordinances more vulnerable to lawsuits;
  - D. A renewed whole community discussion of the future of Lamoine may lead to plans and projects which will benefit its citizens; and

- E. Approval of an updated Comprehensive Plan, which might include a Vision for Lamoine, would inform town officials as new challenges present themselves.
- F. The attached proposed timeline (Attachment A) sets out one model for how the process of updating the 1996 Plan might be conducted within a reasonable period of time, while assuring adequate citizen input.
- G. The attached proposed budget (Attachment B) calls for \$15,000 in Town funds for the project.

Respectfully submitted, this 23<sup>rd</sup> of October, 2013

The Lamoine Comprehensive Plan Planning Committee

\_\_\_\_\_  
Fred Stocking (Chair)

\_\_\_\_\_  
Kathie Gaianguet (Vice-Chair)

\_\_\_\_\_  
Merle Bragdon

\_\_\_\_\_  
Amy Duym

\_\_\_\_\_  
Perry Fowler

\_\_\_\_\_  
Valerie Sprague

\_\_\_\_\_  
Joe Young

Attachment A: Proposed Timeline

Attachment B: Proposed Budget

Attachment C: Appendix of materials reviewed by the Committee and available at the Town Office

Report of the Comprehensive Plan Planning Committee, p. 4

## Attachment A

### Proposed Timeline for Updating the Lamoine Comprehensive Plan

#### July, 2013 to June, 2014

##### (Organizational Stage)

###### March or April, 2014-

Project of Updating Comprehensive Plan is approval by Town Meeting, followed by announcement via all Town outlets, e-mails, website, quarterly.

###### June, 2014-

Committee appointed by Selectfolk.

Committee holds organizational meeting.

**The budget for the 2013- 2014 activity outlined above should be minimal**

#### July, 2014 to June, 2015

##### (Information Gathering Stage)

###### July-August, 2014-

Committee familiarizes itself with 1996 Comprehensive Plan, state regulations and information collected by the Comprehensive Plan Planning Committee.

###### September- December, 2014-

Committee schedules a meeting with all town committees and organizations. Each group to be encouraged to publicize the meeting and get its constituency to attend.

###### January- February, 2015-

Committee designs survey of Town and negotiates with potential contractors

###### March-April, 2015-

Survey circulated, collected and compiled and contract signed with contractor

###### May-June, 2015-

Hold one public meeting and analyze Lamoine data from State and contractor.

**Activities in 2015 might take one-half of the allotted budget, say \$7,500**

Report of the Comprehensive Plan Planning Committee, p. 5

**July, 2015 to June, 2016**  
**(Plan Development Stage)**

**July-October, 2015-**

Create a draft list of important policy issues and publicize it throughout the Town.

Analyze gaps in data and make plans to gather needed data.

**October-November, 2015-**

Hold a second public meeting to debate the list of policy issues

**December, 2015-**

Begin to draft policies

**January-March, 2016-**

Finalize policy drafts, distribute and publicize them throughout the Town and hold a third public meeting.

**April-June, 2016-**

Drafting of plan by committee and contractor and Public Hearing.

**Activities in 2015- 2016 would include drafting and take the rest of the allotted budget, say \$7,500**

**July, 2016- June 2017**  
**(Approval Stage)**

**July-August, 2016**

Approval by Town and submission to State

**Activities in 2016- 2017 would include needed Town follow-up and should be minimal**

**Attachment B**

**Proposed Budget for Updating the Lamoine Comprehensive Plan**

Contract Consultant, 2014- 2015.....	\$6,000.00
Contract Consultant, 2015- 2015.....	\$6,000.00
Miscellaneous Expenses** .....	<u>\$3,000.00</u>
<b>Total:</b>	<b>\$15,000.00</b>

\*\* Miscellaneous Expenses cannot be specifically listed at this time, as the final Comprehensive Plan Committee will need to determine its own needs. Examples of what Miscellaneous Expenses might include: costs of community outreach, for example outreach to K-12 students, community organizations, and seasonal residents; costs of holding special community events and using electronic technologies to seek community input; costs of events or contests to make the process more interesting (and fun), such as photo, essay or art contests or displays throughout the community.

**Attachment C**  
**Appendix of Materials Reviewed by the Committee**  
**and Available at the Town Office**

**Town of Lamoine Comprehensive Plan, adopted March 5, 1996**

**State of Maine Comprehensive Plan Review Criteria Rule (State Planning Office, Chapter 208)**

**Updating Your Comprehensive Plan (State Planning Office, April, 2003)**

**Comprehensive Planning for Maine Communities (Evan Richert and Sylvia Most, 2005)**

**Draft Proposal for Comprehensive Plan Update Services (Hancock County  
Planning Commission, August, 2013)**

## **A2: 2015 Community Survey – Comments**

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### **Gravel Pits**

Lamoine must move towards a more equitable tax structure. The heavy dump truck traffic is the cause for the rapid deterioration of our roads. Therefore, for example, the sand and gravel industry should pay for the reconstruction of Rt 184 north of the town hall.

Reclaim gravel pits. Creative thinking. Limit new gravel extraction.

Noise reduction of the quarry, particularly before 7am.

Expanding gravel industry.

Gravel pits out of control and present an environmental problem while town officials appear unconcerned!!!

We may want to ask if residents if gravel operations are affecting our town. If so, “How?”

Do people want to see more restrictions on the gravel industry? Is the beauty of our woods being threatened?

I support the limitation of large industrial activities in Lamoine – such as sand and gravel excavation – to current volume

Gravel extraction monitoring is a municipal responsibility for the future.

The destruction of the land by the gravel industry with little or no regard for the protection of the water systems overburden flora and fauna with no remuneration to the town for the items listed above and with the obvious bias of the selectmen and boards towards extraction industry with little or no regard to needs and desires of the voting public.

Get the gravel pits out of Lamoine !! No more new ones.

Discourage the opening of new, undisturbed areas within the residential zone to gravel mining operations.

The gravel pits/mining: their threat to the quality/supply of our water.

Continued control of the gravel industry.

Would like to see the town putting a higher interest and effort in protecting the rural town atmosphere, residents, and property values from the gravel industry.

Limit commercial development and mining. Please!

Lamoine MUST remain a quiet residential community, no manufacturing or big businesses;  
**STOP ALL MINING & GRAVEL EXTRACTION**

I do not like the way gravel pit issue has been dealt with and continues to be handled.

Very concerned about town government’s double standard – to be completely confident that is has the right to regulate residents on all kinds of activities in order to preserve Lamoine’s lovely resources and character while allowing the vast increase in open-pit mining over the last 40 years with virtually no restoration of unused pits, threats to water, and persistent noise, truck traffic, and general environmental degradation. Even more concerned that the town government is willing to spend countless hours and costs to placate the industry’s desires in lieu of standing up once and for all to significantly curtail and regulate this heavy industry in a residential town. The constant threat of lawsuits against the town by the industry and its complete failure over decades to clean up its act will not end until the town stands up to it, even if that requires going to court. Re-writing of ordinances that were hard-won and giving in to industry demands in return for only trusting it to do the right thing, although it has no history of doing so, is exactly the wrong thing to do, rather than to stand up and represent and defend its resident constituents.

Gravel operations.

Control gravel mining and make mining companies reclaim land properly. Charge them more taxes for taking away land.

I'd like the town to consider plans to redevelop abandoned/old gravel pits and restore them to a community use.... parks or ballfields. They are ugly.

Gravel pits; noise concerns from gravel pits.

Stop the gravel mining. It is damaging our property values, adds to noise pollution, and will change the nature of our water quality.

Why do gravel trucks start so early in the AM?

Final resolution of gravel pit discussions to eliminate episodic recurrence – maybe invest in a moderator to resolve and write int comp plan, ordinances, zoning etc --- to get past bad feeling and slurs, etc. from both sides

Ending the property devaluation and the degrading of the land by the gravel industry

Water quality degradation by gravel extraction. Property value degradation by gravel industry. Poor Town government due to gravel industry influence.

You haven't addressed the issue of the gravel industry and the deleterious effect on the town.

We need to encourage limited commercial development that is compatible with the overall residential character of the town (and discourage industrial development, including unfettered (i.e. w/o restoration) gravel extraction of the sort we've experienced so far).

## **Traffic and Speeding**

Mud Creek Rd. Pinkham Flats to Jordan River Rd offer a well-used shortcut for folks who live further east but work on the island. Is there a way to get them to take another route or at least slow down? Hopefully some of this will be alleviated when Jackson Lab open up their Ellsworth facility.

Speeding/reckless driving on route 204 Partridge Cove Rd. area. Dangerous to walk or ride bikes.

More patrolling of speeders on the Jordan River road!

Q29: Use three routes: Douglas Highway, Buttermilk Rd. Through Trenton Why do gravel trucks get started so early in the AM? A traffic light should go on RT2 by Cheese House – too much traffic coming and going on Rt.3 – Jackson Lab. Acadia Nat'l Pk.

Q29: use Douglas Highway, Buttermilk Road Through Trenton for traveling to work or shop. I would like to see a sidewalk on Shore Road to allow the many people and their pets to walk there a safer place. In the near term a reduced speed limit on all of shore road to keep everyone walking there safe.

So many people are traveling much faster than the posted speed limit.

Speeding throughout the roads of Lamoine is rampant. I'm fearful of walking our roads.

## **Housing**

Residential development in relation to green space preservation and access.

Maintain focus on rural/residential aspects of town.

I would like to see the zoning changed to \*Residential" where there are a number of only residences or housing developments along a stretch of road or an area. Lorimer Road/Marlboro Beach Road would be such an area.

Low income housing is non-existent and the rules and regulations in town does not promote it

Change zoning to cluster housing areas.

Change rules to allow denser building. Big start would be with road frontage setbacks and acreage rules.

I would like to see a total rewrite of the town's Building and Land Use ordinance and zoning map.

Overbuilding in some areas, parking mobile homes for long periods of time

Land use ordinance addition: no new construction or new projects (such as planting large trees) can obstruct the views of existing residences

The community needs to make itself more desirable and affordable for young people and especially young families in order to remain a balanced community.

### **Street Lights**

Should have a street light installed, corner of 184 & 204, in front of Lamoine store.

It would also be nice to have more streetlights around town like at some intersections that are heavily used.

### **Preservation of Land and Environment**

Enact a "dark sky" ordinance to protect the gorgeous stars we are fortunate to have as a resource.

Restrict use of pesticides/herbicides/insecticides within XXX feet of wetlands, ocean and ponds.

The conservation and beauty of Lamoine.

Preservation of land, especially Pinkham Flats, remaining forests, shoreland.

Keep Lamoine residential and recreational

Good agricultural land being taken for housing.

Zoning and residential development in relation to green space, preservation and access.

Protect our ground water and aquifer.

### **Law Enforcement/ Code Enforcement**

Fund the Code Enforcement position for more hours than current funding/time commitment in a growing town, there is a need.

The Town should be more aware of enacting and enforcing ordinances (consistently) that increase, not decrease, the property values.

The Town needs to do more to increase property values via proper ordinances and consistently enforcing them. Therefore, resulting in more revenue to fund projects.

Vandalism, mailbox damaging, stealing road signs, stealing owner name signs. Drugs and alcohol usage.

It would be nice if we had a local constable or officer that was dedicated to Lamoine.

Also, the Buttermilk Road is a dumping ground for litterers. It's disgusting. At least start enforcing the littering law there. I am concerned for the animals with all of the plastic.

A big concern for me is public safety. I was in a car accident in Lamoine and it took an hour for a state trooper to arrive. It makes me fearful for situations in town that require urgent police presence.

### **Road Issues**

Some non-paved roads are in poor condition (#29 checked all 4 instead of just one)

Safety on the roads (gravel trucks) and the financial benefit that Lamoine gets for allowing this to continue?

More "pull of" places with picnic tables for enjoying the beauty throughout the Town.

Q17 Very poor road edges

Would like to see areas near intersections trimmed back a little more i.e. Walker Rd and the Mill Road and the Walker Road and Pinkhams Flat Rd. I think line of the site is poor in these locations especially.

Again, please add bike lanes to the roads. I am flipped the middle finger by rednecks at least once a ride just for biking on the road.

Regulate waste water dumping from recreational vehicles after extended stays when their holding tanks are full.

Disposal for yard waste (vs burning)

## **Taxes**

Need new Tax Appraisal of our property.

I am concerned about the valuation system for property taxes. The homestead exemption somewhat addresses this, but owners who purchased land and homes long ago should not be taxed on the resale value of their land today forcing them to sell their property, in some cases.

Our taxes are out of line. They are much too high for the property we own.

## **Other Comments**

Are we prepared to deal with issues of global warming? Lamoine should identify these issues that relate to a small rural town with a very distributed population (no significant neighborhoods to speak of) and to develop a plan to deal with them in order “to be resilient”.

How is common core going to affect the town?

More better choices in high-speed internet and access in all homes, including the most remote, esp. to open up more job possibilities.

Regulation of noise/height of low-flying aircraft (like sight seeing craft) over Lamoine residential areas

Need for aa wind farm ordinance that addresses setbacks, noise and view-shed protections.

Q 17: Do not feel safe in my home

More ways to bring all ages together to create wholistic sense of community.

Promoting small businesses.

I would like to see a total rewrite of the town’s Building and Land use ordinance and Zoning map.

The argumentative manner in which some board meetings are conducted, particularly the Planning joard, leaves one with the feeling that Lamoine is a dysfunctional community. A “comprehensive plan” should include resolving issues, i.e. gravel pit vs environmental issues etc. with a true community sprit instead of open animosity.

Someday I’d like to see a free standing library in Lamoine. Could be connected to the school but open to the general public. Also a nice space for community groups to meet.

Call Ken Smith @ 667-6556 to discuss if you want

Our Town meeting should be on Saturday and on day time. I have not attended one meeting since it was changed.

The town has been taken over by folks that want to drive out the original people and replace them with fellow travelers. Not much we can do about it if we don’t vote.

Lamoine should coordinate with neighboring towns to provide bus transportation to John Bapst High School

Harbor access should be free for Lamoine residents – either via passes to state park or moving boat ramp/harbor away from state park.

GET RID OF THE TREE HUGGERS

We also need to continue encouraging citizens to volunteer and have a voice in making Lamoine a more fulfilling place for everyone to live in.

I think Lamoine needs to be more business friendly

The school needs to be more open to the Lamoine people it is real hard to find out what is going on and what the school board and staff is doing (very little tv and web info). Would like to see them more open to parents.

I would like the town to implement a community solar project that would allow town residents to invest in solar power generated from panels installed on the school.

There are many utility poles especially on roads near the coast (ex. Seal Point Road), that are in poor condition and should be replaced.

Better internet connection

Support the comprehensive plan committee looking at the future of Lamoine, to protect it from development, or to make it more viable for families and businesses to want to come to Lamoine. Thank you!

The cell phone service is TERRIBLE for Beach Road residents!!

Town government organization: Planning Board should be elected; Town manager needed.

Future of the Lamoine school.... Should always evaluate opportunities to share resources and coordinate services with other communities/agencies.

Please, please, please consider bringing reliable internet access to Lamoine !!! Our only choice currently is DSL with Fairpoint which is completely unreliable, on a good day. They are the only game in town, and that is not appropriate; must have access for work!!!

Residents should have free access to the Lamoine State Park. Especially senior citizens and folks walking their dogs. To have to pay for this seems outrageous.

Barking dogs late at night.

No dump areas for brush, tree limbs and other garden debris.

Lamoine needs a coffee house, café, as a gathering place.

## **A3: March 2016 Community Meeting – Powerpoint Presentation**

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Photograph: Georgianna Pulver

# COMMUNITY MEETING ON THE LAMOINE COMPREHENSIVE PLAN

**March 19, 2016**  
**Lamoine Consolidated School**

## Lamoine Needs a New Comprehensive Plan

- **The most recent Lamoine Comprehensive Plan was**
  - Drafted 1992-1996
  - Approved in 1996 by Town and State

**Maine law says a Town needs to have a Comprehensive Plan in compliance with State Criteria which is no more than twelve years old**

**The Lamoine Town Meeting voted to go ahead with drafting a new Comprehensive Plan in 2014, and the Select Board appointed the present committee.**

## The Comprehensive Plan Process

- **We identified the steps in the process**
  - Educate ourselves
  - Solicit community input on issues and solutions
  - Develop priorities
  - Draft and solicit further community input
  - Final approval by Town and State
- **Education**
  - We reviewed the 1996 Comprehensive Plan
  - We went over the State Criteria and
  - We reviewed the State Data provided

## Community Input

- Community Survey– September and October 2015
- Meet with Community Boards, Committees and groups
  - September to the present - Fifteen groups so far
- Hold Community Meeting or Meetings to hear
  - How the community defines the important issues facing the Town and
  - What ideas people have for the future of the Town

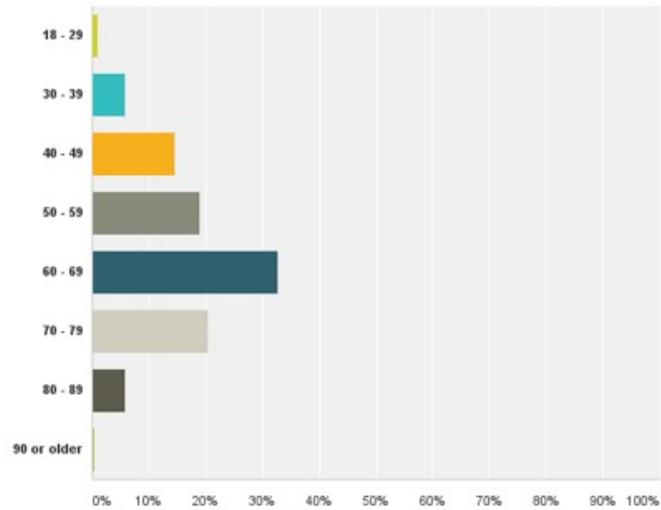
## Results of the Survey

- **Response:**
  - 760 survey notices were delivered
  - 205 surveys were filled out (27%)
- **Evaluating the survey results for “Skew”**
  - 59.5% of the respondents were over 60 years of age
    - 2010 census says only 26% of the Town’s population was over 60
  - 94% of the respondents were homeowners
    - 2010 census says 75% of Hancock County households own their home

# Characteristics of the Respondents

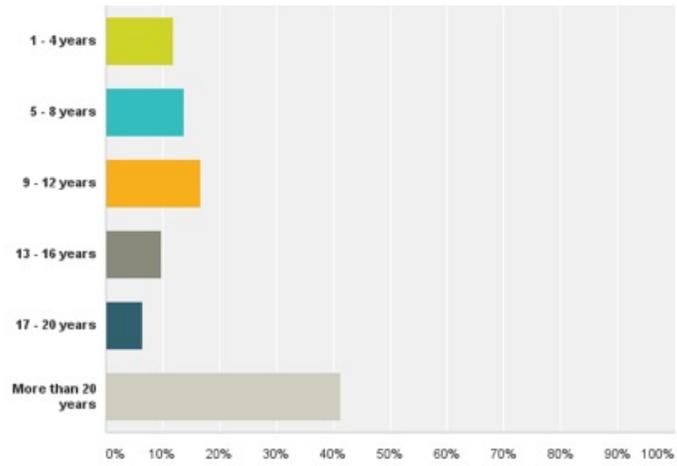
## Q1: Your age:

Answered: 205 Skipped: 1



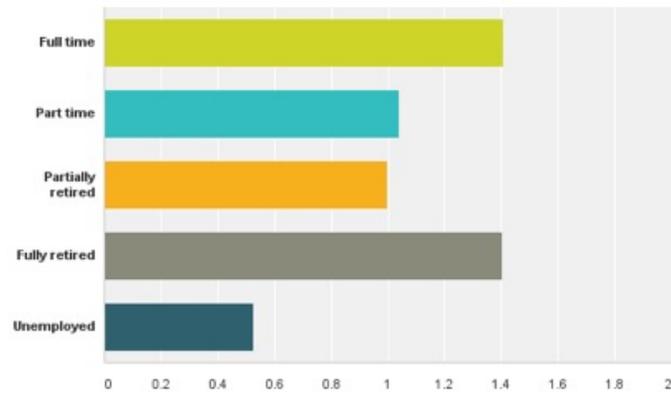
### Q7: How long have you lived in Lamoine:

Answered: 203 Skipped: 3



### Q18: How many adults in your household work:

Answered: 201 Skipped: 5



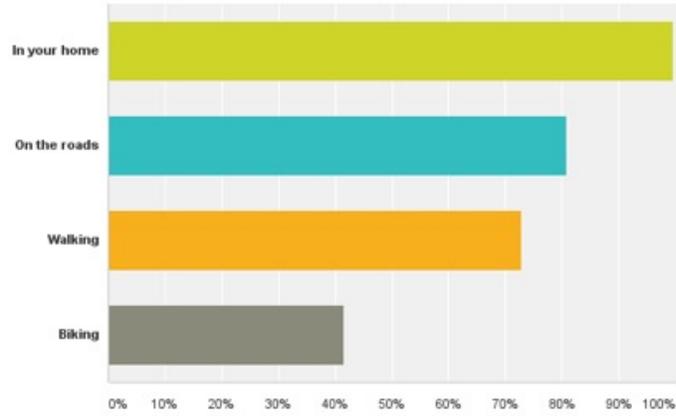
## Children in the Home

- **39 respondents had children in the home**
  - 19% of all respondents
  - 92% of respondents sent their children to public school
  - 8% to private school
  - No respondent reported homeschooling their children

## Opinions and Issues

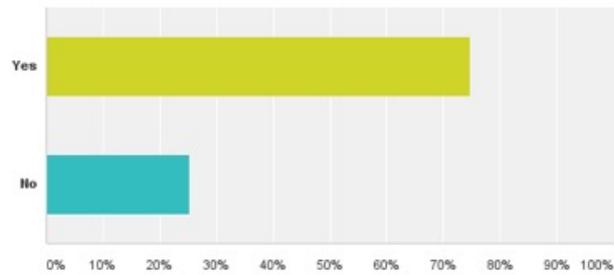
### Q17: Do you feel safe in Lamoine (check all that apply)

Answered: 202 Skipped: 4



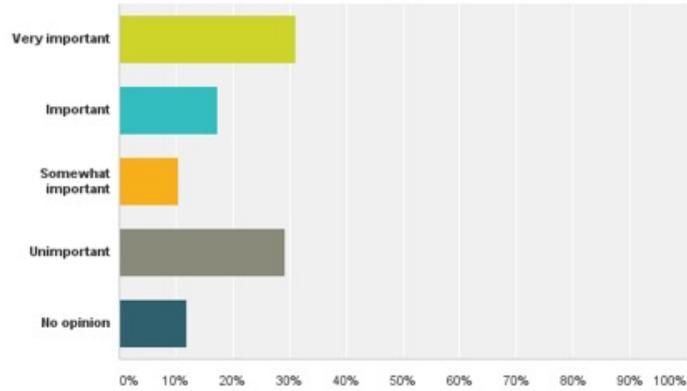
### Q22: Do any of the employed adults in your household rely on a connection to the internet to do their work:

Answered: 159 Skipped: 47



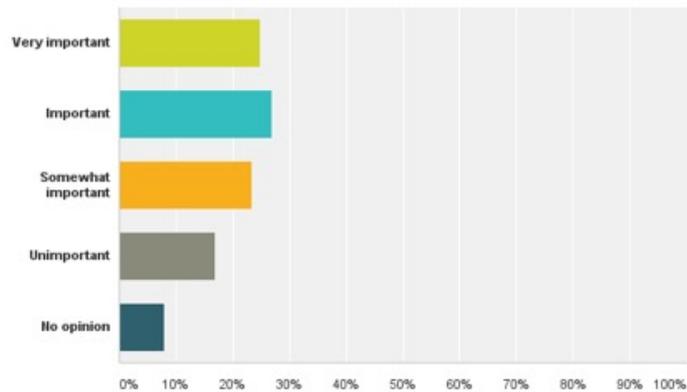
### Q32: How important to you is a school physically located in Lamoine:

Answered: 202 Skipped: 4



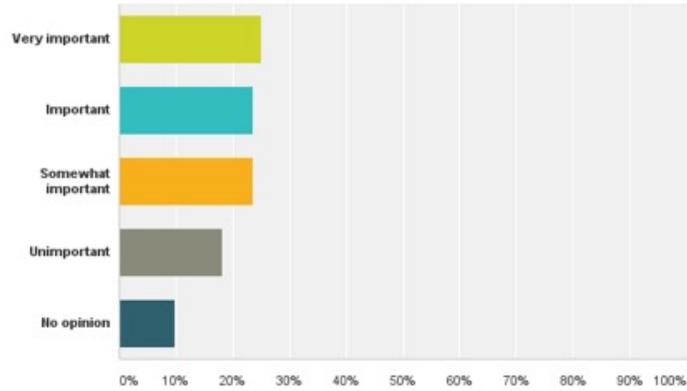
### Q33: How important is it to you for Lamoine to promote affordable housing for young families with children:

Answered: 201 Skipped: 5



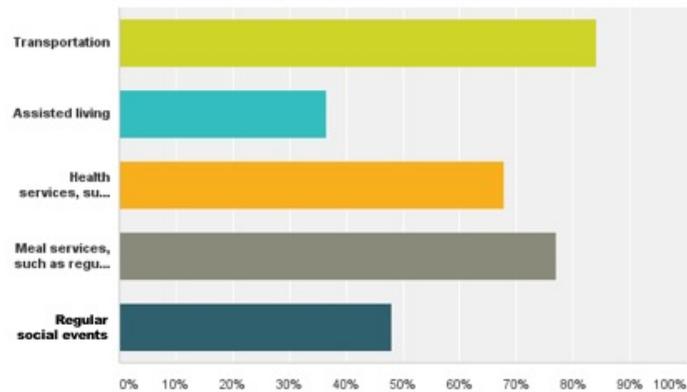
### Q35: How important is it to you for Lamoine to promote affordable housing for the elderly:

Answered: 204 Skipped: 2



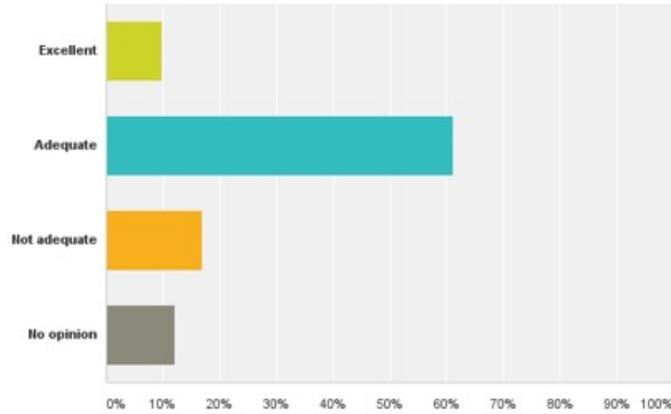
### Q36: How important is it to you for Lamoine to promote other services for the elderly (Check all that you favor):

Answered: 183 Skipped: 23



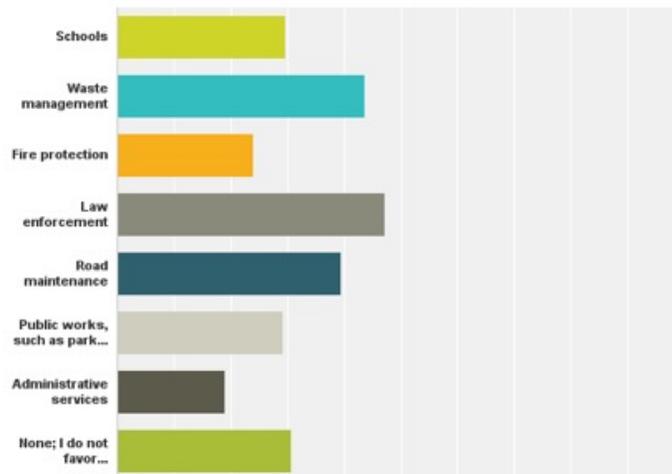
### Q42: Do you feel that the current recreation opportunities in Lamoine are:

Answered: 206 Skipped: 0

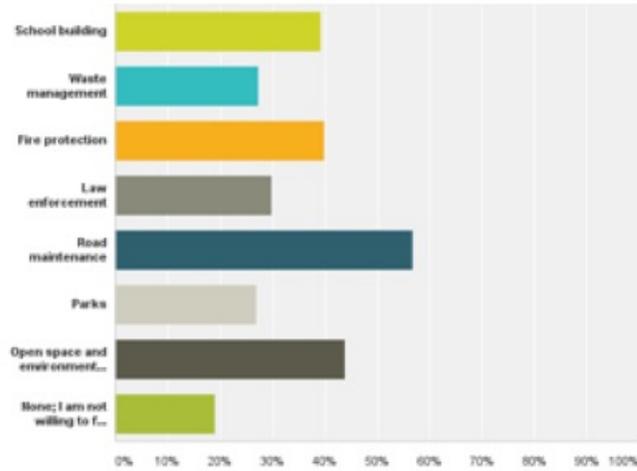


### Q37: Do you favor attempts to cut costs through regionalization or county-wide consolidation of any of the following services (Check all that you favor):

Answered: 195 Skipped: 11

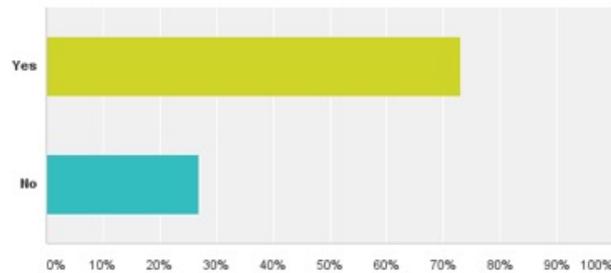


**Q38: For which of the following would you be willing to fund maintenance or improvements through additional taxes (Check all that apply):**  
 Answered: 201 Skipped: 5



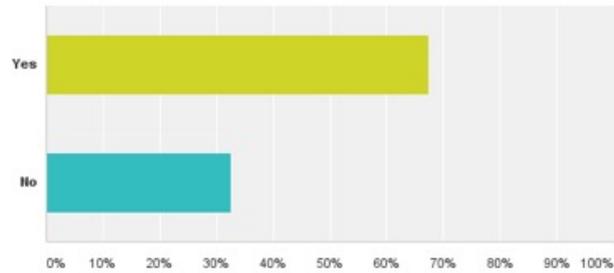
**Q39: Would you support the use of public funds for the protection of the future quality and quantity of drinking water in Lamoine:**

Answered: 201 Skipped: 5



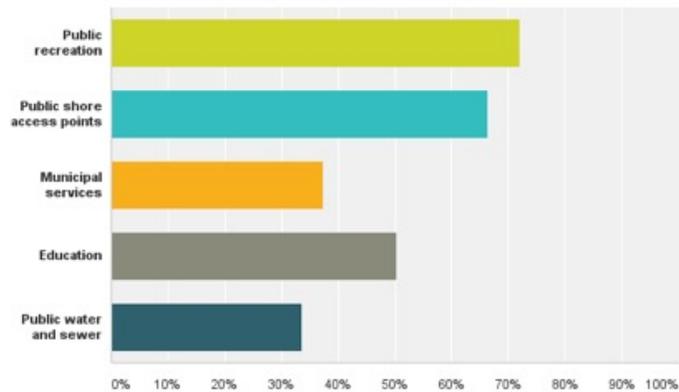
**Q40: Would you support the use of public funds for the protection of open spaces and environmental protection of land in Lamoine:**

Answered: 200 Skipped: 6



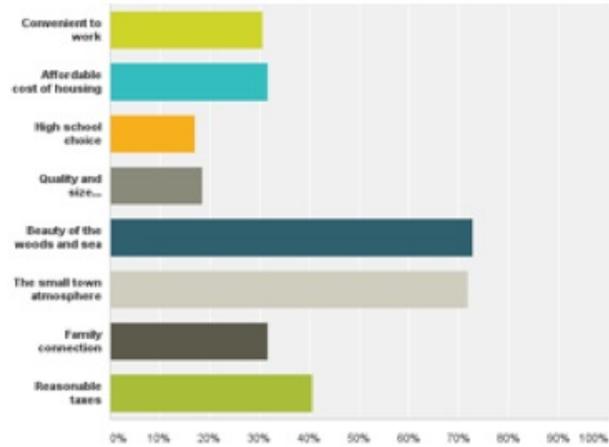
**Q41: Would you support public acquisition of land for the following uses (Check all that you favor):**

Answered: 161 Skipped: 45



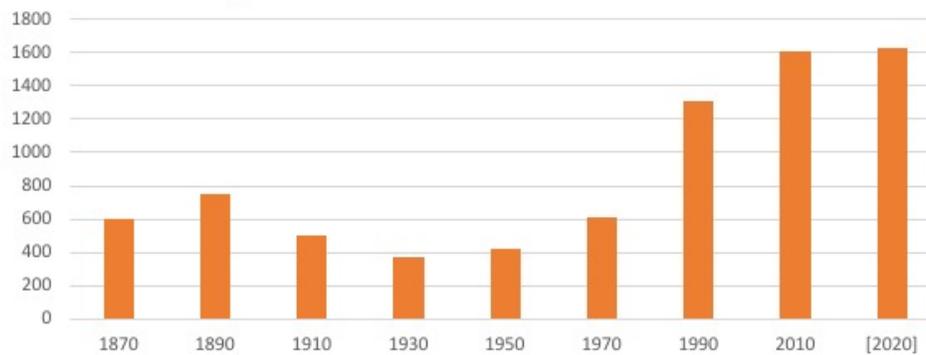
### Q44: Your primary reasons for moving to, or staying in, Lamoine are (Check all that apply):

Answered: 199 Skipped: 7

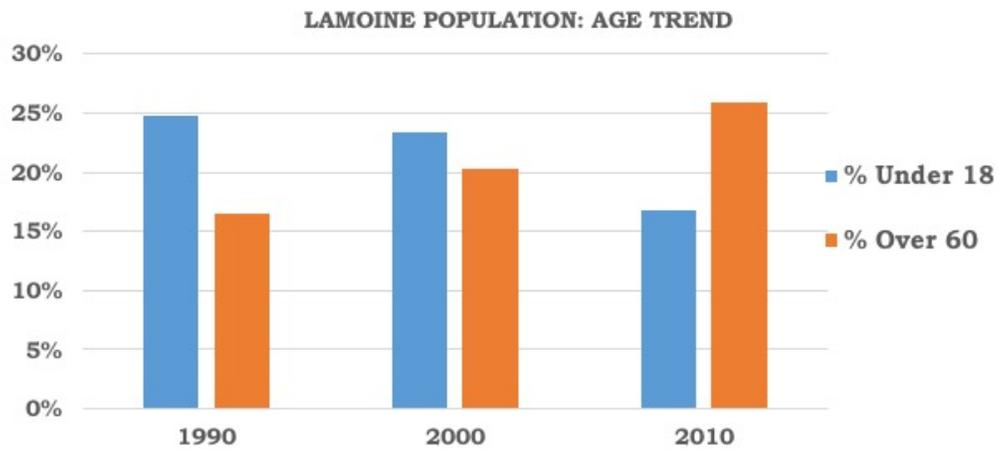


### Trend: Little Population Growth

Population of Lamoine 1870 to 2016



## Trend: Fewer Children, More Older Residents



Thank you

Now here's David Sanderson to move us  
on the next stage of this meeting

## **A4: March 2016 Community Meeting – Responses**

---

### **Natural Resources**

#### **Water**

Wells – Testing

Attention to quality (2)

Regulations about mining water

Protect water (3)

Protect our aquifer for the future

#### **Conservation**

Conservation easements

Resurvey of conservation areas

Save open spaces – water, forest

Conservation of Resources, open spaces  
(2)

Improve/Maintain environment

Open spaces

Water quality

Recreation

Be a Conservation Leader by example

Protection of land and shore from  
contamination – ecoli, lead, etc.

Wildlife corridors and recreation trails and  
habitats

Protection of shoreline as properties  
become available; woods – identify

Need for inventory deer yards as wildlife

Inventory wildlife protection areas

Town land purchases for open  
spaces/conservation

Open space; undeveloped land (2)

Maintaining (tree growth)

Beauty (land) preservation

Preserve the environmental quality and  
natural beauty we all value

Keep as physically beautiful as it is now

Protected Views

Balance (3)

Natural beauty and economic activities

Environment and business (eco-tourists?)

Natural resources with houses, businesses,  
community places (3)

Become a local example for keeping  
balance

#### **Natural Recreation Areas**

Tennis

Development of Trails (2)

Bike

Ski

Listing of walking and biking trails

Access to trails/nature (2)

Swimming places

Ability to enjoy our beaches and State  
Park

Promote healthy lifestyles through trail  
development (walking/ running/biking  
paths) and two local farms

#### **Natural Restoration**

Restored spaces (needing restoration)

Reclaim land along Jordan River

Gravel pit resolution/reclamation

#### **Marine Resources**

Enhanced working waterfront

Ocean fishing (future – go forward)

GONE! \*\*could not read writing/check post-it note

Herring, Cod, Pollock, Yona Crab,  
Flounder, Clams, Mussels, Conger  
Eel, Eels, Holdp Hoct

Access to the shore for

Recreation

Harvesting (2)

Lobsters

Clams

## **Governing**

### **Zoning**

Planning for residential vs business vs protected areas etc.

Designate and Industrial area

A mix of residential and commercial compatibility

Sustainable and intelligent growth

Assigning certain activities to certain areas of town

Clarifying land use in town

Enforce the Zoning Law to regulate business and rural area

Zoning implications on water

Zoning to ensure protection of areas

Zone for

Farmers Market

Restaurants/eating places

### **Reclamation/Repurposing of Gravel Pits**

Reclamation at least equal to expansion

Repurpose for

Housing

Wildlife refuge

Lakes/ponds

Trails

Balance: pits/reclamation/community

Currently make useless 100 feet deep holes in the ground /give pits to town and make them ready

End of mining .. restore pits

Gravel reclamation & resolution (2)

Land purchase for reclamation of pits for town use and better tax revenue

### **Solar**

Use unreclaimed gravel pits for solar panels

Lamoine has community solar (3)

Paid for by electric company/gravel owners/ rants from federal and state governments

Establish and support more solar energy use

Community solar paired with cluster housing

### **School**

Involved with Community

Quality education (2)

As local as possible

School!!! Keep our school

Pre-school program

Vibrant school

### **Participation**

Auxiliary groups created based on primary interests and willingness to contribute time and energy to explore possible solutions

Volunteer opportunities for older people to work (play) with small kids

That there is a place here for me (as a 60-90 year old) to still be involved and active and feel a part of the town

Active participation of residents in town governance

Communication phone/internet

**Community Center/Town Center/Community Hall**

Establish a town center (2)

Location and site of Town Hall

    Being able to expand

Lamoine needs a destination

Lamoine has a school that is a community center for all ages and is supported by the Town (4) Bring them together

    Expanded space for community center

Near School or Use the School for programs/recreation/social events

With a stage

Involves Community Groups (Historical Society, Lamoine Community Arts) social issues and work projects

Can be used by residents senior citizens and children (2)

Include a

    Library

    Day Care Center

    Meeting space

    Social space

Recreational opportunities/facility

    Especially in winter

More town activities to include all age groups; finding common ground

    Hay rides, ice skating, picnics, singing

Tight knit community

    Fundraising, pot luck, Organic friendly

Services for older citizens

    Fund renovation of Grange

    Classes

    Exercise groups

    Gatherings at Grange/school

**Taxes**

Tax stability: Not taxing out long term property owners (3)

and those who improve value

Lack of commercial tax base

Balance of income generating environment with preservation

Fixed income residents with rising costs

Reasonable taxes (2)

Affordable taxes for young families

**Young Families**

A place where young families would be able to afford to have a home (2) and earn a living

Commitment to children and environment; make residents aware of the commitment

Establish a community garden

A place where children can play and learn; vital young community

Strong school

**Small Business**

Farmers' Market (3)

Hidden Businesses/In Home

Keeping option for small business in rural/agriculture zone

Commercial business center(s)

Become a tech center (low impact on land; bring your tech minds in with a small town feel)

Imagine! Lamoine has a great restaurant!  
with local food

An ice cream stand!

### **Town Management**

A police force (a small one) (3)

Safety: brush and trees should be cleared  
back from roadsides more

More recycling at Town Dump (2)

1 through 7 containers (2)

Make sure Town of Lamoine MAP is  
**correct**/up to date

Branch of Ellsworth Public Library

Always have “a Stu” and good Town  
leadership

Improved roads

Improve internet access (2)

### **Quality of Life**

#### **Transportation**

Daily bus service to Ellsworth

Support for an Aging Population

Transportation (public) for people who do  
not drive needs to be improved (3)

Senior housing and services (like  
Meadowview in Ellsworth)

Support for an Aging Population

Housing

Internet access/phone

#### **Social Cohesion**

More/scheduled community events (2)

An array of activities bringing us **all**  
together

A place where you know, help and interact  
with neighbors

Develop ways/places to address  
divisiveness

Eliminate divisiveness

A more friendly community \* need to  
move beyond issues

Respect for laws

Enforcement of ordinances

Democratic problem solving

I wish that Lamoine could go back to  
being a community that worked  
together

That residents with different viewpoints  
find common ground on contentious  
issues – like those related to gravel –  
and recognize our shared interest in  
keeping Lamoine great

That we move forward together in the  
knowledge that we all care about  
Lamoine

Maintain/improve small community feel

\*community gatherings/offerings

\*bridging divisive issues

Improved “town spirit”

Fewer divisions

Less animosity

More willingness to compromise

Fostering ways to mediate  
controversial issues

**We all have our own Opinions \*and  
they are respected**

“Issues” are resolved

People can accept other people as they  
are and do the best to each other  
for the best.

More Community, less Ideology

Retain a sense of Community

Help their neighbors and not make hardships for them

### **Small Town**

Keep the quiet beauty (2)

Maintain rural environment (2)

Maintain character  
a safe, beautiful place to live  
a beautiful, quiet, happy, serene,  
“good” place to live

Lamoine continues to be the place people want to live

Keep small town values

Keep small town feel and interaction

### **Traffic Management**

No industrial truck traffic

Less dump truck traffic

### **Road Safety**

Improve and maintain roadways

More walkable, biking, etc. safe roads for recreation

Gravel pit road: common road to connect pits without pit traffic on other roads  
(2) year round

Rebuilt State Highways to modern standards

### **Age Diversity**

Diversity in population

Maintain the natural beauty of Lamoine yet allow sufficient/smart development to attract people of all ages and diversity

Intergenerational development

Have a community that supports everyone – young and old

A balance between elderly, in-betweeners, and youth

Activities for all ages, more (2)

### **Housing**

Incentives for “greener” residential

Cluster housing

Affordable housing

### **General**

Figure out ways to solve the problems we currently face:  
Lack of broadband  
More affordable housing  
Ensuring water quality

Respect our History and educate newcomers on our Past so as to create a happier atmosphere

Lamoine has a strong sense of place, identity, and history and is safe and beautiful

## **A5: LCPC Meeting with Board of Assessors**

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### Lamoine Comprehensive Plan Committee Meeting with the Lamoine Board of Assessors

Name of Group: Board of Assessors  
Date of Meeting: January 6, 2016  
Chair or contact person: Jane Fowler, Chair  
Phone number: 667-5147  
Number of people attending: Jane Fowler, Terry Towne and Mike Jordan  
LCPC: Fred Stocking, Mike Jordan, & Kathie Gaianguest

Focus or primary responsibility of group:

Valuation of property in Lamoine for the purposes of taxation.

Work of this group in actively planning for the future:

Primarily training with respect to State law and methods of property valuation. The active work of the Assessors relates to values at any given time.

Expressed concerns of group relating to focus or primary responsibility:

Pressure on volunteer assessors and the drive towards computerization. Aging of current Assessors and perceived unwillingness of younger people to undergo sufficient training to do the job. Assessors go to training school during the first week of August. Volunteers have trouble staying on top of changes in the law, such as the Tree Growth Tax law changes of a few years ago. Many towns are going to professional assessors with a lay board supervising. With increasing development and complexity there are stresses on a town's code enforcement staff. Similar to the situation with volunteer Assessors, it becomes increasingly difficult to find folks with proper training for a part-time code enforcement position.

Some towns have dealt with these twin pressures by hiring a combine Assessor Code Enforcement Officer as a full-time position. This in turn might put pressure on town hall capability as full-time paid staff increases.

Expressed concerns of individuals on matters not related to focus or primary responsibility:

There is a concern that the town is running significantly on the volunteer energy of the middle aged and healthy elderly. As this cohort thins out due to death and infirmity, the Town may have considerable difficulty replacing its energy, commitment and acquired expertise.

Interesting facts/ideas that came out of the meeting:

The town's valuation has stayed close enough to the state valuation. The last time the town had to pay for a comprehensive revaluation was 1993.

Basic statistics of the Assessors:

Category Year:	2012	2013	2014	2015	2016
Mil rate	9.3	9.3	10.3	10.10	10.10
Tax Commitment	\$2,384k	\$2380k	\$2,643k	\$2616k	2616.7k
State Valuation	\$273,750k	\$267,500k	\$261,850k	\$255,100k	\$263,050k

Follow up: None noted

## **A6: LCPC Meeting with Budget Committee**

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Lamoine Comprehensive Plan Committee  
Meeting with the Budget Committee

Name of Group: Town Budget Committee  
Date of Meeting: 11/30/2015  
Chair or contact person: Robin Veysey, Chair (or contact Stu)

Number of people attending:

LCPC: Fred, Bob, Kathie, Bonnie (Mike was there but had to leave before meeting on a fire call, as did Stu)  
Budget Committee: Robin Veysey, Merle Bragdon, Marian McDevitt. Others: Gary McFarland, Jo Cooper

Focus or primary responsibility of group: Setting the annual budget for the Town.

Work of this group in actively planning for the future: None, really, as the chore is a recurring annual chore. There is a capital expenses list that details which major improvements will be needed in each of the years in the near future, but this is developed primarily by the Select Board.

Currently there is no bonded debt. Merle noted that a primarily residential town such as Lamoine has a very stable tax base, It is not subject to the large swings in a year due to a large mill closing, for instance. Change in the tax base is generally slow and incremental, and so are changes in the cost of services provided. The Budget Committee noted that the withdrawal from the RSU had no net effect on the Lamoine budget. Merle noted that the effect on the town of the winding down of the gravel industry is unknown and to his knowledge has not be studied.

Expressed concerns of group relating to focus or primary responsibility:

Revenue Concerns: Stu, before he left, noted that he was making only cautious assumptions about State revenue sharing with Towns, because so many items under this administration became “political footballs” and the normal flow of finances has been disrupted. Jo Cooper noted that she is on the Hancock County Budget Committee and that the State is currently taking the position that counties must pay all of the jail costs. Jail costs are a major expense and if these are passed on to the County, the towns will have to come up with the money.

Town Needs: In response to question about the feasibility of bike or pedestrian lanes along Lamoine roads, Marian noted that the rights of way are quite wide. Merle thought the rights of way probably would provide ample room for bike lanes, but that widening the paved portion of roads and creating new shoulders would be “big ticket item.” He thought this should be a consideration if the Town should establish a new road somewhere in town.

The Town office is adequate for now, and there is a plan to put a new foundation under it. Merle thinks that there is a major need in town for high speed internet throughout the town and the town may need to figure out how to get involved to make it happen.

Interesting fact to come out of the meeting: Town roads are considered by accountants to be an asset of the town worth a great deal of money. Of course, we can't sell them to raise cash, so they are a very limited kind of an asset.

Follow up: None

## **A7: LCPC Meeting with Conservation Commission**

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### Lamoine Comprehensive Plan Committee Meeting with Lamoine Conservation Commission

Name of Group: Lamoine Conservation Commission

Date of Meeting: 10/4/2015

Chair or contact person: Larry Libby

Phone number:

Number of people attending: 15

LCPC: Fred, Kathie, Bob, Andrea, Mike, Richard, and Val

LCC: Larry Libby,, Larissa Thomas, Nancy Pochan, Anne LaBossiere, Linda Penkalski, and Doug Stewart.

Others: Carol Korty and Willem Brutsaert

#### Focus or primary responsibility of group:

Research and Education on conservation issues and pro-active projects. The group has just finished a planning session in which it decided to seek a major project to begin. No project has yet been identified.

#### Work of this group in actively planning for the future:

Completed Open Space Report and Inventory in 2013. GET WET project in the school both exposes students to science and provides data on water quality in Lamoine that increases with usefulness over time.

#### Expressed concerns of group relating to focus or primary responsibility:

Climate change- what will be the risks and costs to Lamoine? LCC has scheduled a lecture by the State climatologist for November 10th.

Trail Development- where might there be other opportunities for recreational trails in Lamoine and what role might the LCC play in developing them? Is there a way to get kids in Lamoine into the woods on the Simon trail for nature education?

Rockweed, mussels, clams, worms- Are there a threats to the resources on the shore and intertidal areas in Lamoine? Should there be regional projects involving several towns?

Community solar- Is there an opportunity for a project like that in Bar Harbor for Lamoine?

Agriculture- Do we need to do more to encourage agriculture in Lamoine?

Dark Skies- Should we be developing programs to limit light pollution?

Communication- Is there a way to better coordinate projects and or disseminate information about what's going on with natural resources- example of a survey done in town on shellfish which the LCC never heard about while it was going on.

Follow up: LCC to submit written recommendations (attached).

Comprehensive Planning Committee  
C/O Fred Stocking  
30 Berry Cove Road  
Lamoine, Maine 04605

Subject: Lamoine Conservation Commission Recommendations for Comprehensive Plan

Dear Fred:

In support of your efforts to prepare a new Comprehensive Plan, the Lamoine Conservation Commission is pleased to submit our thoughts on the key concerns and possible responses the Town of Lamoine can make on issues related to land management, resource stewardship, and climate change. These are presented as input to your deliberations and represent a consensus among current LCC members. Our thoughts here are consistent with many of the issues raised in the March 2013 Open Space Report and Inventory which LCC transmitted to the town. We remain committed to the overall perspectives and the open space vision contained in that report.

If further discussion of this planning input would be helpful for the comp planning committee, we are willing to schedule another joint meeting. Likewise, we would be pleased to provide additional written text to help refine some of these ideas, or address topics that we may have overlooked.

Thank you for your important work on behalf of the town.

Sincerely,

Larry Libby, Chair  
Lamoine Conservation Commission

Input from the Lamoine Conservation Commission on the Comprehensive Plan  
January 2016

Land Management

Possible Concerns Regarding Land Use

- Increasing conversion of undeveloped timberlands, agricultural properties, and shorefront to residential use-habitat loss and fragmentation for wildlife.
- Loss of areas where public can access the waterfront to earn a living through marine resource harvesting or for recreation.
- Inactive gravel pits not restored-threatening water supply and perpetuating habitat loss.
- Illegal dumping, unsightly junk/litter on private land.

Possible Actions to Promote Conservation and Communal Values in Lamoine Land Use

- Promote trail development and maintenance.
- Town could acquire key parcels of land to maintain as open space, wildlife refuge, recreational venues, and waterfront access.
- Town could offer space for farmers market to promote farming and gardening, provide income source for local growers, and increase availability of healthy, local food.
- Language in land use ordinance for gravel pit operators could be revised to reduce loopholes that currently allow indefinite deferral of land restoration.
- Enforce requirements that operators restrict access to gravel pits after hours.
- Offer special pick-up days at private residences for large and heavy items to be disposed of.

Resource Stewardship

Possible Threats to Important Communal Resources in Lamoine

- Water quality
  - Possible saltwater infiltration over time with rising sea level.
  - Risk of contamination from illicit dumping of hazardous materials, particularly in gravel pits where the floor is just above the aquifer.
  - Risk of contamination from failing septic systems and/or increased population density.
  - Risk of contamination from use of road salts.
- Water quantity-private wells may be vulnerable if a commercial interest began large-scale withdrawals
- Economically important marine resources
  - Overharvesting/illicit harvesting by non-residents and people without harvest permits
  - Climate change impacting habitat and food supply
  - Invasive species
  - Pollution

- Historic architecture and landscape
  - Cost of maintaining/rehabilitating historic structures in need of repairs
  - Change in ownership of properties, with less interest in maintaining historic integrity over time

#### Possible Actions to Protect Important Communal Resources in Lamoine

- Water testing: encourage broader participation in Get Wet! Program and/or Town sponsored testing.
- Assure regular and frequent objective oversight of gravel company water testing.
- Make the results of required water quality testing by gravel companies under the town gravel ordinance available to the public and posted on the town website.
- Because commercial extraction of gravel in the Town of Lamoine poses greater costs to the taxpayers of the town than other land uses in terms of more frequent road maintenance, oversight of water quality, and legal defense of town regulations, impose impact fees to cover added cost burden or scale the fee for renewal of permit according to the amount extracted over a recent period.
- Enact regulation regarding maintenance of septic systems.
- Have contractor employ methods to reduce use of roads salts and consider alternative materials to the extent possible without compromising safety.
- Limit impervious surfaces on town property and in new permitted developments; encourage use of detention/retention ponds and permeable paving.
- Enforce existing ordinance governing commercial water use over a threshold amount.
- Partner with Maine Department of Marine Resources and non-profit groups to monitor the health of marine ecosystems in Lamoine and undertake restoration work as applicable.
- More stringently enforce permitting requirements for shellfish harvesting.
- Create local, voluntary historic property registry and provide tax incentives for historically sensitive rehabilitation work.

#### Climate Change

##### Possible Risks and Added Costs to Town from Climate Change

- More frequent and severe flooding--road improvement costs
- Shoreline erosion--costs for stabilization
- Higher winds, more tree damage
- Emergency response hindered by flooded roads
- Reduced tourism and fewer new residents due to loss of lobster and other traditional natural resources
- Fewer residents able to afford insurance in desirable coastal, flood-prone areas-- lower tax base
- Residents reliant on marine resources for livelihood impacted as species are no longer locally available

#### Possible Actions to Reduce Lamoine Contributions to Climate Change

- Energy audit of Town Hall, School, Fire Department, with follow-up actions to reduce heat loss and energy use
- Grant/loan program beyond rebate offered by Efficiency Maine for home energy audit for town residents
- Town investment in solar power generation
- Enhanced protections for eelgrass and rockweed
- Enforcement of gravel pit reclamation
- Measures to increase recycling participation-single stream collection, expansion of recyclables, education

#### Possible Actions to Mitigate Adverse Effects of Climate Change on Town

- Advance investment in road improvements to minimize flooding (increase elevation of grade in flood-prone locations, larger culverts, etc.).
- Investment in shoreline stabilization.
- Identify areas of Lamoine most vulnerable to sea level rise, notify owners, and schedule education on possible responses.
- Emergency planning for severe weather events in which communications might be compromised, some roads blocked, some residential properties made inaccessible.
- Contingency planning for impacts to water supply and infrastructure.
- Grant/loan program for education/job training of those whose livelihoods are affected-lobstermen, clammers, marine worm harvesters, etc.

## **A8: LCPC Meeting with Frenchman Bay Riders**

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Lamoine Comprehensive Plan Committee  
Meeting with the Frenchman Bay Riders Snowmobile Club

Name of Group: Frenchman Bay Riders Snowmobile Club  
Date of Meeting: 12/10/2015  
Chair or contact person: Charlie Harding

Number of people attending:

For LCPC: Fred, Kathie, Bonnie, Richard, Andrea, Val, Brett, Bob and Mike.  
For Frenchman Bay Riders: Charlie Harding and Josh Willard

Focus or primary responsibility of group: Maintaining 30 miles of snowmobile trails, for public use, in Lamoine and nearby. The trail ultimately connects to the rail trail network. There are 40 to 70 members.

Work of this group in actively planning for the future: Recently was audited by the Maine Snowmobile Association and had to establish that it maintained 30 miles of trails and had landowner consents (three year agreements, ideally for a 15 foot wide corridor) signed for all segments of the trail. Occasionally they need to move a trail, most frequently due to beaver dams. No plans to expand at this time.

Twenty miles or more of the trails are on gravel pit property and the gravel pit owners are very cooperative, both in granting permission and in supplying free materials for trail maintenance from their supplies.

A map of the trail network is now being printed up and will be available through the Town shortly and on the group Facebook page. The Town of Lamoine passes on its snowmobile registration fees (one-half of the fee paid) promptly, gives the group a month of the returnable bottle proceeds and is generally supportive. Other neighboring towns have dropped out.

Expressed concerns of group relating to focus or primary responsibility:

The trail is open to skiers and hikers, but they need to beware of the fact that snowmobiles can't always stop suddenly and sometimes go fast (There is no speed limit). (No injuries in such accidents in Lamoine in recent memory).

There are issues with the security of the snowmobile cabin and the group would like the Town to put a gate on the road.

Most landowners are OK with snowmobile and pedestrian use of the trail, but they are quite resistant to ATV use, and preventing ATV use can present practical problems.

Interesting facts/ideas that came out of the meeting: The rail trail will soon get a new spur to connect into Ellsworth as far as the Comfort Inn. The Lamoine Trail uses the powerline cut to get to Trenton and so goes from the Lamoine General Store to the Trenton Marketplace.

Follow up: Get a copy of the Trail Map when available.

## **A9: LCPC Meeting with Friends of Lamoine**

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Lamoine Comprehensive Plan Committee Meeting with Friends of Lamoine

Name of Group: Friends of Lamoine  
Date of Meeting: 12/15/2015  
Chair or contact person: Carol Korty, Kathleen Rybarz  
Number of people attending:  
LCPC: Fred, Bob, Kathie, Bob, Mike and Val  
Friends of Lamoine: Carol Korty, Catherine de Tuede, Bruce Gillett, Kathleen Rybarz.

Focus or primary responsibility of group: Environmental protection, aquifer protection, limitation of industrial gravel pits in town, development and promotion of scenic and recreational resources.

Work of this group in actively planning for the future: Crafting and supporting a No New Pits referendum approved by the Town in 2014, and opposing a proposed gravel ordinance rejected by the Town in 2015. Put together a list of over 125 small or home-based businesses in Lamoine.

Expressed concerns of group relating to focus or primary responsibility:

Need for balance of natural resource protection and development of town businesses around Lamoine's beauty and recreational resources. Need for zoning which will serve to provide areas for cluster housing and commercial development separate from rural residential and agricultural areas. Plan for reclamation and productive use of expended gravel pits.

Expressed concerns of individuals not directly related to group's primary focus:

The Town should sponsor a candidate's night with each candidate asked the same set of questions.

A list of in-town businesses should be on the web and kept updated, perhaps by a new Lamoine Chamber-of-Commerce-type organization.

The Town should continue to work towards wider roads to encourage bicycles and walking.

A general philanthropic fund should be established for civic improvements and charitable uses within the Town.

See also: Attached 5-page "Statement for Comprehensive Plan Committee."

Mission Statement:

Friends of Lamoine advocates the preservation and enhancement of our community and its resources through education and citizen involvement. We encourage balanced social and economic development that conserves our natural resources and promotes a healthy environment for residents, small-businesses, visitors, and future generations.

Issues FOL would like to see addressed in Lamoine's new comprehensive plan:

Wording that supports action to protect: 1) the geographical and geological integrity of the town; 2) the aesthetic beauty of this peninsula; 3) the balance of developed and natural places; 4) the quality of life for residents, small businesses, and visitors.

1. Protect Lamoine's geographical and geological integrity containing a mix of high ridges of glacial hills, fields, forests, ocean shoreline and abundant sources of freshwater which include a large sand and gravel aquifer and a Great Pond.

Lamoine's hills are part of a unique esker system deposited by glaciers eons ago. One hill has been almost completely removed by John Goodwin, Inc.'s permitted gravel extraction. The two highest remaining hills are owned by the Town and by Harold MacQuinn, Inc. The latter is a specifically identified point on the Ice Age Trail shown on the map of glacial deposits in northern New England and Canadian Maritime Provinces. As such it is a significant historical place, and in accordance with our 1996 Comprehensive Plan, must not be removed.

The fields along Mud Creek Road and the area surrounding Mud Creek have been identified by the State's Beginning with Habitat Program as Lamoine's unique wild life area. The U.S. Fish and Wildlife Service also rated Lamoine's shores as having significant value for 34 species of shorebirds and waterfowl, 15 of which have been sighted there. It is a priority to protect these areas through purchase or easement of them.

Forested areas in Lamoine are needed for wildlife habitat. It is important that areas large enough to support wildlife be maintained with wildlife corridors connecting them with each other and to the shore. Ways of doing this could be for the Town to:

- a) develop a data base identifying current wildlife habitat, including connecting corridors;
- b) consult with the U.S. Fish and Wildlife Service to determine if further areas, such as connecting corridors, need to be added;
- c) develop policies to prevent encroachment of these open, natural spaces.

We recommend the Town develop an ordinance that supports and facilitates sound forestry practices. The health of forested areas, as well as wildlife living there, would benefit when lumbering activity on large tracts follow management practices

recommended by State Forest Service and/or Small Woodland Owners Association of Maine (SWOAM).

As a peninsula, Lamoine is richly endowed with 28 miles of shoreline. It is one of the Town's greatest assets that attract residents, visitors, and marine harvesters. Presently there are three points of public access to the shore: Lamoine State Park, Lamoine Beach, and a small section of Marlboro Beach. We recommend the Town explore possibilities for increasing the footprint of these areas through purchase, obtaining easements, or seeking donations of adjacent land. And we recommend promoting greater use of our waterways and exploring additional points of public access for the benefit of marine harvesters, launching small boats (canoes, kayaks, row boats), and recreational other uses.

We are fortunate that there are several established groups working to maintain clean beaches: Lamoine State Park, Frenchman Bay Regional Shellfish Committee, Lamoine Conservation Committee, and Lamoine Parks Commission. Continuing support of and cooperation with these groups is important to assure neither refuse nor contamination pollute town shores.

The Lamoine peninsula contains an abundance of excellent freshwater. The large aquifer under the mid-section of the town extends into Hancock and Ellsworth. Lamoine has committed with these other municipalities to protect the aquifer from any possible contamination. The aquifer, in and of itself and because its overburden feeds the surrounding bedrock sources of freshwater, constitutes our most critical natural resource. Therefore we recommend a regular review of our ordinances that govern activities which might compromise either the quality or the quantity of this vital resource and re-write those ordinances whenever new, relevant information becomes available.

Lamoine's freshwater pond, Blunts Pond, technically categorized as a Great Pond, is also a unique source of freshwater. Now it is a favorite swimming spot for many in the summer and a place for winter recreation. Because it has become a destination that has attracted higher use than formerly, we recommend the Parks Commission create guidelines for its use. A plan could also include regular water quality analysis, analysis of the thick aquatic plant, and its source of recharge.

2. Protect the aesthetic beauty of the Lamoine peninsula by preserving our current scenic views, by containing the gravel industry in town, and by full restoration of expended pits.

Lamoine has many officially registered scenic views in Designated Sites of the State of Maine Downeast Coastal Scenic Inventory. They are:

- \* Marlboro Beach with views of Frenchman Bay and Raccoon Cove,
- \* Lamoine Beach with views of Mount Desert Island and Eastern Bay,
- \* Bloomfield Park with views of Blunts Pond,
- \* Mud Creek/Pinkham Flats with views of Mud Creek, a tidal estuary, and Pinkham Flats,

- \* Lamoine State Park & Lamoine Town Harbor with views of Lamoine Harbor and Mount Desert Island,
  - \* Intersection of Rt.184 & Asa's Lane with views of Mount Desert Narrows,
  - \* Rt.204 entering North Lamoine with views of Jordan River, a tidal estuary,
  - \* Marlboro Beach Road with views of Frenchman Bay, Cadillac & Dorr Mts.,
  - \* Views of Lamoine from the water on Skillings River, Jordan River, and Eastern Bay.
- These views of surrounding natural landscape are important to many Lamoiners, as documented in responses to the Long Range Planning Committee 200survey. This reinforces the need to protect them. Some of these views can be accessed from Town or State owned property. Most, however, must be viewed from public roads.

To protect listed view sites not already owned by the town or State, we propose the Town:

- a) Approach land owners and propose conservation easements and/or outright donations of private lands which are themselves scenic or on which development could block the designated scenic views,
- b) Actively solicit donations to Lamoine Conservation Fund to be used for purchase of land,
- c) Form partnerships with State and private organizations, such as Maine Coast Heritage Trust and Frenchman Bay Conservancy, to acquire or establish easements on scenic areas or land on which development could block the designated scenic views.

Since 2013, three important votes on gravel related issues have strongly indicated that residents want this industry restricted. A more restrictive Gravel Ordinance was passed in 2013, amended in 2014, and defended in 2015. An amendment to the Building and Land Use Ordinance in 2014 prohibited new pits in the Rural & Agricultural Zone, (with the exception of those having received a Site Plan Review prior to 2013).

Reclamation of expended gravel pits, including those that have been abandoned, is a general public concern. We recommend the Town utilize a professional Land Use Consultant to analyze empty pits and offer solutions and suggestions for reclamation options.

We recommend the Town develop stricter policies for enforcing full implementation of reclamation plans, including severe fines for non- conformance.

3. Protect and maintain a balance of developed and natural places:
  - a) Identify areas within our current zones best suited for forestry, for agriculture, for residences, and for small businesses. Initial work on this was done by LCC with COA mapping in 2004. It needs to be re-visited and fine-tuned.
  - b) Show these areas on up-to-date maps and publicize the maps widely to help people contemplating land purchases for any project and to charge the Planning Board to consult these maps when considering proposals for permits.

- c) Strictly prohibit industry and large commercial businesses from the Rural & Agricultural Zone.
  - d) Assure the preservation of open spaces (wildlife blocks, forests, and farm lands) when residential subdivisions are proposed, encouraging all development to locate along existing roads, rather than cutting into natural areas, as urged in the LCC Open Space Report of 2013.
  - e) Work to acquire parts of Lamoine shoreline with corridors for public access to some of these natural areas. This could be accomplished by establishing a committee to explore purchases, easements, and/or collaboration with organizations like Maine Coast Heritage Trust and Frenchman Bay Conservancy.
4. Protect the quality of life for Lamoine residents, small businesses, visitors and future generations.
- a) Expand Town Hall facilities for meetings, informal gatherings, and parking to support our growing population and attract new residents and visitors.
  - b) Widen shoulders on roads to safely accommodate walking and bicycle riding.
  - c) Provide activities for senior residents, teenagers, and young children.
  - d) Change Building and Land Use regulations to permit Cluster Housing where families can live in close proximity but with access to a large common area, such as woods, fields or shore for recreation.
  - e) Create a Philanthropic Fund to which people could make donations to support philanthropic organizations in town, scholarships, school programs, etc.
  - f) Encourage and support small business development to augment and complement the over 100 business practices already in existence.

## **A10: LCPC Meeting with Lamoine Community Arts**

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Lamoine Comprehensive Plan Committee Meeting with Lamoine Community Arts

Name of Group: Lamoine Community Arts  
Date of Meeting: 12/14/2015  
Chair or contact person: Honeybee Heyman

Number of people attending:

LCPC: Val and Mike, Fred and Kathie for both

LCA: Honeybee Heyman, Arlyss Becker, Carol Korty, Kathy McGlinchey, Carol Duffy, Bill Reynolds, Wayne Lawrence, Lolly Lovett, and Tom St. Clair.

Focus or primary responsibility of group:

Providing opportunities in Lamoine for people to participate in and attend arts events.

Work of this group in actively planning for the future:

LCA has entered into a Lease of the Grange building for three years as of November, 2015, and is committed to fundraising for repairs and making the Grange more of a community resource. Various LCA volunteers have been active in the school, which has now got an active Drama Club. It was noted that the small Grange stage is very comfortable for school age actors.

Expressed concerns of group relating to focus or primary responsibility:

Like much of Lamoine, LCA has an aging base of active members and needs to find the key to involving younger people in its activities. Other issues are whether the group can raise sufficient money to undertake Grange renovations and whether code requirements will always limit the kinds of “community center” activity that can take place in the Grange building. It was noted that the age of the Grange building and everyone’s familiarity with it is part of its charm, and that extensive renovations might actually destroy that charm.

There was a discussion of the likelihood of the Town investing in a Community Center near the school. Perhaps the attempt to site activities in the Grange would stimulate pressure for a community center. That led to a discussion of a sidewalk linking the school with the Grange, and the possibility of a designated Village Center.

One member suggested that it made more sense to improve the school than to improve the Grange. Another noted that school gyms are really not sufficient for music and theater.

LCA would like to expand its activities to include a summer art show and some summer children’s activities, not necessarily at the Grange. Since the Recreation Committee has some similar ambitions, there may be an opportunity for collaboration. Another suggestion was to have work of local artists hung in the Town Hall.

It would be great to have a list of all the opportunities for participation and appreciation of the arts in the larger region. [Fred tried to get LCA to commit to doing this, without much success.]

Interesting facts/ideas that came out of the meeting:

The Lamoine Consolidated School has a good chess club.

Follow up: Get/make a list of cultural resources of the area.

# **A11: LCPC Meeting with Lamoine Historical Society**

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## Lamoine Comprehensive Plan Committee Report of Meeting with the Lamoine Historical Society

Name of Group: Lamoine Historical Society  
Date of Meeting: 10/7/2015  
Chair or contact person: Susan Hodgkins Phone number: 667-5115  
Number of people attending: 10  
LCPC: Fred, Bob, and Brett  
Lamoine Historical Society: Anne Stocking, Sue Hodgkins, Muffet and Doug Stewart, Neila McIntyre, Brent Hutchins, and Susa Wuorinen.

### Focus or primary responsibility of group:

To collect, preserve, and interpret objects, documents, archaeological materials and specimens which illustrate the history of the town of Lamoine and its environs, to make them available to the public for educational and research purposes and to preserve the East Lamoine Meeting House.

### Work of this group in actively planning for the future:

Summer programs open to the public;  
Work with Lamoine School as requested;  
Search for permanent space for archives and collections; and Maintain and restore the East Lamoine Meeting House.

### Expressed concerns of group relating to focus or primary responsibility:

Storage and display space  
Converting cassette tape of tour of historic buildings in Lamoine onto a CD.  
Promoting Lamoine's history: Making collections more accessible Creating and siting  
Plaques for historic sites and buildings In Lamoine

### Expressed concerns of individuals on matters not related to focus or primary responsibility:

Concern that gravel extraction is changing the historical landscape of the town.

Follow up: The Historical Society will take responsibility for updating the History of Lamoine for inclusion in the next Comprehensive Plan.

## **A12: LCPC Meeting with Lamoine School Committee**

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Lamoine Comprehensive Plan Committee Meeting with Lamoine School Committee

Name of Group: Lamoine School Committee  
Date of Meeting: November 10, 2015  
Chair or contact person: Katrina Kane, Superintendent  
Brett Jones, Chair

Phone number:

Number of people attending:

LCPC: Fred, Kathie, Val, Bob, Richard, Andrea, Mike and Brett  
School Committee: Bret Jones, Val Peacock, Michael Brann, Gordon Donaldson and  
Bob Pulver  
Others: Katrina Kane (superintendent), Dawn McPhail

Focus or primary responsibility of group: Educating Lamoine children: running a K-8 school and coordinating high school attendance.

Work of this group in actively planning for the future:

Much of the focus over the past year plus has been to become a school system, since Lamoine chose to withdraw from RSU 24. The library has been moved to the front portable. A Life Skills program needed to be added in a very brief period of time.

Lamoine partners with Ellsworth and Hancock on a number of levels: shared Tech director, business director, and human resource department are shared with Ellsworth. Professional enhancement is shared with the RSU and there are joint extracurricular teams with Hancock.

Looking 10-15 years into the future, the School Committee would like to see the school become a community resource such that even non-parents used it regularly and felt comfortable in the building. A Wi-Fi capability would help with this. The community may become a resource that staff can utilize to enrich activities available to students. Emerging Drama Club may become an example.

Expressed concerns of group relating to focus or primary responsibility:

Current facility improvement plans do not include expansion, but include better windows, a real door and windows in the kindergarten room and a new roof in 4-8 years. The current facility (built mostly in 1974) is considered to be in great shape. The portables have their drawbacks, including security issues and a lack of water/bathrooms. A larger gym would be a good thing.

Although enrollment in the school is lower than 10-15 years ago (currently about 116), the school is nonetheless very busy and crowded. Students move around in the school

environment much more than they did previously, and more and more functions demand a permanent space.

High school education is expensive: should Lamoine be asking for more as buyers? Lamoine students are well-prepared for high school and sought after by the high schools. High school choice is seen as one of the primary advantages Lamoine has in attracting families with children.

Other issues aspirations raised by one or more School Committee members:

- Create an excellent school and it will be a draw for the community
- Let the arts explode
- It will be more cost-effective to hire talented, flexible teachers, rather than trying to have every beneficial program
- pre-kindergarten program should be added.

Expressed concerns of individuals on matters not related to focus or primary responsibility:

There should be robust regulation of commercial water extraction Housing options for families with small children is a pressing demand Set up an education fund

Interesting facts/ideas that came out of the meeting:

The Lamoine School has a current State evaluation of “measured improvement”.  
Birdsacre and Chewonki are coming to make presentations at the school.  
Students have written a play, with costumes and props for presentation after school  
November 19th.

Follow up:

Get a summary of the organizational changes over the last decade (Gordon Donaldson may have done this).

Get current statistics and projections (for ten years) of student enrollment (from Dawn or Katrina).

## **A13: LCPC Meeting with Lamoine's Little Children**

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Lamoine Comprehensive Plan Committee Meeting with Lamoine's Little Children

Name of Group: Lamoine's Little Children

Date of Meeting: October 15, 2015

Chair or contact person: Cynthia Donaldson

Phone number:

Number of people attending: 7

LCPC: Fred, Andrea, and Kathie

Lamoine's Little Children: Cynthia Donaldson, Amy Duym, Anne LaBossiere,  
and Lois Libby

Focus or primary responsibility of group:

Early childhood education and health; support for families with young children. The group is following through on the Resolution of the Select Board of March 13, 2012 in support of increased services for children in the very early years.

Work of this group in actively planning for the future:

Advocating for Pre-K education in the Lamoine School; moving and remodeling the school library and stocking it with books and a setting appropriate for pre-school children. Regular meetings on the 2nd Thursday of the month in the school library. Topics have included gun safety and fire safety. Established a morning play group in the church on day a week.

Expressed concerns of group relating to focus or primary responsibility:

Goals are: Reducing barriers to families with young children moving to, and remaining in, Lamoine; establishment of a community center on the school grounds for public meetings, a library and children's space; adequate day care, nursery school and child care in Lamoine. Create ways/places for bringing together all ages, particularly grandparents and grandchildren. Make the school a part of community life in Lamoine for everyone. Establishment of pre- kindergarten program.

Expressed concerns of individuals on matters not related to focus or primary responsibility:

Day space for both old and young while parents and caregivers work; job opportunities and affordable housing for families with small children; sidewalks; events that would attract the summer people in Lamoine to community activities. Sidewalks in a village area near the school. A trail around Blunt's Pond and more ice cream.

Follow up: Get a copy of the 3/13/13 Select Board Resolution

## **A14: LCPC Meeting with Parks Commission**

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Lamoine Comprehensive Plan Committee Meeting with the Parks Commission

Name of Group: Lamoine Parks Commission  
Date of Meeting: May 9, 2016  
Chair or contact person: Cathy Goebel Phone number: 667-2318  
Number of people attending:

Cathy Goebel, Doug Jones & Paula Gardner of the Parks Commission.  
Conservation Commission Chair Larry Libby and member Doug Stewart  
Administrative Assistant Stu Marckoon (briefly)  
LCPC: Fred Stocking

Focus or primary responsibility of group:

The Parks Commission was established by the Lamoine Parks Ordinance, approved by the Town Meeting in 2005. That ordinance describes three basic responsibilities of the Parks Commission: It is to recommend the rules, including hours, of operation of Town Parks for consideration by the Select Board, to consider requests for special event permits for use of the Town Parks and to coordinate enforcement of the Ordinance with appropriate officials. The Parks Commission is not responsible for ongoing maintenance of the parks, which is the responsibility of the Town Facilities Manager and done by several contractors.

Work of this group in actively planning for the future:

The Parks Commission plans for the future in that it reports to the Select Board and makes recommendations about use of the parks. At the meeting attended, the group heard about the possibility of a small picnic area near the Mud Creek Bridge and the Chair agreed to work with other to assess its feasibility.

Expressed concerns of group relating to focus or primary responsibility:

There are three public park areas in Lamoine, Marlboro Beach, Blunt's Pond and Lamoine Beach. Most of the special event permits are for Lamoine Beach. Dog waste at Marlboro is an issue, as is clean-up at Blunt's Pond.

Expressed concerns of individuals on matters not related to focus or primary responsibility:

None

Follow up: None

## **A15: LCPC Meeting with Planning Board**

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Lamoine Comprehensive Plan Committee Meeting with Lamoine Planning Board

Name of Group: Planning Board  
Date of Meeting: September 30, 2015  
Chair or contact person: John Holt 667-8733

Number of people attending: 9

LCPC: Fred, Kathie, Bonnie, Brett, Val, Richard and Bob  
Planning Board: John Holt and Richard McMullen  
Others: Jay Fowler

Focus or primary responsibility of group:

Zoning and Development, generally in a permit or ordinance-drafting context rather than in planning. Ordinance drafting is the main activity of the Planning Board looking to the future.

Expressed concerns of group relating to focus or primary responsibility; How is Lamoine bound to change over the next 10 years?:

The zones currently in place don't necessarily meet the Town's needs. The Buttermilk Road residential zone doesn't look much different from the rest of the Town. The rest of the Town is mostly one Rural and Agricultural Zone. With one large zone which allows many different uses, the potential exists for conflict between residential development and quasi-industrial or agricultural development.

The lack of public water and sewer is a barrier to attracting certain types of development.

What to do to make gravel ordinances less contentious? Over the next 10 years, existing gravel pits will be mined completely. There is water sitting on top of a clay lens ("perched water") below the gravel, and this water is not currently being used by residential wells. Will that water resource be developed and how? Are the Lamoine ordinances which deal with water extraction appropriate for this type of water resource?

Expressed concerns of individuals on matters not related to focus or primary responsibility:

What about protecting farm land?

Should Lamoine's Building and Land Use Ordinance be modified with respect to a "village center"?

Cold Spring Water Co. should not need to be "rescued" over the next ten years.

Interesting facts/ideas that came out of the meeting:

The Conservation Commission can be asked by the Planning Board to write ordinances.

Follow up:

1. Estimate the amount of land Lamoine will need for future development;

2. Estimate of 63 new households over 10 years, with approximately 50 lots in approved subdivisions available; and
3. Re-involve Planning Board when working actively on the Land use Plan

## **A16: LCPC Meeting with Recreation Committee**

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Lamoine Comprehensive Plan Committee  
Meeting with the Lamoine Recreation Committee

Name of Group: Lamoine Recreation Committee

Date of Meeting: 12/12/2015

Chair or contact person: Greg Stone

Phone number:

Number of people attending:

For LCPC: Fred, Bob, Val, Mike and Kathie

For Rec Committee: Greg Stone, Elizabeth Stanley, Becky Mason, Heidi Garrison and Patti Haslam

Focus or primary responsibility of group: Increasing the recreational opportunities and programs available in Lamoine for all residents.

Work of this group in actively planning for the future: The Rec Committee is a new group, just set up in 2015 (Establishment of a Recreation Committee was a goal set by the 1996 Lamoine Comprehensive Plan). They felt an immediate need for youth program and set up a youth soccer program (for kids too young for the YMCA teams?), and pee wee cheering. Adult basketball pick-up games, and Slow Ride Sundays followed. The Rec Committee tried to determine which roads were safest for biking and publicize them as routes in hope of slowing traffic down. Summer Family Fun Days were an attempt to get families doing something together across the generations but they were not well attended.

The Rec committee is planning a survey of town goals for a rec program [Fred gave them the relevant pages from the LCPC survey, including the separate pages of comments on recreation issues.]

The Rec Committee has a means of getting things done by finding people who want to do something and then “supporting the heck out of them.”

Very much in focus on older folks in need of recreation and are open to helping support a trail system. They would like to get a tennis program in the Town, perhaps on a private court as there are no public courts in town.

As to the State Park, the rec Committee was able to get them to waive the entrance fee for short bike rides into and out of the park, but the issue of a fee reduction or waiver for Lamoine residents needs to be negotiated by the Select Board.

Expressed concerns of group relating to focus or primary responsibility:

The town needs a larger gym, and also lacks bike lanes and tennis courts and other recreational facilities other than a couple of hiking trails and the school ballfield. The Rec Committee noted, however, that the school was very supportive and helpful and willing to share its facilities for town-sponsored activities.

The group hopes to come up with a comprehensive list of the recreational opportunities in not just Lamoine, but the surrounding area. More publicity about Blunt's Pond and coordination with the Parks Commission and the Conservation Commission were other suggestions about getting the word out.  
The group has an active Facebook page. -

Interesting facts/ideas that came out of the meeting:

There are maintained, but underutilized, private tennis courts down in Partridge Cove.

Follow up: Get a copy of the list of recreational opportunities in the area when it is available (perhaps collaborate on it?)

## **A17: LCPC Meeting with Select Board**

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Lamoine Comprehensive Plan Committee Meeting with Lamoine Select Board

Name of Group: Lamoine Select Board  
Date of Meeting: 10/8/2015  
Chair or contact person: Gary McFarland (Stu Marckoon)  
Phone number: Town Hall: 667-2242

Number of people attending: 14

LCPC: Fred, Kathie, Val, Brett, Bob, Bonnie and Mike  
Select Board: Gary McFarland, Heather Fowler, Nathan Mason, Bernie Johnson, and Jo Cooper, with Town Administrative Assistant Stu Marckoon  
Others: Jeff Cosulich.

Focus or primary responsibility of group:

Governing the Town of Lamoine under the direction the Town Meeting.

Work of this group in actively planning for the future:

Ongoing. The School is being wired for filming meetings too large for the Town Hall. The Select Board plans capital expenditures several years out as best as possible.

Expressed concerns of group relating to focus or primary responsibility:

Lack of adequate internet access throughout the town

Lack of mobility and connectedness among the elderly in Lamoine's graying population

Need to recruit young families

Attract appropriate businesses to the Town, such as those providing services for the elderly, house construction, and marine-resource-based businesses

Limitations of the current Town Hall, particularly if the population and workload grow

Interesting facts/ideas that came out of the meeting:

There are perhaps 40 approved subdivision lots that are unimproved and they may provide affordable housing for young families

Follow up: Further Report on LCPC progress in February, 2016

## **A18: LCPC Meeting with Technology Committee**

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Lamoine Comprehensive Plan Committee  
Meeting with the Lamoine Technology Committee

Name of Group: Lamoine Technology Committee  
Date of Meeting: 12/10/2015  
Chair or contact person: Bill Butler  
Phone number:

Number of people attending:

For LCPC: Fred, Kathie, Bonnie, Andrea, Val, Brett, Bob and Mike  
For Tech Committee: Bill Butler, Stu Marckoon, Merle Bragdon and Brett

Focus or primary responsibility of group:

Meeting the technology needs of the Town and keeping Town systems in working order. The Town receives income from Time-Warner cable to run the cable operation in Lamoine (about \$11,000 per year). The current contract has only 18 months remaining. Cable TV generally is moving into hard times and may be a technology that is superseded, and so the future of this income is uncertain.

The Town has a free website, run by Stu with basically free software. There is off-site back-up. The website is widely held to be helpful and easy to navigate. Keeping it current does take up a lot of Stu's time, and there may come a time when the existing software is no longer supported and the Town may need to make some sort of transition. The Town Hall acts as a Wi-Fi "hot spot" and some folks do come to work there during the day.

The cable TV from Town Hall puts out live broadcasts of meetings and replays them. There is talk of a separate fiber optic cable to the school, so that there could be live broadcasts from there as well. Currently events at the school are recorded there and run on the cable station. Students get experience helping to film events at the school and can get community service credit for work on filming Town events.

Work of this group in actively planning for the future:

There is a sense among many that the future development of the town may require good internet access throughout the town. Another point of view is that this is not the town's responsibility to provide it. For certain, the Town's current infrastructure is not sufficient to manage internet access for the whole town. For the present, DSL is available in most, if not all the town, but works less well at remoter locations "at the end of the line." There was some sense among that satellite internet does not work very well at present, though satellite TV does work well. There is a consulting firm that can do a map of the internet access in a town, but the expense may be prohibitive.

The Town leases space for a cell tower, and could in theory do the same for a broadband tower.

Expressed concerns of group relating to focus or primary responsibility:

Constantly changing technologies create a challenge for small towns with few staff.

The time may come when the town has to hire, or share, an IT person.

The school shares someone with Ellsworth for school tech issues.

Follow up: Discuss need for a Town GIS capability with Assessors and circle back to Stu?

## **A19: LCPC Meeting with Volunteer Fire Department**

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### Lamoine Comprehensive Plan Committee Meeting with Lamoine Volunteer Fire Department

Name of Group: Lamoine Volunteer Fire Department

Date of Meeting: October 21, 2015

Chair or contact person: George (Skip) Smith, Chief

Phone number:

Number of people attending: 10+

LCPC: Fred, Brett, Val, Mike and Bob

Fire Department: George Smith, John Smith, Doug Jones, Mike Jordan, Brett Jones, Bernie Johnson, and other fire fighter gathering for clam chowder

Focus or primary responsibility of group:

Fire prevention and fire-fighting, water rescue, other emergency response work (emergency work coordinated by the County)

Work of this group in actively planning for the future:

Capital plans around equipment acquisition, planning for better sources of water for the pumper, recruiting new, and particularly younger, firefighters, consideration of need for paid staff.

Expressed concerns of group relating to focus or primary responsibility:

Recruitment of younger firefighters- There are 15 very active firefighters, but they are mostly older- in their 50's. Fifteen younger fire fighters would be good. There are four new recruits and retention tends to be good once folks get involved. The last Junior Fighters were in the 1980's.

Daytime coverage is a problem as most volunteers work elsewhere. Parking is a problem during school events.

Getting a 10,000 gallon tank that's on the Cold Spring Water system would be good. The tank at the Grange is smaller and has to be filled from the tank. Pond water is too hard on the equipment to be a viable source.

County Emergency coordination good, but the ability to use the Lamoine School as an emergency shelter could be improved.

Long Driveways are an issue, not so much because of the length, but because folks don't cut the vegetation alongside the travelled way. A fire truck needs 14 feet from top to bottom and 14 feet from side to side. A firm ordinance requirement might be good, but would raise issues of enforcement and costs of enforcement.

Interesting facts/ideas that came out of the meeting: The Fire Department would like to put a water tank about where the current front portable is at the school. Moving that portable would also provide more parking space.

Follow up: None noted.

# A20: November 2017 Community Meeting – Dots Counts and Comments

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## Memorandum

**To:** LCPC  
**From:** Fred Stocking  
**Re:** Dots and other info  
**Date:** November 24, 2017

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In additions to the dots, which I compiled on reduced pages of the 8 posters, the following information came off the walls:

Housing 2.1: A yellow dot had "Mixed Ages" written on it.

Recreation 3.1 & 3.2: Green dots had "Grange Resources" on them.

Transportation: A stickie at the bottom said "What about transit? (Other users are mentioned specifically)"

Responses to specific questions I put on a separate sheet:

Question 1: Should we keep most of the Town in the Rural and Agricultural zone?

Responses: 4 Green dots, 0 red, 0 yellow

Question 2: Would you favor a Village Center?

Responses: 4 green dots and someone wrote on the sheet: "Combine with community center/community garden."

Question 3: Any Growth Areas to suggest?

Responses: NONE

Stocking & Thomas, LLC  
Frederick B. Stocking, Attorney at Law, 30 Berry Cove Road, Lamoine, Maine 04605  
(207) 667-6009 e-mail: fredstocking@roadrunner.com

FRESH WATER RESOURCES		
GOAL: To protect all of Lamoine's fresh water resources.		
POLICIES	STRATEGIES	G R Y
1. Protect Lamoine's groundwater in order to provide a safe, adequate household water supply free from contamination and capable of maintaining adequate recharge capacity.	1.1 Assure management of rainwater runoff in new development and redevelopment projects to assure protection of groundwater supply from contamination and to maintain sufficient groundwater recharge.	
	1.1.1 Consider lot standard limits on impervious surfaces on town property and in new permitted developments.	0 1 1
	1.1.2 Require use of detention/retention ponds in new subdivisions and developments requiring site plan review.	1 0 2
	1.1.3 Encourage the use of permeable surfaces for roads and other paved areas.	4 1 1
	1.2 Encourage use of communal wells and septic systems in problem areas and subdivisions that propose cluster and/or open space development.	5 0 1
	1.3 Protect freshwater resources around gravel pits, including former gravel pits that no longer have a gravel permit, and other activities determined to threaten contamination.	7 0 1
	1.3.1 Assure regular, frequent and objective oversight of gravel company water testing.	11 0 0
	1.3.2 Assure public access to results of required water quality testing (posted on the town website, etc.)	3 0 0
	1.3.3 Prevent contamination from dumping or depositing materials which pose a threat of contamination of groundwater.	7 0 0
	1.3.4 Inventory former gravel pits that have not been converted to any productive use, and encourage research into possible uses of such pits and sources of funds for their conversion into productive use.	9 0 0
1.4 Maintain and update the ordinance governing the extraction of ground water for commercial use.	16 1 0	
1.5 Use best practices to keep winter roads safe in ways which avoid groundwater contamination.	3 0 1	
2. Continue and increase voluntary water monitoring and support for maintaining high water quality.	2.1 Continue support for the GET WET! Program, and encourage broader participation.	8 0 0
	2.2 Provide materials to the public on conservation practices that residents can employ to help assure adequate supplies of safe groundwater.	5 0 0
3. Assure that Blunts Pond is a safe place for public recreation.	3.1 Support a focused study of Blunts Pond that includes regular water testing and monitoring of plant growth, identifies the Pond's source of recharge, and recommends any necessary steps to preserve water quality and quantity.	15 1 0

MARINE RESOURCES				
GOAL: To protect Lamoine's unique and diverse shoreland by supporting a balance between conservation and development, with management and preservation of the ecological integrity and diversity of marine habitats, and multiple human uses including fishing, recreation, and open scenic vistas.				
POLICIES	STRATEGIES	G. R. Y		
1. Protect marine resources related to multiple commercial activities with collaborative management in all areas, including on the regional level.	1.1 Continue the Town's involvement and investment in the Frenchman Bay Regional Shellfish Committee.	11	0	0
	1.2 Support and participate in local, regional, and State activities to preserve and enhance a sustainable marine environment, such as water quality monitoring, eelgrass restoration, and other studies/activities related to sustaining renewable marine resources.	15	0	0
	1.3 Sponsor educational programs that emphasize the integral importance and needs of Lamoine's marine environment.	7	0	0
2. Protect and expand public access to marine resources.	2.1 Continue to support management of Lamoine harbor in collaboration with Lamoine State Park.	6	0	0
	2.2 Promote and encourage the purchase or donation of land, and/or scenic easements or access easements for multiple-use access to the shore.	4	0	1
	2.3 Promote and encourage the purchase or donation of shorefront property that links established wildlife habitats and corridors with the shore.	12	0	1
	2.4 Seek out governmental, private, and nonprofit organizational partners for shore improvement and access projects.	4	0	0
	2.5 Maintain and enhance current Town parks and other public access points.	8	0	0
	2.6 Provide protection in Town ordinances for scenic views of Designated Sites as defined by the Downeast Scenic Inventory and other sites as designated by the Town.	5	1	3
3. Develop concrete responses for meeting the challenges of extreme storms and sea level rise.	3.1 Develop a shoreline management plan for the entire Town of Lamoine	6	0	3
	3.2 Identify sources and seek funding for management plan development and implementation.	2	0	0
	3.3 Identify and engage in activities, including regional efforts, to support coastal conservation, management, and restoration.	7	0	0
	3.4 Review and revise emergency response plans to assure they include Town preparation and rapid response before and after severe weather events (plans which anticipate compromised communications, blocked roads, inaccessible residential properties).	8	0	0
	3.5 Designate floodplains, as identified by the latest Federal Emergency Management Agency information, as resource protection areas within the shoreland zoning ordinances.	1	0	1
	3.6 In any updates of land use and shoreland zoning ordinances, incorporate restrictions and protections to mitigate the effects of extreme storms, floods, shoreline erosion, sea-level rise and storm surges.	7	0	1
	3.7 Develop and provide education on various responses to environmental, economic, and community changes which are anticipated with changing weather and climate conditions.	10	1	0

CLIMATE CHANGE			G R Y		
CHAPTER	STRATEGIES				
1. Transportation	1.1 Plan and develop advanced investment in road improvements to minimize flooding (increase elevation of grade in flood-prone locations, larger culverts, etc.).	2	0	0	
	1.2 Road salts—research for alternatives and decrease use when possible to prevent minimal environmental impact (heavy rains and flooding carrying salts into land/waterways.)	10	1	0	
	1.3 Monitor stormwater management infrastructure for its ability to meet or exceed anticipated needs.	2	0	0	
2. Housing	2.1 Research ways to make energy audits more affordable to residents.	5	0	0	
3. Public Facilities and Services	3.1 Conduct an energy audit of Town Hall, School, Fire Department, with follow-up actions to reduce heat loss and energy use.	4	0	1	
	3.2 Explore a plan, and resources, for town investment in community solar energy.	19	0	0	
	3.3 Review regularly the emergency plan for severe weather events, with attention to the potential of compromised communication systems, blocked roads, and inaccessible residential properties.	4	0	0	
	3.4 Identify opportunities to reduce greenhouse gas emissions in the community.	3	1	0	
	3.5 Continue active search for expansion of recyclables, and distribute, educational materials on need for recycling and specific recycling steps at transfer station.	11	1	0	
	3.6 Collaborate with surrounding municipalities to strengthen comprehensive climate change adaptation and mitigation planning.	3	0	1	
	3.7 Develop educational materials and programs to inform residents about ways to save money by reducing energy consumption.	2	0	0	
4. Building and Land Use Ordinance	4.1 Review building, development, and land use ordinances and standards with attention to mitigating predicted increases in severe weather events and coastal flooding associated with climate change impacts.	4	1	1	
	4.2 Maximize permeable surfaces in both greenscape and hardscape areas for retention and infiltration of stormwater.	4	0	1	
5. Marine Resources	5.1 Update and implement building codes, shoreland and floodplain zoning provisions to ensure that buildings are designed and sited to reduce the impacts of flooding and other impacts of extreme storms.	3	0	0	
	5.2 Develop plan to reduce future development and subsequent costs in damages in areas vulnerable to sea level rise or other coastal hazards.	4	1	0	
6. Fresh Water Resources	6.1 Promote conservation of low-lying, undeveloped uplands where coastal marshes, beaches, and other intertidal natural communities can migrate inland with sea level rise.	9	0	0	
	6.2 Adopt procedures for regular review and revision of ordinances to respond to new information regarding changing environmental conditions affecting freshwater supplies, such as extreme storms and storm surges." –	6	0	0	
	6.3 Assure that ordinances provide maximum protection of surface water resources, through designation of water sources and increased setbacks needed for flood and storm surge control.	3	1	0	

NATURAL RESOURCES		
GOAL: To protect the Town's critical natural resources, including wildlife habitat, historic sites, geologic sites, habitat blocks, plants and wetlands.		
POLICIES	STRATEGIES	E R Y
1. Identify important natural resource areas as a basis for planning and protection efforts.	1.1 Conduct an up-to date inventory of critical natural resources and areas in Lamoine with the best possible information.	9 0 0
	1.2 Develop an inventory of parcels of land that could be considered important undeveloped blocks in the Critical Resource Areas.	9 0 0
	1.3 Create a local, voluntary, natural resource areas registry.	4 1 0
2. Support private conservation of identified critical natural resource areas.	2.1 Work with regional conservation partners to develop outreach plans and materials directed toward owners of undeveloped habitat blocks and important historic, geologic and natural sites.	7 0 0
	2.2 Raise funds for public acquisition of lands through public appeal, local land bonds, grants, appropriation of town funds, or applications to private foundations or public funds	7 1 2
	2.3 Explore opportunities to protect undeveloped habitat blocks, historic, geologic, and natural resource areas via conservation easement or fee ownership	9 0 0
3. Provide strong regulatory protection for critical natural resources.	3.1 In the Building and Land Use Ordinance and Shoreland Zoning Ordinance, designate overlay zones for <i>Critical Natural Resource Areas</i> including wetlands, wildlife habitat areas, significant habitat types, large undeveloped habitat and natural resource blocks, and historic and geologic sites, etc.	5 0 2
	3.2 Develop specific land use standards and necessary zoning revisions for protection and preservation of the unique natural, historic and geologic features in the <i>critical natural resource overlay zones</i> .	2 0 1
	3.3 Designate areas where residential and business development should be located along roadways or contiguous to existing development in order to limit development of wildlife habitats, wetlands and forests.	8 1 0
	3.4 Adopt open space zoning/conservation subdivision regulations to encourage preservation of significant open space tracts, wildlife habitats and other important natural resources, incorporating clearly defined standards for protected open spaces and connections to adjacent open spaces.	6 0 1
	3.5 Require all applicants under the Lamoine Site Plan Review Ordinance and the Lamoine Subdivision Ordinance to work with the Maine Department of Inland Fisheries and Wildlife (MDIFW), Maine Natural Areas Program (MNAP), and the Beginning with Habitat (BwH) Program to identify environmentally sensitive areas to be preserved and enhanced.	8 1 0
4. Require restoration of natural resources when sites are no longer being used for gravel extraction.	4.1 Review existing ordinances and practices for restoring natural resources and wildlife habitats in non-working areas of active gravel pits, and revise where appropriate.	7 0 1
	4.1.1 Ensure that restoration plans adequately address the restoration of natural resources.	5 0 0
	4.1.2 Provide appropriate timelines for pit restoration.	5 0 0
	4.1.3 Review penalties for noncompliance with the restoration plan and timelines, and adjust as appropriate.	6 0 0
	4.2 Develop resources for and engage a professional land use consultant to provide interested property owners an analysis of how to restore empty pits for economic or natural usefulness.	9 1 0
5. Collaborate with other towns and organizations to protect Lamoine's natural resources.	5.1 Meet with neighboring towns, land trusts, and other regional conservation organizations to plan for important conservation projects which cross municipal boundaries.	4 0 0
	5.2 Consider joint agreements between towns to establish common standards and joint protection of important shared resources using the example of the Frenchman Bay Regional Shellfish Conservation Consortium.	13 0 0

HOUSING		
GOAL: To encourage and promote affordable, decent housing for a wide range of family types and ages.		
POLICIES	STRATEGIES	G R Y
1. Explore the need for more affordable housing in the town.	1.1 Review town ordinances and building codes to assure that they meet the needs of affordable housing development and require adequate provision be made for water supply and sewage disposal and for significant open space to be set aside for buffers and recreation.	12 0 0
	2. Plan for shifting demographic demands for housing	10 0 2
2.1 Create a Town Committee on Older Adults to think through issues of an aging population and advocate for older adults aging at home.	2.2 Consider standards in the Building and Land Use Ordinance to allow accessory dwelling units in all zones, unless prohibited by DEP Resource Protection Zoning, to allow such dwelling units which will enable older adults to remain in their homes.	6 0 2

RECREATION		
GOAL: To promote, protect and enhance the availability of outdoor recreation opportunities for all Lamoine citizens, across all age groups, including access to surface waters; and to promote opportunities for inter-generational family and group recreation.		
POLICIES	STRATEGIES	G R Y
1. Maintain and enhance the Town Parks.	1.1 Maintain the Blunt's Pond swimming hole, and work to minimize vandalism and interference with nearby private property.	9 0 0
	1.2 Oversee maintenance of Lamoine Beach Park, and work to minimize pollution from heavy public use.	6 0 0
	1.3 Plan the expansion of the Marlboro Beach Park, and work to minimize encroachment on private property and pollution from public use.	8 0 1
	1.4 Complete the acquisition of a picnic area near the Mud Creek Bridge, and work to minimize pollution from public use.	6 1 4
	1.5 Work with landowners and regional groups to establish further public-access hiking trails in town.	9 0 0
	1.6 Coordinate trail development, including a shore-to-shore trail, through corridor easements linking wildlife habitat areas and other landowner agreements.	11 0 0
	1.7 Review any tax-acquired parcels for recreational potential.	5 0 1
2. Increase the opportunity to bicycle and walk along the roads in Lamoine.	2.1 Continue sponsorship and promotion of "Slow-Ride Sunday" to increase traffic awareness of bicyclists.	4 0 0
	2.2 Consider whether designation of some roads as a Lamoine Bicycle Trail would improve the safety of bicyclists.	6 0 1
	2.3 Work with the Maine Department of Transportation to design ways to slow down through traffic for the safety of bikers and walkers.	8 0 0
3. Provide opportunities for family and multi-age recreation.	3.1 Continue to hold and promote special events offering recreational opportunities for families	6 0 0
	3.2 Work with a Town Committee on Older Adults to develop recreational and social opportunities specifically for older people	4 0 0

PUBLIC FACILITIES AND SERVICES		
GOAL: To meet the public service needs of Lamoine citizens in the most cost-effective manner.		
POLICIES	STRATEGIES	G R Y
1. Continue to run Lamoine's Town government with a small-town feel, providing services efficiently with a minimum of bureaucracy.	1.1 Support the Volunteer Fire Department.	14 0 0
	1.2 Renew the population of volunteers for town committees and other activities in every generation	9 0 0
	1.3 Continue to explore cost-sharing and cost-savings opportunities with other towns.	8 0 1
2. Develop a Community Center that provides a location for a wide variety of Town events for all ages.	2.1 Establish a Community Center Committee to determine the components, location, design and cost of a Community Center.	10 0 2
	2.2 Determine the Town's administrative needs going forward and incorporate those needs in any Community Center design.	8 0 0
3. Ensure that the Lamoine Consolidated School continues to be a well-regarded school that draws young families to Lamoine.	3.1 Maintain the Lamoine Consolidated School under local control.	12 0 1
	3.2 Ensure that the School strives for success, with every child supported and participating in the community.	10 0 0
	3.3 Make the School a resource for all children and adults in Lamoine through learning, recreation and community events.	9 0 0
4. Adapt to changing conditions, needs and technologies.	4.1 Follow up on the results of the current broadband survey to provide sufficient internet access throughout the town.	13 0 0
	4.2 Consider changes in operations, including digitized tax maps, professional assessing services, and increased code enforcement.	8 0 3
	4.3 Adequately prepare to replace key employees and volunteers to ensure continuity in administration.	3 0 1

POPULATION AND DEMOGRAPHICS		
GOAL: Lamoine will be a town which is attractive to and serve the needs of its residents of all ages.		
POLICIES	STRATEGIES	G R Y
1. Continue to provide an excellent education system which attracts families with school-age children.	[See Public Facilities and Services strategies 3.1 through 3.3]	11 0 0
2. Ensure that older adults can age in place.	[See Housing strategies 2.1 and 2.2]	11 0 0

AGRICULTURAL AND FOREST RESOURCES		
<b>GOAL:</b> To safeguard the Town's agricultural and forest resources and promote farming, forest preservation and responsible forest harvesting in the local economy.		
POLICIES	STRATEGIES	G R Y
1. Safeguard lands identified as prime farmland.	1.1 Require identification of prime farmland soils on any subdivision plans.	5   0   0
	1.2 Seek assistance from the Maine Farmland Trust, local Land Trusts and other organizations that work to preserve valuable farmland.	7   0   0
2. Support and promote small-scale agriculture.	2.1 Adopt agriculture-friendly ordinances, especially for small backyard livestock farming and roadside markets.	7   0   0
	2.2 Assist residents in getting technical and financial advice for agriculture and livestock development (e.g., soil analysis and improvement; finding part-time assistants and paid apprentice programs).	5   0   0
	2.3 Assess the feasibility of developing a community garden.	5   0   0
3. Support and promote local marketing of Lamoine agricultural products.	3.1 Assist in developing public space for a farmers' market and/or community sharing of garden products.	5   0   0
4. Encourage the preservation and conservation of forest land, with special attention to the natural forest and woodland environment, including along the shoreline.	4.1 Identify and develop means for protecting forest areas for deer wintering yards.	4   1   0
	4.2 Identify possible sources and plan for preservation and development of a community forest and/or preserve.	4   1   0
	4.3 Educate residents in options for preserving forest property such as conservation easements, tree growth and other programs.	5   0   0
	4.4 Encourage residents to use sustainable wood lot practices such as those recommended by the Maine Woodland Owners.	2   0   0

HISTORIC AND ARCHAEOLOGICAL RESOURCES		
<b>GOAL:</b> To preserve and enhance Lamoine's historic and archaeological resources for enjoyment and education, including that of future generations.		
POLICIES	STRATEGIES	G R Y
1. Lamoine celebrates its history and supports preservation and educational efforts to increase understanding and appreciation of that history.	1.1 Incorporate presentation of Lamoine's history into the upcoming Lamoine 150 <sup>th</sup> anniversary celebrations.	10   0   0
	1.2 Ask the Lamoine Historical Society to direct a survey of historical and archaeological resources of local significance.	3   0   0
	1.3 Commission the writing and publication of a history of Lamoine.	4   0   1
	1.4 Support a program of historic markers on buildings and at significant points of historic interest around Lamoine.	4   0   0
2. Lamoine is and will continue to protect archaeologically significant sites in town.	2.1 Lamoine's ordinances require evaluation of development on sites of potential archaeological significance prior to permitting.	1   1   0
	2.2 Conduct archaeological survey work guided by the recommendations of the Maine Historic Preservation Commission.	4   0   0

ECONOMY		
GOAL: To encourage the development of occupations consistent with Lamoine's small town atmosphere.		
POLICIES	STRATEGIES	G R Y
1. Continue to support small businesses and home occupations.	1.1 Make a current list of goods, services and vendors available on the town's website.	5 0 2
	1.2 Lead the effort to secure quality internet services throughout the town to sustain web-based and internet-based businesses and occupations.	12 0 0
	1.3 Consider creating a Development Committee to consider how best to promote Lamoine businesses.	4 0 2
	1.4 Review town ordinances and building codes to assure that they do not restrict home occupations or small businesses more than is necessary for public safety, traffic control, protection of neighbors or other important concerns.	6 0 1
2. Retain Lamoine's flexible Rural and Agricultural Zone.	2.1 Prepare a pamphlet describing the activities permitted in the Rural and Agricultural Zone so that people understand the full range of activities that may take place near their homes and businesses.	7 0 1
	2.2 Encourage farm uses of Lamoine's traditional agricultural areas.	10 0 0
	2.3 Actively explore appropriate uses for gravel pits which can no longer be mined.	15 0 3

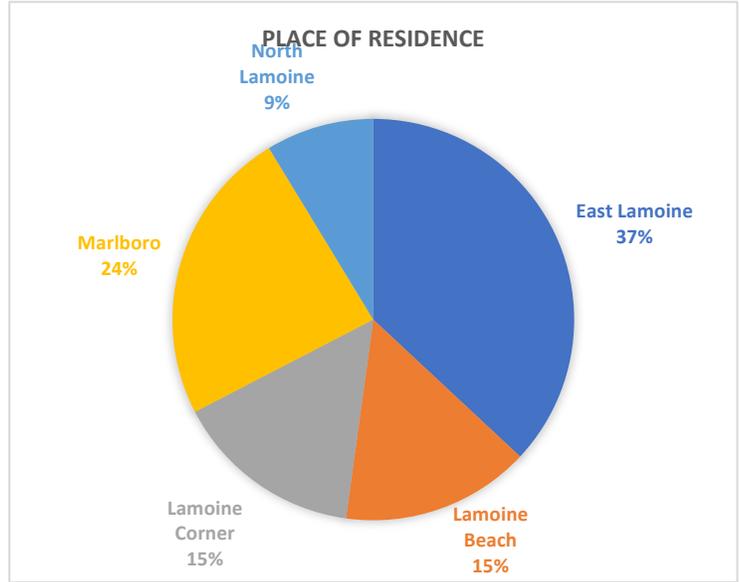
TRANSPORTATION		
GOAL: To meet the diverse transportation needs of Lamoine residents (including children, older adults, and disabled persons) and visitors by providing a safe, efficient and adequate transportation network for all types of users (motor vehicles, pedestrians, bicyclists and other users).		
POLICIES	STRATEGIES	G R Y
1. Ensure that Roads in Lamoine will be convenient, safe and accessible for all transportation users, including pedestrians, bicyclists, transit vehicles and riders, children, the elderly, and people with disabilities.	1.1 Work with the Maine Department of Transportation to reduce the speed of through traffic on Buttermilk Road and Routes 184 and 204, and particularly the intersection of those routes.	7 1 2
	1.2 Identify opportunities to create bicycle and pedestrian facilities along major roads to implement such facilities as part of ongoing maintenance and construction projects or as circumstances allow.	14 0 2
2. Provide parking at the Lamoine Town Hall, the Fire Department and the School that is safe and adequate to requirements.	2.1 Purchase additional land contiguous to these public buildings for additional parking or reconfiguration of functions.	0 3 4
3. Ensure that older adults are able to meet their transportation needs.	3.1 Work with local and regional non-profits to facilitate shopping trips, medical appointment travel and even social and cultural event travel for older adults.	11 0 0

# A21: 2016 Online Community Survey – Demographics of Respondents

Total survey responses = 46

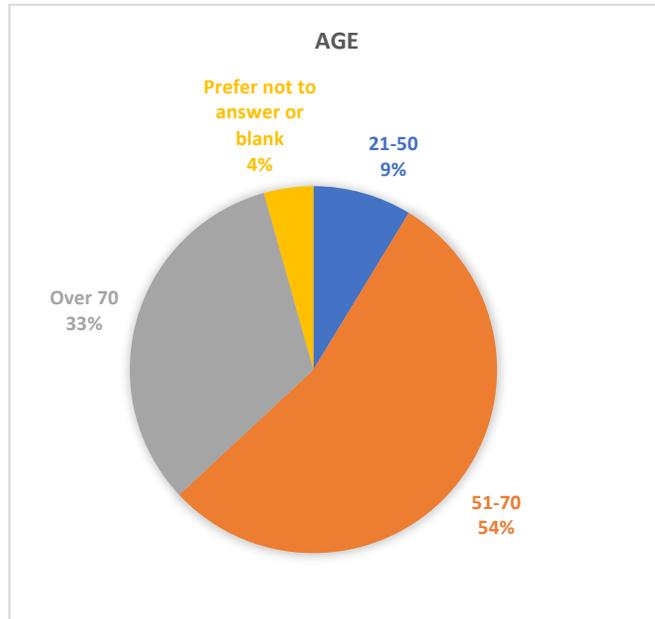
## Place of Residence

Place of Residence	Respondents
East Lamoine	17
Lamoine Beach	7
Lamoine Corner	7
Marlboro	11
North Lamoine	4
Total	46



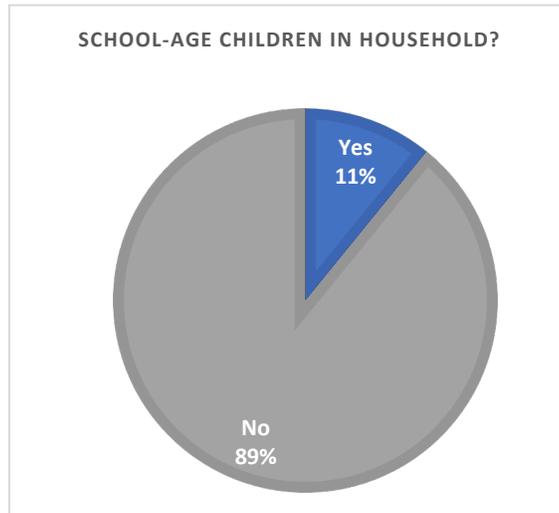
## Age

Age	Respondents
21-50	4
51-70	25
Over 70	15
Prefer not to answer or blank	2
Total	46



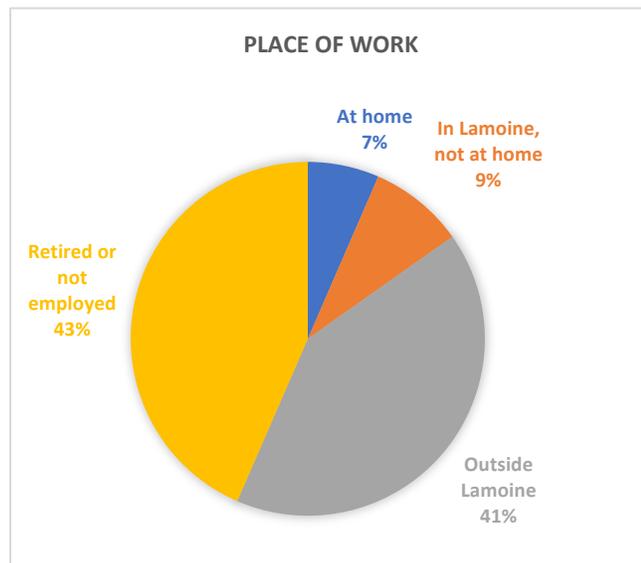
### School-Age Children in Household

School-age children in household?	Respondents
Yes	5
No	41
Total	46



### Place of Work

Place of Work	Respondents
At home	3
In Lamoine, not at home	4
Outside Lamoine	19
Retired or not employed	20
Total	46



## A22: 2016 Online Community Survey – Goals

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Chapter	Goal	Agree	Concerns	Disagree	Blank	Total
<b>Future Land Use</b>	To maintain the rural character of Lamoine by maintaining and building on existing community facilities, accommodating moderate residential growth in limited areas, and encouraging the preservation of open space and natural resources.	42	4	0	0	46
<b>Historic and Archaeological Resources</b>	To preserve and enhance Lamoine’s historic and archaeological resources for enjoyment and education, including that of future generations.	41	5	0	0	46
<b>Fresh Water Resources</b>	To protect all Lamoine’s fresh water resources.	41	4	0	1	46
<b>Natural Resources</b>	To protect the Town’s critical natural resources, including wildlife habitat, historic sites, geologic sites, habitat blocks, plants and wetlands.	41	5	0	0	46
<b>Agricultural and Forest Resources</b>	To safeguard the Town’s agricultural and forest resources and promote farming, forest preservation and responsible forest harvesting in the local economy.	41	5	0	0	46

<b>Chapter</b>	<b>Goal</b>	<b>Agree</b>	<b>Concerns</b>	<b>Disagree</b>	<b>Blank</b>	<b>Total</b>
<b>Marine Resources</b>	To protect Lamoine’s unique and diverse shoreland by supporting a balance between conservation and development, with management and preservation of the ecological integrity and diversity of marine habitats, and multiple human uses including fishing, recreation, and open scenic vistas.	40	5	0	1	46
<b>Population and Demographics</b>	Lamoine will be a town which is attractive to and serves the needs of its residents of all ages.	44	2	0	0	46
<b>Economy</b>	To encourage the development of occupations consistent with Lamoine’s small town atmosphere.	43	3	0	0	46
<b>Housing</b>	To encourage and promote affordable, decent housing for a wide range of family types and ages.	42	3	0	1	46
<b>Recreation</b>	To promote, protect and enhance the availability of outdoor recreation opportunities for all Lamoine citizens, across all age groups, including access to surface waters; and to promote opportunities for inter-generational family and group recreation.	39	5	0	2	46

Chapter	Goal	Agree	Concerns	Disagree	Blank	Total
<b>Transportation</b>	To meet the diverse transportation needs of Lamoine residents (including children, older adults, and disabled persons) and visitors by providing a safe, efficient and adequate transportation network for all types of users (motor vehicles, pedestrians, bicyclists and other users).	42	3	0	1	46
<b>Public Facilities and Services</b>	To meet the public service needs of Lamoine citizens in the most cost-effective manner.	44	1	0	1	46
<b>Climate Change</b>	To incorporate climate change considerations into Town decision-making.	37	9	0	0	46
<b>TOTAL</b>		<b>537</b>	<b>54</b>	<b>0</b>	<b>7</b>	<b>598</b>

**Note:**

- 31 respondents (67%) had no concerns with any of the draft goal statements – i.e., they either agreed with the goal as written or left the answer blank.
- 15 respondents expressed some concern with one or more of the draft goals:
  - 7 respondents had concerns with 1 goal (not always the same one).
  - 1 respondent had concerns with 3 goals.
  - 3 with 4
  - 1 with 5
  - 2 with 6
  - 1 respondent had concerns with all 13 goals.
- No respondents indicated that they disagreed with any of the draft goals.

**COMMENTS ON DRAFT GOALS**

Although 15 respondents stated that they agreed but with concerns, only 13 actually provided comments:

1. Really hoping we can continue to fight to strictly limit gravel mining! No hill takedown!!

2. Economic development should be the lowest priority for the town – Ellsworth/ Bar Harbor are better suited and more accessible for commercial/industrial development. Lamoine should be focused on creating and maintaining a high quality of life for its current and future residents.
3. All of these items sound fine until the sanctimonious, arrogant, and zealous social justice warriors show up on YOUR land with their ideas of what fits into all of the above. Wake up folks, you are about to lose control of your land in this town.
4. MARINE RESOURCES: Under development, I would like to stop any further development of gravel pits. They and the trucks are ruining our community with noise, pollution, and breakdown of roads. For your information, eighteen-wheelers, dump trucks, and buses – including most school buses – emit 15 parts per million (ppm) of sulfur dioxide into the atmosphere while idling (Environmental Protection Agency (EPA): “Diesel Fuel Standards and Rulemakings.” <https://www.epa.gov/diesel-fuel-standards/diesel-fuel-standards-and-rulemakings>.) The Environmental Protection Agency (EPA) recommends laws that restrict the idling of large diesel trucks and buses to no more than 5 minutes because of the Group 1 carcinogenic rating that diesel has when it is burned.
5. (Residential growth in limited areas? This mean controlling where people can build homes?)

(What does it mean to protect Historical and Archaeological sites? What are these sites?)

(Again what does it mean to protect all freshwater resources and what are these resources?)

I’m done singling out each section that I have concerns with here because the same question applies to all except Climate change. Town only owns Marlboro Beach which is in the Climate change area and no roads what so ever. FEMA determines floodplain area dealing with climate change and produces maps showing where they are.

6. My only request is that the dump have another day open during the weekday especially during the summer months. Many go away on the weekends (Friday-Sunday). Perhaps a Wednesday/Thursday afternoon.
7. The permitting of mussel dragging in Raccoon and Salisbury coves Western/Eastern Bay results in the destruction of the floor bed, interfering with the development of fish and shellfish stocks. There needs to be a balance, and current rules allow the industry to destroy the natural environment. This is currently unacceptable.

8. While it's important that Lamoine advances quality of life through practical endeavors, its quiet bedroom community character shouldn't be compromised. We have Ellsworth and MDI nearby for just about all our needs.
9. Many folks understand climate change as an ongoing process that seems to take place with or without human intervention. The whole issue is politically charged and the scientific community has yet to come to a clear consensus regarding the causes and possible effects of climate change. Even if human-induced climate change were proven to be the case, it is hard to imagine a plausible scenario facing the town that would require that climate change considerations be part of the decision-making process. So why include this goal in the Comprehensive Plan?
10. Do not agree with building low income housing or allowing more commercial occupations in the town.
11. As with any broad goal, the Devil is in the details. When "the Town" is mentioned, be sure you refer to that which is Town-owned. Respect for private property rights should be at least mentioned. Only one goal mentions cost-effectiveness. Lastly, if climate change is to be even mentioned in Lamoine's plan, I will certainly vote against adoption and will campaign against its adoption!
12. Historic and Archaeological Resources: Suggested change of wording to: "To preserve and enhance Lamoine's historic and archaeological resources for the enjoyment and education of current and future generations."

Agricultural and Forest Resources: In opening statement, I suggest changing "backyard" farming to gardening, and to include the word gardening in the statement of Town Goal.

Marine Resources: If the term fishing technically includes all marine harvesting, then leave current wording. If not, suggested change of wording to: "To protect Lamoine's unique and diverse shoreland by supporting a balance between conservation and development, with management and preservation of the ecological integrity and diversity of marine habitats, and multiple human uses including fishing, harvesting of other marine resources, recreation, and open scenic vistas."

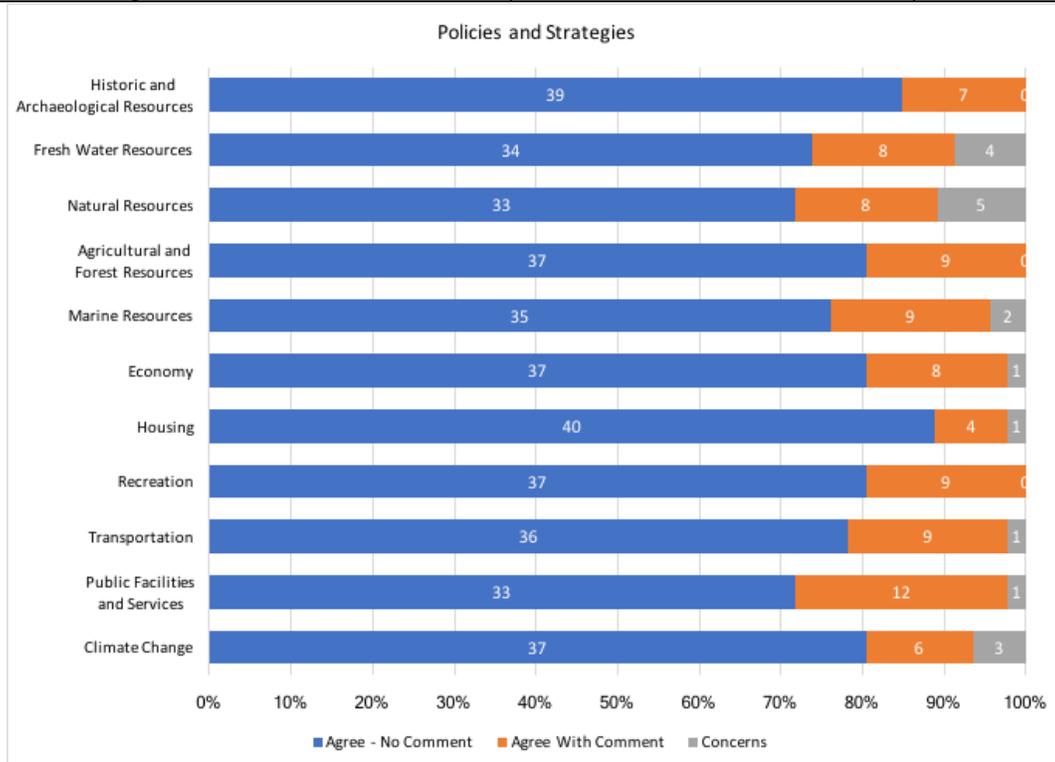
Population and Demographics: Suggested change of wording to: "Lamoine will be a town which is attractive to and serve the needs of residents of all ages."

13. The word "all" and just general description of what these areas give me problems. Define and specify these areas

## A23: 2016 Online Community Survey – Policies and Strategies

### Summary of Responses

	Percent Agreeing		# of Respondents With Comments, Concerns or Questions
	No Comments or Concerns	Total (With and Without Comments)	
Historic and Archaeological Resources	85%	100%	6
Fresh Water Resources	74%	91%	12
Natural Resources	72%	89%	11
Agricultural and Forest Resources	80%	100%	8
Marine Resources	76%	96%	11
Economy	80%	98%	7
Housing	87%	96%	6
Recreation	80%	100%	9
Transportation	78%	98%	13
Public Facilities and Services	72%	98%	13
Climate Change	80%	93%	10



A strong majority of respondents indicated agreement with the draft policies and strategies:

- At least 89% of respondents agreed with all the draft policies and strategies, and more than 70% of respondents agreed with all policies and strategies without any comments or questions.
- More than 95% of respondents agreed with the policies and strategies for 8 of the 11 topic areas:
  - Historic and Archaeological Resources
  - Housing
  - Agricultural and Forest Resources
  - Recreation
  - Marine Resources
  - Transportation
  - Economy
  - Public Facilities and Services

Strongest support (more than 80% agree with no comments):

- Housing (87%)
- Historic and Archaeological Resources (85%)

Weakest support:

- Less than 75% agree with no comments:
  - Fresh Water Resources (74%)
  - Natural Resources (72%)
  - Public Facilities and Services (72%)
- More than 1 respondent with significant concerns:
  - Natural Resources (5)
  - Fresh Water Resources (4)
  - Climate Change (3)
  - Marine Resources (2)

**COMMENTS, CONCERNS AND QUESTIONS  
SUGGESTIONS FOR CHANGES / REWORDING / CLARIFICATION**

CHAPTER	COMMENTS
<b>Historic and Archaeological Resources</b>	Does 1 arrowhead on someone’s property mean that now someone can’t build there? What is the threshold that stops someone from building or doing what is a permissible in that area of their property? Need a map to detail these areas and what can and can’t be done on someone’s private property
<b>Historic and Archaeological Resources</b>	To #2, revise to read, “Lamoine is protecting and will continue to protect archaeologically, geographically and topographically significant sites in town.”
<b>Historic and Archaeological Resources</b>	“Strategies and Implementation of #2 raise two concerns. Use of the phrase “experience dictates” is unclear in meaning and the term “town actors” needs definition. My larger concern is that the Lamoine Historical Society has a small and primarily elderly membership, and at present seems unlikely to be able to implement the tasks assigned to it in this document. I express this opinion as a past Board member and a current member.

CHAPTER	COMMENTS
<b>Historic and Archaeological Resources</b>	Specify these areas and are we really going to hire an archaeologist is go onto people's land to do research?
<b>Fresh Water Resources</b>	<p>1.1.3 doesn't work in ME. The pores of the pavement/concrete fill in by the winter sand that they stop working and become just like regular pavement/concrete so the added expense to do this makes no sense.</p> <p>2.1 is a great project to teach kids something about science but how much are we really learning about the town since over half the kids bring in bottled drinking water t be tested?</p> <p>3.1 — Blunt's Pond is state regulated, we have never had any problems with Blunt's Pond so how much tax payer money do we have to keep using to monitor nothing? In other areas of the survey you talk about protecting all Freshwater Resources, Is Blunt's Pond the only freshwater resource or are there other and if so what are they? People need to know what you want to plan on regulating and if it will concern them or not.</p>
<b>Fresh Water Resources</b>	The town should issue no new permits for gravel pits and (insofar as possible) should not allow the expansion of existing pits.
<b>Fresh Water Resources</b>	The town needs to employ and enforce greater lot size restrictions on new construction to avoid concentrations of home use that are detrimental to the overall well-being of the community. Because of the decentralized sourcing of fresh water, this needs to be done community wide to prevent development that destroys the current balance between water use and recharge and waste.
<b>Fresh Water Resources</b>	There should not be communal wells or septic systems "or" allow extraction of our water for commercial purposes/use!
<b>Fresh Water Resources</b>	Again the concern arises with the apparent conflict between private property rights and what an unelected committee sees as desirable. Example: 1.3.4 Perhaps the owner of a discontinued gravel pit wants it left alone. Who decides what is "productive use"?
<b>Fresh Water Resources</b>	<p>The goals are good but several of the Strategies and Implementation unrealistic in my opinion.</p> <p>1.3.1 — "objective oversight of gravel company water testing" should be replaced with ""objective, Town hired personnel to conduct gravel company water testing at gravel company expense."</p> <p>1.3.3 — The CEO should be specified in Implementation column as person charged with this task, and the Select Board must level strong fines for violations when CEO and/or Planning Board submit evidence of violations.</p> <p>1.3.4 — Under Implementation there needs to be a financial reward for this research — either through tax breaks or actual grants.</p> <p>2.1 — Broader participation of GET WET! — specify by whom? High Schools where Lamoine students are in attendance? Private homes in Lamoine? If the latter, under Implementation, might the Town provide free or low cost water testing of individual wells?</p>

CHAPTER	COMMENTS
	3.1 — Under Implementation, a source of funding for such a study needs to be sought. LCC has no budget, and both PB and PC allocate their budgets for other needs.
<b>Fresh Water Resources</b>	Most of this stuff is covered by Maine law. Writing in that you have to have detention ponds in a subdivision might not be the best way to control runoff so it's best to use Maine best practices which has to be done anyway
<b>Natural Resources</b>	We need to carry out #4 and enforce laws on all gravel pit owners, especially incorrect digging and restoration. I wouldn't mind being involved in restoration of old pits, maybe place solar panels in them for town and resident use or planting community gardens in them.
<b>Natural Resources</b>	Re. point #3: No longer permit the types of dragging and overfishing that have left the tidal flats nearly devoid of the immensely varied sealife that was present in the 1950s.
<b>Natural Resources</b>	#4 should not be limited to gravel pits but should include all sites where development has occurred. This includes areas that have been used for the storage of old automobiles, mechanical equipment, chemicals and used auto products. Any rural area that was altered by commercial activities needs to have a restoration plan built into its long-term development plan.
<b>Natural Resources</b>	Consider property tax relief for conserving critical open space.
<b>Natural Resources</b>	Do not agree with allowing any additional commercial development.
<b>Natural Resources</b>	4.2 — See my previous answer about owners of non-working pits. 1.1 — Who would conduct such an investigation? Is there a definition of “critical resource”? 3.4 — Definition of “significant” and “important”? For example, Kennebunkport has definitions of terms like “critical edge” which are useful to landowners and do not give the impression of arbitrariness.
<b>Natural Resources</b>	1.1 — Conducting an up-to-date inventory... Under Implementation, because two Boards and Staff are listed, it seems likely that it won't get done, as each group will assume one of the others will have taken responsibility. 1.3 — The suggested Registry is good but where is it to be kept? And again under Implementation, would it be LCC or SB that reaches out to regional conservation groups to combine efforts? 2.1 — Under Implementation, there'd have to be established tax breaks to reward land owners to keep their land undeveloped as a critical natural resource. Numbers 1, 2, and 3 — Strategies are good but Implementation designates LCC for almost all. This commission needs major readjustment in order to accomplish these tasks. Their mission statement needs to reflect this expanded

CHAPTER	COMMENTS
	<p>role from its earlier one of education and advisory to PB. Perhaps they need to be given authority to implement rather than advise or simply offer information. At present the only Board what has authority to implement and fine is SB and they tend to be reluctant to do the latter. At the very least the LCC will need a sizeable budget to carry out the research expected of them. Unless knowledgeable professionals volunteer to serve, monies will be needed to hire consultants for some of the tasks. There also needs to be active recruitment of Associate Members of LCC, in addition to the 5 Commissioners and 2 Alternates, in order to have enough volunteers to handle the assigned tasks.</p> <p>4 — Gravel Ordinance needs new provision that any application for gravel or mining permit must include a plan for how the land will be productively used once the gravel, sand, rock, and/or mineral has been removed.</p>
<b>Agricultural and Forest Resources</b>	<p>Document the economic importance of Lamoine farming — crops or products raised, how marketed, market value of commodities produced.</p> <p>Encourage use of easements to keep currently farmed land in agricultural use in perpetuity.</p>
<b>Agricultural and Forest Resources</b>	<p>4.2 — Even if such land were donated, it would come out of taxation along with other lands enrolled in tree growth, open space, etc. Consequences need to be considered in policy development.</p>
<b>Agricultural and Forest Resources</b>	<p>2.2 — Under Implementation, a Development Committee has been tasked. Good idea. Somewhere there needs to be a call for such a committee to be created with a mission statement.</p> <p>4.1 — I think the LCC would have no idea what the deer wintering yards might be. Maine Wildlife and Inland Fisheries would be the more appropriate organization to identify these areas. Then the PB would be notified to not permit development in such areas.</p>
<b>Agricultural and Forest Resources</b>	<p>Who is supposed to do all this stuff and what land are we suppose to hire/seek out to help with putting land in a trust</p>
<b>Marine Resources</b>	<p>I'd like to see setbacks of shoreland homes to be at least 200 to 300 feet to preserve the ecology of our rivers, pond, and bay.</p>
<b>Marine Resources</b>	<p>No longer permit the types of dragging and overfishing that have left the tidal flats nearly barren in many areas.</p>
<b>Marine Resources</b>	<p>In item 3 remove references to “sea level rise.” See previous comment about climate change. The strategies suggested for “extreme storms” would pretty much cover any dramatic sea level change anyway.</p>
<b>Marine Resources</b>	<p>2.2 and 2.3 — See previous comments about taking land out of taxation.</p> <p>2.6 — Totally opposed to confiscation of private property rights without compensation.</p>

CHAPTER	COMMENTS
	3.7 — Strike everything after “changes”.
<b>Marine Resources</b>	<p>I have the same reservations about what the LCC has been tasked to take on. Until this commission has been reconstituted with more authority, a budget, and a larger number of members, it is unrealistic that they can assume these responsibilities. My assessment is based on having served on LCC for ten years.</p> <p>Under Implementation, reference to Lamoine Shore-Access Committee. Good idea. Again, proposal must be made to constitute such a committee, whether or not it is a sub-committee of an existing board or commission.</p> <p>2.2 — Protection of scenic view to be specified within Town ordinances sounds good but also extremely problematic. For example: If someone owns land that has a beautiful view of the mountains or the ocean and then wants to plant trees there that would grow to obstruct the view, can the Town prohibit them from doing this?</p>
<b>Economy</b>	There needs to be more careful consideration of the impact of commercial/industrial development on the rest of the town — road use/impact, noise/visual encroachment on residential areas, etc.
<b>Economy</b>	<p>1.2 — I would like to see added somehow that all new residential subdivisions force the subdivider to wire subdivision to the main road with cable.</p> <p>2.3 — This is private land so what is appropriate uses? Just going back to forest like it was before it was a gravel pit might be an appropriate use but this is determined by the owner not the town.</p>
<b>Housing</b>	Town doesn't have a building code so this should be removed from 1.1.
<b>Recreation</b>	<p>Provide a forum for public input on creation of public recreation areas (such as the Mud Creek picnic area) to gather opinions regarding the benefits/concerns of such proposals.</p> <p>Consider the establishment of a controlled access, regulated and supervised public shooting range within the town—perhaps at an inactive gravel pit—a low cost means of providing a recreational activity opportunity within the town.</p>
<b>Transportation</b>	Work with DOT to reduce speed limit on most town roads to 35 MPH.
<b>Transportation</b>	<p>Need more active enforcement of speed limits, particularly on Mud Creek Road.</p> <p>Lamoine should actively support the ride assist program at Friends in Action.</p>
<b>Transportation</b>	When repaving town roads, consider painting center lines on the roadway—particularly at key areas such as intersections where a road joins another at a curve. Prime example—intersection of Mill and Walker roads, where southbound traffic tends to hug the center of Walker at the blind curve because there is no obvious delineation of a berm due to the intersection of Mill road.

CHAPTER	COMMENTS
<b>Transportation</b>	Speeding is a major safety hazard, with little enforcement, how about speed cams and automatic tickets for violators
<b>Public Facilities and Services</b>	We need more enforcement of all laws concerning gravel pits, setbacks from roads and shore, gravel trucks ruining our roads (we can tax the gravel companies with a town vote, I hope.)
<b>Public Facilities and Services</b>	3.1 — Need to be careful with this statement. The town might decide that it might be better to build a school with a surrounding town so make sure this is stated so that it can happen.
<b>Public Facilities and Services</b>	Keeping school costs as low as possible through ordering supplies in bulk with neighboring schools and sharing of teacher and administrative costs where possible.
<b>Public Facilities and Services</b>	Public Facilities and Services has no suggested implementation. For instance, Support of the Volunteer Fire Department, could specify funding. Getting people to volunteer could be implemented by establishing a practice of publicizing what committees are doing and of giving more awards of recognition to people serving as volunteers. 3.3 — Implementation of making the School a resource for all children and adults: regular broadcasting of videos of activities there, using the facility for classes and/or recreation programs for adults there, recruiting volunteers to help School staff with projects. 4.2 — CEO needs more time and money to be effective in enforcement.
<b>Public Facilities and Services</b>	Not sure we should maintain local control for the school. Though I do believe that is a high priority it might be best at some time to join with a surrounding town to build maybe a combined school.
<b>Public Facilities and Services</b>	Keeping school costs as low as possible through ordering supplies in bulk with neighboring schools and sharing of teacher and administrative costs where possible.
<b>Climate Change</b>	State of Maine’s deposit system is atrocious and 19th century. Town should establish recycling center for citizens who want to recycle their plastics and metal containers.... Also, burnable trash should also be recycled for bio-fuel generators out of town.... This could be first a local transfer station where citizens who want to recycle can bring their materials.
<b>Climate Change</b>	See what cost would be to solarize town offices—maybe also a # of private homes in a small center of town—electricity and heat both if possible.

## GENERAL POSITIVE

CHAPTER	COMMENTS
<b>Fresh Water Resources</b>	I definitely agree but we don't enforce safe laws on our water systems.
<b>Recreation</b>	Completely agree and think the town has the correct goals in mind. Parks like Lamoine Beach and Marlboro Beach need protection as well as development. Both are fragile ecosystems that can easily be damaged. They must be managed well... Confident the town has the right goals in mind.

## GENERAL NEGATIVE

CHAPTER	COMMENTS
<b>Fresh Water Resources</b>	This has been a continuing witch hunt by a group of wing nuts.
<b>Natural Resources</b>	Land grab. Here it comes.
<b>Agricultural and Forest Resources</b>	Interesting that a number of the so called Konservation Korps have cut all the trees in front of THEIR houses. Want names? I suspect not.
<b>Agricultural and Forest Resources</b>	Do not agree with 2.2
<b>Marine Resources</b>	All of 3 is covered and done by FEMA. The town doesn't have the resources or funds to even come close to taking this on. 2.6 — what is the map and where did it come from? This sounds really extreme.
<b>Marine Resources</b>	We already have several wonderful locations with scenic vistas and parks. Some of these strategies seem to overstep privacy of land/homeowners
<b>Housing</b>	Do not agree with building any kind of low income or subsidized housing. Lamoine has always been a single family home setting and should stay that way. We do not have the infrastructure like Ellsworth to accommodate this. This will only increase traffic, public transportation, potential crime and completely change the existing small town village which attracted most of us to.
<b>Transportation</b>	Do not agree with purchasing more land for 'parking'. Keep it green and not blacktop these proposed parking areas which are NOT necessary.
<b>Public Facilities and Services</b>	Perhaps the Konservation Kommiittee members should not treat the LVFD as their own personal serfs. And, maybe they should not politically assassinate members that run for office.

CHAPTER	COMMENTS
<b>Public Facilities and Services</b>	2.1 and 2.2 is not feasible financially. The school or the Grange are perfectly good “existing” places for this and no need to ultimately raise taxes for a Community Center which will benefit very few. A waste of our money!
<b>Public Facilities and Services</b>	3.1 — We cannot see the future, so such a statement is not appropriate. 2.1 and 2.2 — If 3.3 is implemented, we will have our Community Center.
<b>Climate Change</b>	Climate change is a natural cycle. It’ll take care of itself.
<b>Climate Change</b>	I have concerns about climate change since it has been stated that much of the data has been manipulated in favor of climate change without scientific proof. More proof needed to support climate change data.
<b>Climate Change</b>	1.1—Town has no roads that will be affected. 4.1—FEMA already produces this and the State adopts it and mandates that the Town/s adopt it also. 4.2—Already mentioned earlier but permeable surfaces does not work in ME. 5.1—Remove Building code, we have no building code and if we do we have to use the one the State has adopted. 6.3—We are ready more strict on setbacks than the State is and we are way more strict than the Federal rules. Nothing needed here.
<b>Climate Change</b>	Not going to beat a dead horse, but references to climate change ....
<b>Climate Change</b>	Many of the ideas are fine but ‘no’ to anything that will greatly increase taxes, i.e., solar on 3.2. We as individuals can make a huge ‘positive’ impact on environmental issues and don’t need the town government to force this on us.
<b>Climate Change</b>	5.1 and 5.2 — Again it sounds like confiscation of property rights without compensation. 6.1 — Do not wish to be flippant, but are you out of your minds?
<b>Climate Change</b>	Climate change is way over rated. FEMA makes sure we keep things out of floodplains or are built to a standard that handles it. The town owns no property except Marlboro beach that has to deal with climate change. Not sure how you can stop that one.

## OTHER

CHAPTER	COMMENTS
<b>Historic and Archaeological Resources</b>	The only problem is, will our town carry out these strategies. So far, we aren’t enforcing the referenda on which we voted for the past 2 years on gravel pits. I feel that our select representatives need to work harder on enforcing our laws.
<b>Historic and Archaeological Resources</b>	I think archaeological impacts must be balanced with development needs— depending on the site and importance of what might be preserved.

CHAPTER	COMMENTS
<b>Fresh Water Resources</b>	Why are gravel companies currently in operation in Lamoine allowed to crater the ground and leave it ruined? Why no amelioration?
<b>Fresh Water Resources</b>	I was diagnosed w/kidney cancer and had my kidney removed. The other one is only in fair shape so I have to take every precaution. We have a high level of arsenic in our well water so I can only drink bottled water which is quite an expense along with the high cost of medications and living in Maine in general. Is the state or town of Lamoine working to provide clean water for all its residents in the very near future?
<b>Fresh Water Resources</b>	Do we have protections against/can we protect our groundwater against any potential impacts from companies looking to tap resources for sale for profit?
<b>Natural Resources</b>	This would be a long comment but I have major problems with a lot of things on this page. Is the town prepared to buy out people's land if you remove this land from being used by them. What is a critical resource area, where are they in the town and what can and can't be done on/in these areas?
<b>Natural Resources</b>	It seems there are some gray areas here. Need more input to vote.
<b>Natural Resources</b>	Taking of people's land for habitat blocks and stuff is all great but who is going to pay to buy this property from the people or pay the people for the taking of land because they can't use it.
<b>Agricultural and Forest Resources</b>	I would love to have a local veggie market once a week in our town in addition to Chuck's space by the Grange.
<b>Agricultural and Forest Resources</b>	4.1 — We have too many deer already in town. Don't need to do 4.1 any more than we are now. Biggest threat to deer is the coyotes and land area. Farms are covered by state law so not sure how much more we have to reinvent the wheel
<b>Marine Resources</b>	Let Ms. Korty allow people to cross her land. We already have a shoreland management program. Who gets the make the "anticipated weather and climate change predictions"?
<b>Marine Resources</b>	Re. 3.5 — I do not disagree however a flood plain survey in the past was done via an out of state consultant (I was told this) when we purchased our home we had to automatically get FP insurance. We were not in a flood plain zone and had to hire a surveyor at great expense to qualify. The out of state survey clearly only looked at a map and did not consider the varied elevations. I would not like to see this happen to anyone.
<b>Marine Resources</b>	Current policies are a joke, and town leadership should be embarrassed by allowing the destruction of the marine habitat by invasive dragging operations. The floor bed destruction has made Lamoine's waters sterile and

CHAPTER	COMMENTS
	<p>uninhabitable and the town leadership knows this. While mussel farming has been supported elsewhere, and aqua farming is being supported by the State of Maine and the Canadian government, Lamoine acquiesces to the dragging and gravel industries. Shameful. The state of Florida has banned all commercial fishing and makes more money on preserving its habitat (tourism, sporting fishing, hunting) than it would have made by allowing the commercial removal and destruction of the habitat. Maine and Lamoine could learn from others.</p>
<b>Marine Resources</b>	<p>Not really concerned, but in general, what are we really wanting done here?</p>
<b>Economy</b>	<p>Lamoine needs a county wide alternative to Time-Warner Spectrum in terms of community internet service. Charges for internet service are much higher in Lamoine than in other regions of the state. No competition. Future is decentralized technology and workplace activities and Lamoine needs the infrastructure, even if it costs 1% sales tax or other revenue source.</p>
<b>Economy</b>	<p>Lamoine is a bedroom community of nearby Ellsworth. Ellsworth is largely where we get many of our goods and services. Not opposed to small (home) businesses but also don't want to compromise the quiet community or visual charm that brought many of us here and affects our property values.</p>
<b>Economy</b>	<p>Lack of high speed internet is a major drawback for commercial development in Lamoine.</p>
<b>Housing</b>	<p>Sounds like we already have such a committee—check the demographics on the Konservation Kommittee.</p>
<b>Housing</b>	<p>I would love to have a better option of internet service than Hughes net which does not work half the time and is extremely expensive.</p>
<b>Housing</b>	<p>Safe, affordable, and attractive senior housing should be a priority in every town in Maine. We have the highest aging population in the country.</p>
<b>Recreation</b>	<p>The town needs to get buy-in from the state for the addition of wider margins on the many state roads in Lamoine—for bicycle/walking/other use.</p>
<b>Recreation</b>	<p>1.2 — We have to remember that this is State owned and Lamoine owned. 1.3 — ??????? expansion of Marlboro Beach? Not sure about anything here. This should be removed or reworded to what is really meant.</p>
<b>Recreation</b>	<p>Would need more input to comment.</p>
<b>Recreation</b>	<p>Lowering speed limits is not the answer to pedestrian/cyclist safety. Impaired and/or distracted drivers are the real problem. Law abiding Lamoine citizens already drive carefully and lowering the already low speed limits in town will do nothing to protect pedestrians and cyclists.</p>

CHAPTER	COMMENTS
<b>Recreation</b>	We have more public water access than most towns our size. We already have many local events which covers all age groups.
<b>Recreation</b>	1.4 — Is a Picnic area near Mud Creek Bridge desirable? Would it interfere with nesting ospreys?
<b>Recreation</b>	Remember Lamoine Beach is also State owned and what is the expansion for Marlboro Beach?
<b>Transportation</b>	How does one reduce speed without enforcement?
<b>Transportation</b>	1.1—These are already in place just need to be enforced so it’s not the job of MDOT.
<b>Transportation</b>	I know this area is in Hancock leading to Lamoine but the turn off onto the Mudcreek Road is dangerous. One has to pull over into the breakdown lane to make the sharp right hand turn onto the Mudcreek road otherwise traffic on Route one can rear end you because they are going 50 plus. Several times I have come close to being hit.
<b>Transportation</b>	It would be nice if some means could be created to reduce through travel between the Bar Harbor Road and Rte 1 as a bypass of Ellsworth. The intersections discussed above are hazardous, especially with the large trucks that use those roads.
<b>Transportation</b>	Just heard story on Maine Public Radio about use of plastic pellets in tar material for paving-esp. good for cold climates (like us)—can we explore this for our road repaving use?
<b>Transportation</b>	Creating roadside pedestrian and cyclist trails seems the safest, yet most expensive, solution. Even safe drivers routinely exceed unreasonably low speed limits unless the threat of financially painful enforcement is in place. Why create what would be perceived by many as a speed trap?
<b>Transportation</b>	2.1 — Some years ago, land adjacent to the Town Hall was offered to the Town for free. Either a donation or a land swap would provide more parking space there.
<b>Transportation</b>	State sets the speed limits and they have looked at Buttermilk Rd a few times. It’s just that people think others are driving too fast
<b>Public Facilities and Services</b>	As much as I understand the appeal/benefits of the Lamoine School, the tax burden placed on the town’s population has to be considered. The proportion of the town’s budget that goes to a school of 100 students simply strikes me as being excessive—as does the 4:1 student to staff ratio.

CHAPTER	COMMENTS
<b>Public Facilities and Services</b>	Re. point #2, I'm not sure that a Community Center offers enough value to justify the expense. I hope that a cost-benefit analysis will be undertaken before moving forward with this plan.
<b>Public Facilities and Services</b>	If Lamoine is to continue to be attractive to its younger citizens, then new technology and services must be encouraged. There are still blackout areas in Lamoine where Verizon service is unavailable (RTE 204). Internet upgrades and reasonable costs need to be a high priority.
<b>Public Facilities and Services</b>	I think it may make sense to consolidate/combine the school with others at some point. I understand the need for local control—but I am concerned that costs will get out of control. I know the last effort for consolidation was poorly executed by the state, but that doesn't mean we should not consider it or other cost-saving measures, even if that means giving up some local control. We have to control the continual escalation in the cost of education, while still providing quality education for our youth. Have to also consider the older population and their ability to continue to absorb the increases.
<b>Climate Change</b>	I like all the strategies listed but am concerned that no suggestions appear under Implementation. This again brings up the issue of how much can be done by existing boards and committees and individual volunteers.



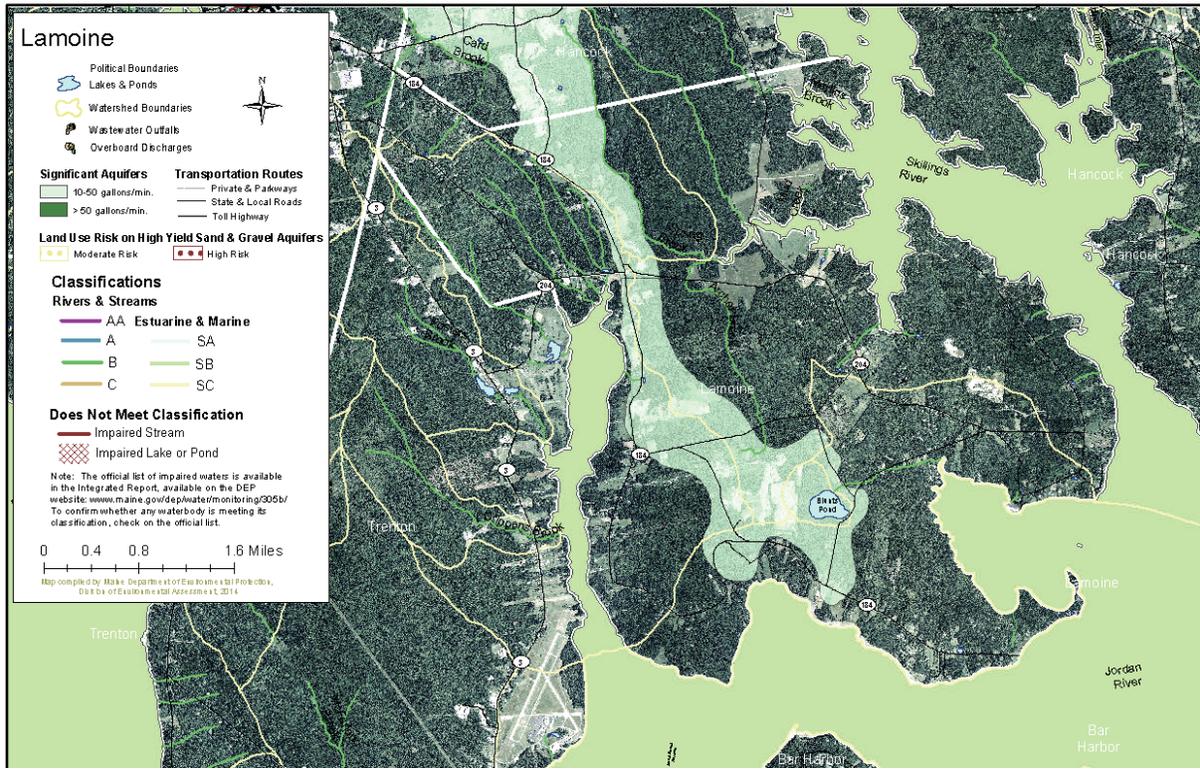
## Appendix B: Natural Resources

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The documents in this Appendix B include detailed maps from Maine's Beginning with Habitat program, which are dense with information. They are in the Lamoine Town Hall in poster size and can be accessed through the Town website ([lamoine-me.gov](http://lamoine-me.gov)) or the Beginning with Habitat website ([www.beginningwithhabitat.org](http://www.beginningwithhabitat.org)). There are also other useful maps produced by the State of Maine and the *Mini-Handbook of Lamoine's Groundwater Hydrology* by Lamoine resident Willem Brutsaert, Ph.D.

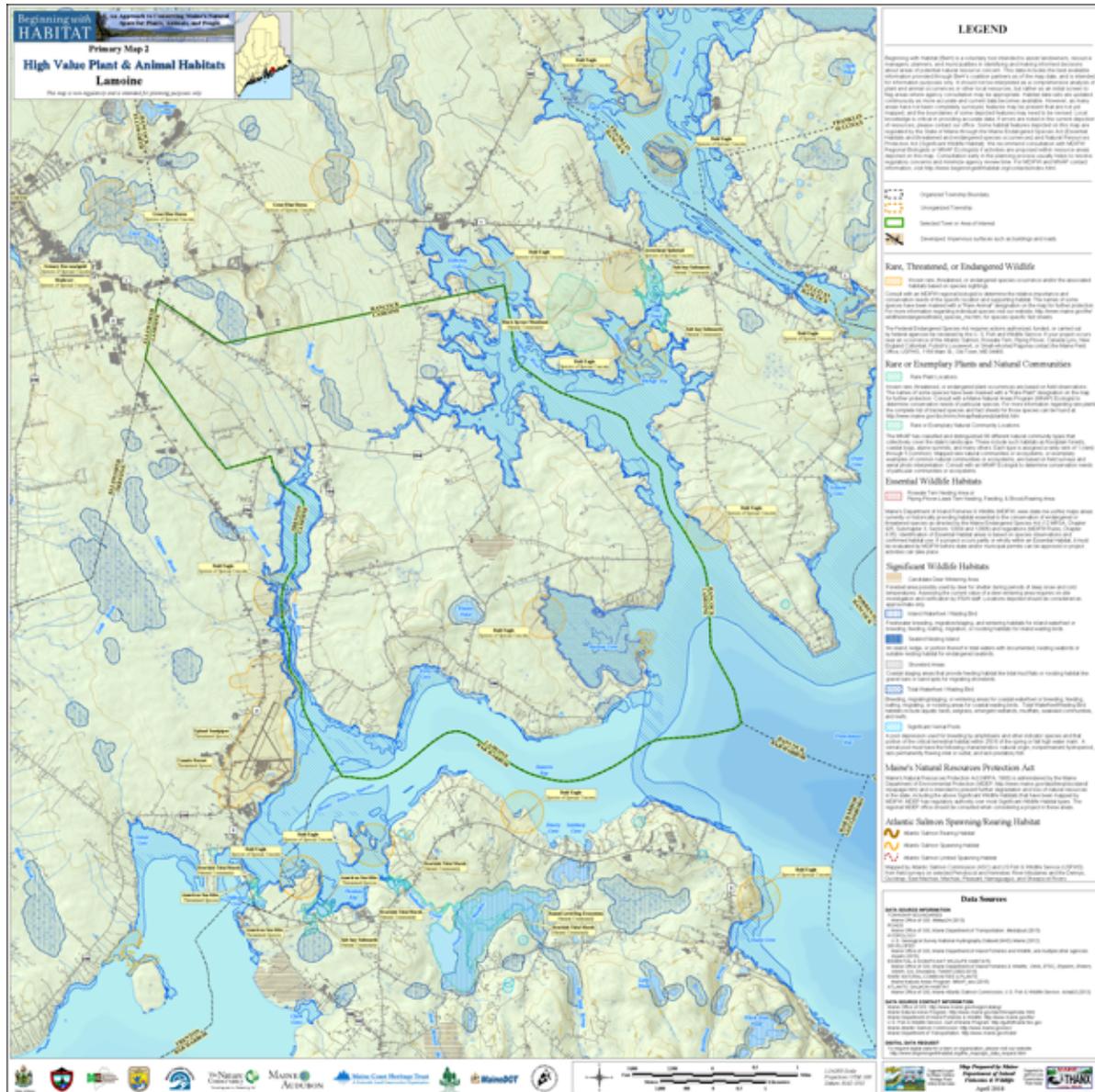


# B1: Lamoine Watersheds and Water Quality, 2014





# B3: Beginning with Habitat Map 2 – High Value Plant & Animal Habitats, 2018





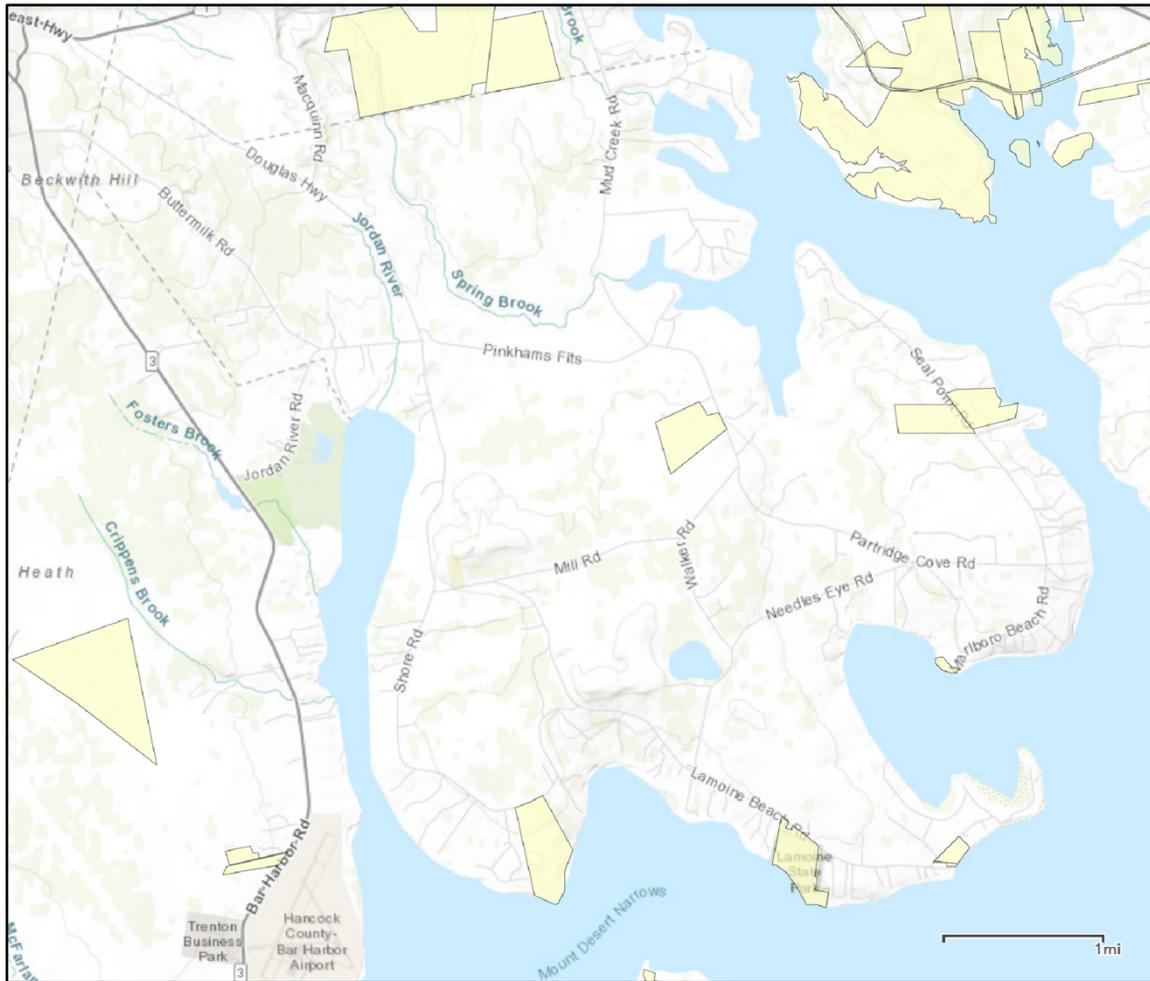
# B5: Beginning with Habitat Map 7 – Wetland Characterization, 2018



# B6: Beginning with Habitat – Natural Resource Co-occurrence, 2018



## B7: Conserved Lands Map



Source: <http://www.maine.gov/dacf/mnap/assistance/conslands.htm>

## B8: Taunton Bay Focus Area

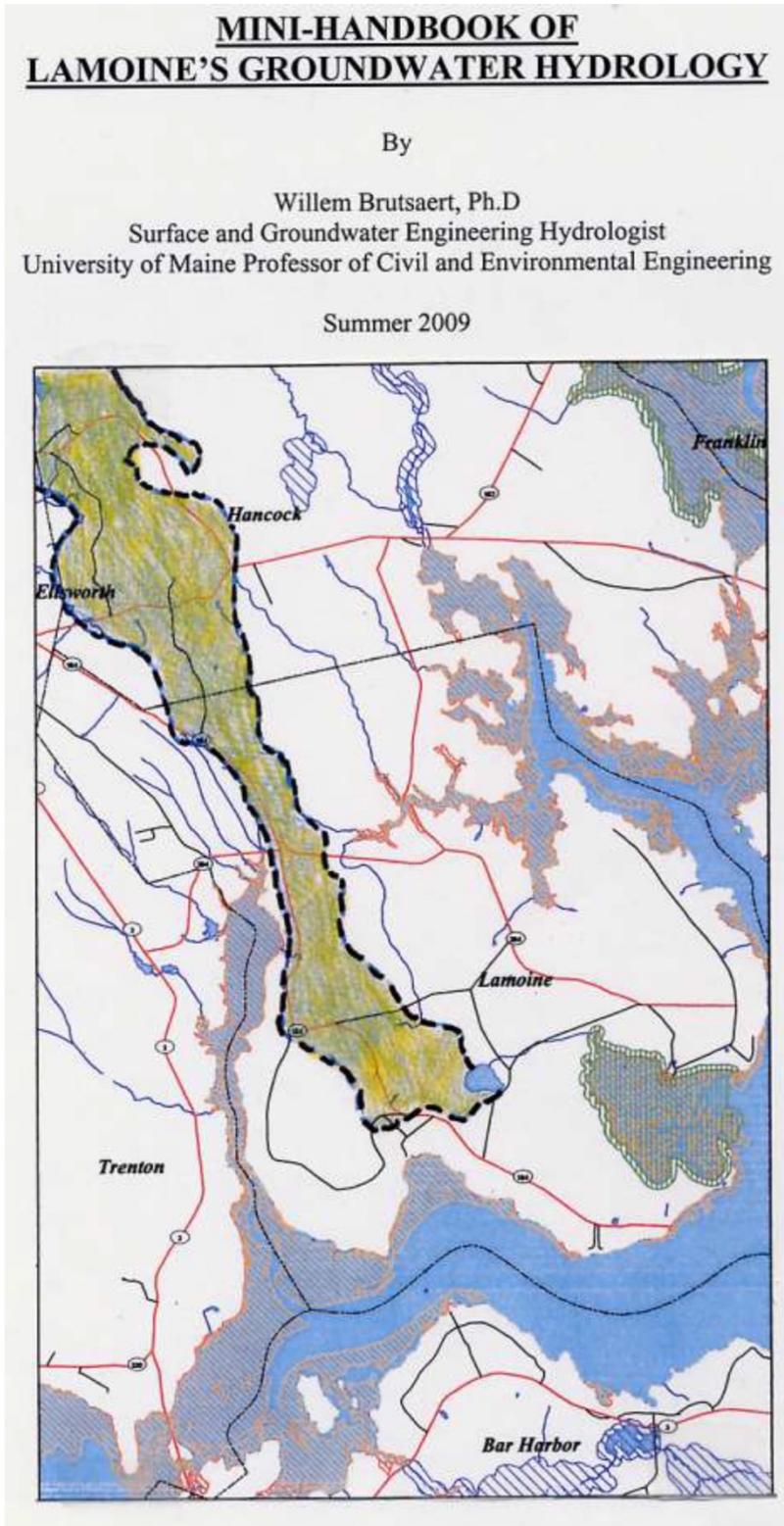
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Source: [https://www.maine.gov/dacf/mnap/focusarea/taunton\\_bay\\_focus\\_area.pdf](https://www.maine.gov/dacf/mnap/focusarea/taunton_bay_focus_area.pdf)

# B9: Mini-Handbook of Lamoine's Groundwater Hydrology

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## PURPOSE AND SUMMARY

The purpose of this mini-handbook is to serve as background to the Lamoine Conservation Commission's efforts in putting together a pamphlet explaining to the people of Lamoine why the current Building and Land Use Code needs updating to include a comprehensive aquifer protection plan.

Most if not all of Lamoine is underlain by 'water-bearing' fractured bedrock. The word 'water-bearing' is a literal translation of the Latin word 'aquifer'. Practically all Lamoiners tap into this bedrock for a source of fresh water. Exceptions are the few people getting their water from dug wells or from the Cold Spring Water Company. The quantity of available water is generally sufficient for domestic water supply wells. Yields of 5 gallons per minute are common at moderate depths. Also the quality is generally good but the concentrations of iron can sometimes be somewhat elevated.

The water-bearing bedrock in most places is overlain by the 'overburden' (surficial geology), and can consist of a variety of deposits, all of glacial origin. The most prominent of these deposits are the sand and gravel deposits of western Lamoine, mostly straddling route 184, and till and glacio-marine deposits covering pretty much the rest of Lamoine.

These overlying deposits play a significant role in the 'natural recharge' of the underlying bedrock. Precipitation infiltrates and percolates through this overburden, thus the need to protect this part of the 'hydrologic cycle', to prevent groundwater pollution.

The most vulnerable areas for pollution are the sand and gravel deposits, also referred to as the Lamoine Sand and Gravel Aquifer or 'Esker' and depicted by the green area on the map of the front cover of this mini-handbook. These deposits are up to 85 feet thick in places and are very permeable, and therefore absorb a lot of rainfall, close to half of the 45 inches of average annual precipitation. They are an easy pathway for pollution. This is particularly true in areas where the thickness of the deposits has been significantly reduced by mining activities.

Protecting the good quality of a town's water resource, thus groundwater in the case of Lamoine, is tantamount and central to the well-being and good health of the citizens of the town... (liberally translated from De Jussieu, 1733, in "*Histoire de l'Académie Royale des Sciences*"). From this quote we learn that a town's water resources, throughout history, have been considered a communal issue, a common, not a commodity.

## **PRECIPITATION, EVAPOTRANSPIRATION AND GROUNDWATER RECHARGE**

Groundwater comes from precipitation, which includes rain and snow. Only a fraction of it will naturally recharge the groundwater system. The rest will run off or evaporate from surface water bodies and soils, or will be transpired by plants. The combined process of evaporation and transpiration is called ‘evapotranspiration’. Some snow will also evaporate, a process referred to as sublimation.

The average annual precipitation for Lamoine is 45 inches, but can vary greatly from year to year. Historical records for the area list annual average precipitation as low as 28 inches and as high as 60 inches. Throughout the year the precipitation is fairly uniformly distributed, but variations are possible. Normally, monthly precipitation is greatest in November, gradually decreases to a low in August, followed by a gradual increase to November. On average for this region, about 45 % of the precipitation is returned to the atmosphere as evapotranspiration.

Good estimates of natural recharge of groundwater are hard to come by because of the great variability of soil type, soil cover (type of vegetation), slope and seasonal effects. Good guesstimates have been obtained from hydrologic water balance studies and groundwater modeling studies for a large variety of conditions. For the sand and gravel aquifer of the Lamoine area, a reasonable estimate of natural groundwater recharge is about 50 % of annual precipitation. There is indeed little surface water runoff in that area as indicated by lack of streams, but some of the recharged groundwater re-emerges as spring water and wetlands alongside the aquifer boundaries. Natural recharge in the areas covered by dense glacial till and glaciomarine deposits is much less and is in the range of 5 to 15 % of precipitation.

There is a seasonal fluctuation of groundwater levels, with lowest levels reached toward the end of the growing season in September. This lowering is fundamentally due to the seasonal effect of evapotranspiration which reaches its peak during the peak of the growing season, and lower precipitation rates towards end of summer. Groundwater levels recover during the fall and early winter, but decline again from January to mid March, when most precipitation falls as snow, and the soil is much less permeable due to frost, inhibiting infiltration. Water levels begin to rise again in spring fed by snowmelt and rainfall. Significant differences in fluctuations from year to year will be caused by wet and dry conditions.

## SURFICIAL GEOLOGY

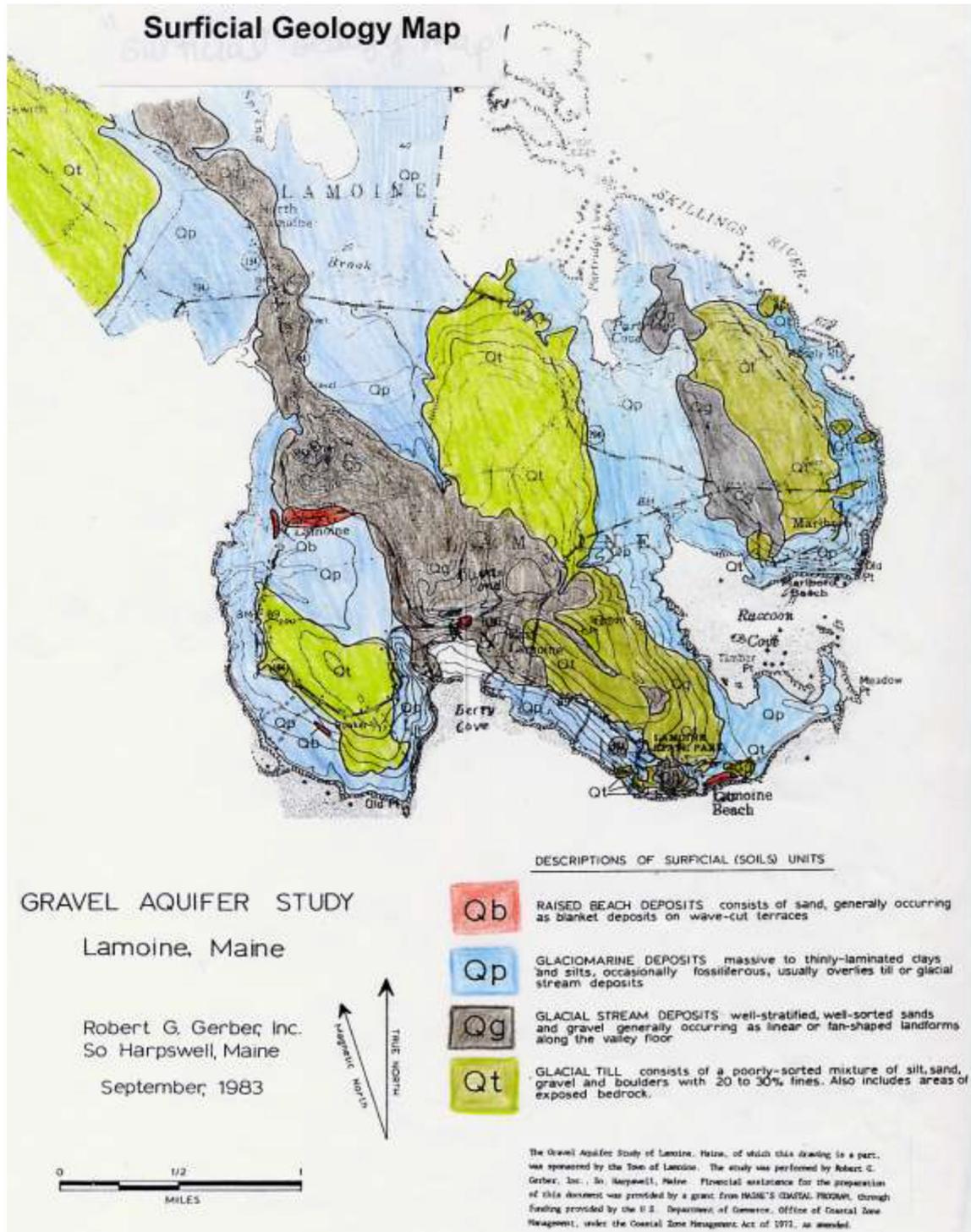
Surficial geology, as opposed to subsurface geology, deals with the soil materials deposited at or near the surface. In the case of Lamoine these soils are all of glacial origin laid down during the last period of continental glaciation which covered Maine from 22,000 to 13,000 years ago with a snow and ice sheet of more than a mile thick, called glacier. At the peak of glaciation, the land surface was depressed over 200 feet compared to the current elevation, while ocean water levels were at their lowest. Melting started around 17,000 years ago, but rapid melting took place from 13,000 to 10,000 years ago while ‘dumping’ enormous amounts of material and creating significant melt water channels within the retreating glaciers. Most of the material left behind was unsorted (till) but some was sorted by the flowing water (eskers). As the glaciers melted, ocean levels gradually rose again so that at the end of the ice age all land below approximately 270 feet was covered by the ocean, which covered all land below 270 feet with a coat of marine silts and clays. Subsequently, the land surface gradually rebounded (iso-static rebound) washing away much of the marine sediments leaving behind only a patchwork of marine clays and silts. A brief description of the four major surficial geologic units of Lamoine follows (see Surficial Geology Map, Figure 1).

**Eskers or glacial stream deposits, Og.** Lamoine’s sand and gravel aquifer is a typical esker, having the morphology or form of a ‘beaded’ ridge, that is, not continuous. Eskers consist of sorted and stratified sand and gravel material deposited by melt water streams contained by the glacier. When the glacier has melted it will leave behind a ridge of sediments on the topography. In Maine these ridges are frequently referred to as ‘horsebacks’. Esker materials are obviously very permeable. The thickest deposit in Lamoine is 85 feet. Local widenings of Lamoine’s esker appear to be **submarine fan deposits**, also consisting of sand and gravel but somewhat finer grained than esker deposits. These deposits may have formed beneath a floating ice shelf, some 150 to 200 feet below what was then sea level.

**Glacial till, Qt.** Till is the poorly sorted material either deposited at the base of the glacier (lodgment till, very compact and dense) or ‘dumped’ by the glacier (ablation till, less dense). It is a heterogeneous mixture of silt, sand, gravel and boulders. It is several orders of magnitude less permeable than esker material. Roughly 25 % of Lamoine is covered by till.

**Glacio-marine silts and clays, Qp** Referred to as the Presumpscot Formation, these deposits consist of layered silts, clayey silts and clays, sometimes containing shells. Glacier movement was grinding up rocks into ‘rock flour’ which washed off into the ocean, flocculated and settled down at the bottom during the period of marine submergence. These marine deposits are often covered by coarser materials and may thus be found frequently at shallow depths, but large patches remain at the surface of the Skillings River flats of northern Lamoine.

**Raised beach deposits, Qb.** These deposits consist of well-sorted medium to coarse sand generally occurring as blanket deposits on wave-cut terraces, probably derived from nearby stratified drift deposits. Two of these deposits are near Lamoine Beach, two in east Lamoine and two in Lamoine village.



**Figure 1. Surficial Geology Map**

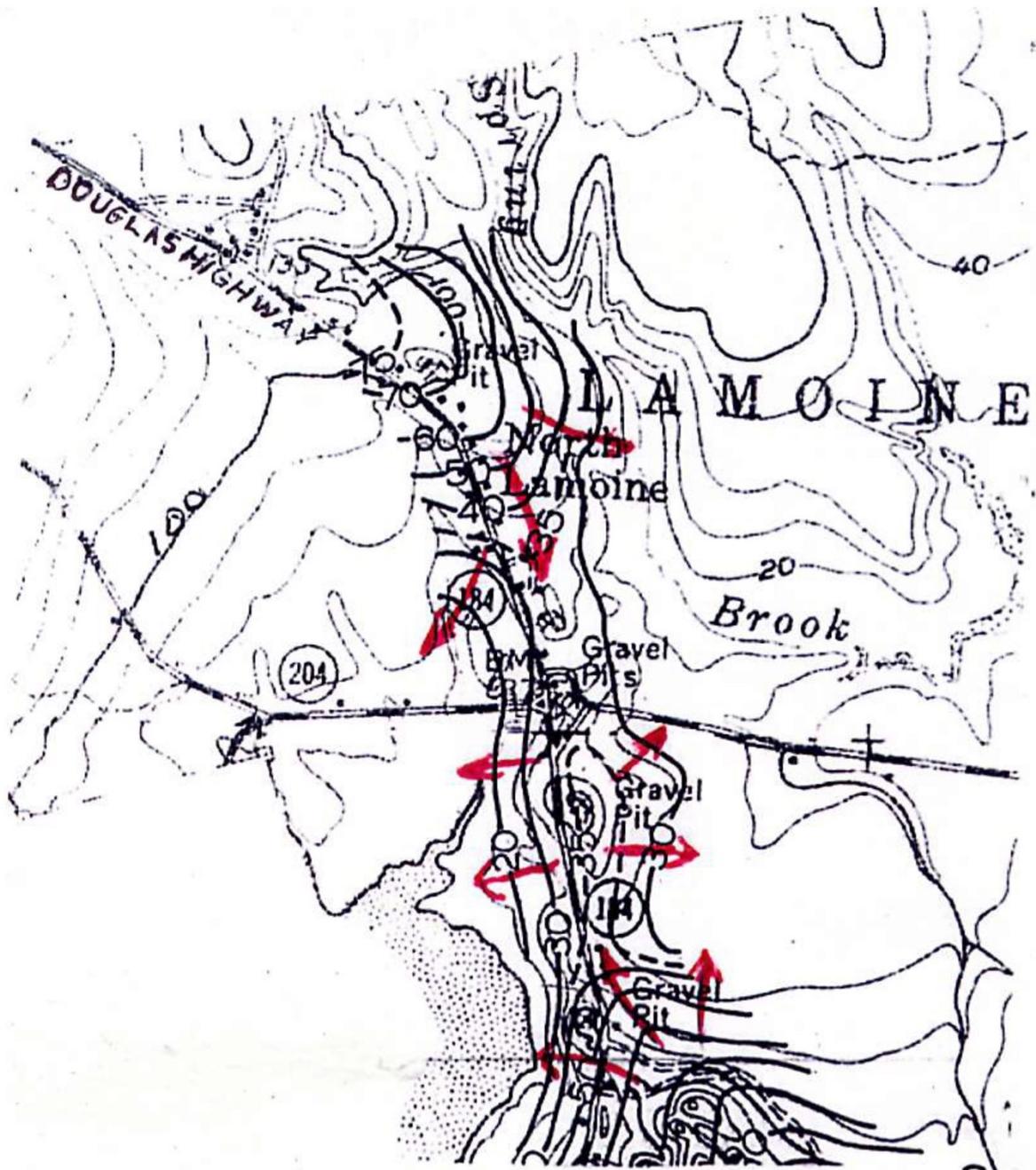
## GROUNDWATER FLOW IN THE SAND AND GRAVEL AQUIFER

To explain groundwater flow in Lamoine's sand and gravel aquifer, two sketches have been prepared for that purpose. One sketch (Figure 2) consists of a water table contour map within the confines (boundaries) of the sand and gravel deposits. The thicker lines are water table contours, and the thinner lines are land surface contours. Superimposed on that map are directions of groundwater flow, indicated by the red arrows.

Groundwater flow lines are perpendicular to the water table contours in a downward direction, just like a marble put on a hill rolling down along the steepest path, that is, perpendicular to the contours. The second sketch (Figure 3) shows a typical east-west cross-section across the aquifer. Observe that the vertical scale is exaggerated compared to the horizontal scale. Because of the large permeability of the aquifer, precipitation infiltrates and percolates readily downward toward the water table which is usually far below land surface, up to 35 feet and more in the middle. Groundwater is seen to recharge the underlying fractured bedrock but is also seen to flow sideways and may re-emerge as a spring or as a swampy area. Several such springs, some with pretty good flows, are known to exist along the aquifer boundaries. What does one learn from these two sketches?

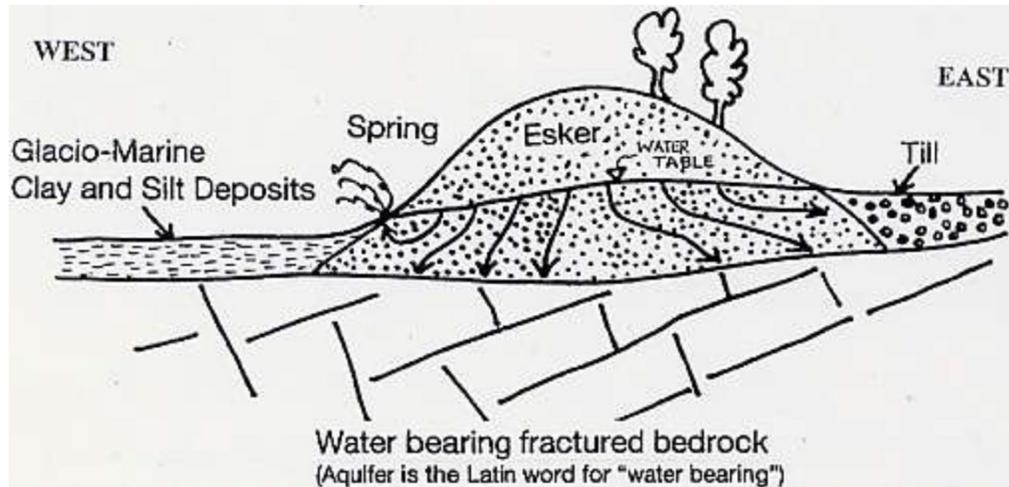
- It is incorrect to envision this aquifer as a subterranean stream, flowing swiftly from north to south, and being affected by activities much farther north of Lamoine. In fact, as can be observed in Figure 2, most flow lines leave the aquifer sideways, or are reversed flowing northward as for example just south of the Rt. 184/204 intersection, where there is a northward component of flow in the aquifer. Groundwater flow is rather slow. Velocities of a few feet per day are considered to be a dynamic groundwater system. Much smaller velocities are usually the case and depend on the permeability of the aquifer and the slope of the water table.
- As water reaches the water table, part of it is constantly diverted sideways because of the water table topography, while another part is recharging the underlying bedrock.
- Because of this slow movement, issues of groundwater quality are very much a local issue, but tend to slowly spread (disperse) with time.
- Groundwater availability is predominantly governed by nearby recharge conditions. Although it is correct that there is plenty of rainwater constantly recharging both the sand and gravel and the bedrock aquifers in Lamoine, it is incorrect to assume that all this water is readily accessible wherever one lives.

Note. The water table contour map was produced by Robert G. Gerber Inc. (1983), generated by a groundwater flow model and constrained by groundwater level measurements of that time. Since this was a steady state approach using average hydrologic conditions, a similar contour map would be obtained today. Figure 2 only represents the northern portion of this map.



**Figure 2. Water Table Contour Map of Northern Portion of Lamoine Aquifer**

The above map is showing the intersection of Rt. 204 with Rt. 184 (Douglas Highway) in the center of the map. The thicker black lines are water table contours, and the thinner black lines are surface elevation contours. A contour is a line of equal elevation. The red arrows indicate the direction of shallow groundwater flow.



**Figure 3. Typical East-West cross-section of Lamoine Esker, also referred to as The Sand and Gravel aquifer.**

**Note: Vertical scale is exaggerated**

### **WHAT IF THE AQUIFER BECOMES POLLUTED?**

It is better to prevent than to heal.

- Once an aquifer is polluted, it is next to impossible to remediate.
- No polluted aquifer has been successfully remediated.
- Remediation is very expensive.

The few public dollars that are available are better used to prevent, or to contain in case of pollution.

### **CAN LAMOINE'S SAND AND GRAVEL AQUIFER SUSTAIN COMMERCIAL WATER EXTRACTION?**

To a limited degree, the potential is there. If a gravel-packed well were to be developed into Lamoine's aquifer, the nearby flow lines leaving the aquifer would now reverse towards the well (see Figure 3), but long-term sustainability of such a well would depend on local recharge from precipitation. Assuming a zone of influence with a radius of 1200 feet, and an annual recharge from precipitation of 22 inches (average hydrologic conditions), one could conceivably achieve a sustainable yield of 120 gallons per minute (gpm) or better, roughly 50 % of the time. In other words, 120 gpm could be equaled or exceeded 50 % of the time. A well field of 3 to 4 such wells spaced a few hundred feet apart, thereby

increasing the zone of influence, could easily sustain a combined pumping rate of more than 120 gpm, say 150 to 175 gpm, because one well continuously pumped at 120 gpm would constantly shut down caused by excessive drawdown in the well bore, whereas several wells pumped intermittently would not. The ideal location, if it exists, would be where the aquifer is wide with a low in the bedrock topography forming a 'bowl'. A pumping rate of 150 gpm amounts to 216,000 gallons per day, which is 864,000 one-quart bottles of water a day! It is to be understood that the above flow rates are based on balancing withdrawal with recharge under average hydrologic conditions, and on a rough estimate of the zone of influence. One of the uncertainties in this calculation is the recharge rate. Also, it is a fact that the integrity of Lamoine's sand and gravel aquifer is compromised to some extent by past, present and future sand and gravel mining activities, causing a significantly reduced saturated thickness of the aquifer, which in turn results in reduced storage capacity of the aquifer and increased risk of pollution. Lastly, as a caveat, riparian well owners will be impacted by this activity, and springs and wetlands may dry up.

### **WHAT ABOUT SEAWATER INTRUSION?**

Seawater intrusion is a natural phenomenon whereby saltwater occurs as a 'wedge' below freshwater in coastal aquifers. Freshwater being lighter than saltwater will 'float' as a 'bubble' on top of saltwater in the aquifer near the shore according to the hydraulic principle of buoyancy (remember Archimedes' "Eureka"?). During extended periods of drought this wedge moves farther inland because of a lower water table (smaller fresh water bubble). If, for example, the water level in one's well near the shore is 10 feet above MSL (Mean Sea Level), then, on average, one will encounter saltwater at a depth below MSL of forty times the difference between the water table and MSL, thus at a depth of 400 feet below MSL. In groundwater hydrology this is called the Ghyben-Herzberg relationship. As long as a well is only moderately deep, say less than 150 to 200 feet, seawater intrusion for most domestic wells near the shore is seldom an issue. Moreover, a domestic well withdrawing about 250 gallons per day barely 'skims off' some of the water of the freshwater bubble. In contrast, commercial groundwater extraction will have a much greater impact on lowering the water table than a domestic well would, thereby aggravating seawater intrusion with potential 'upwelling' of saltwater in nearby domestic wells.

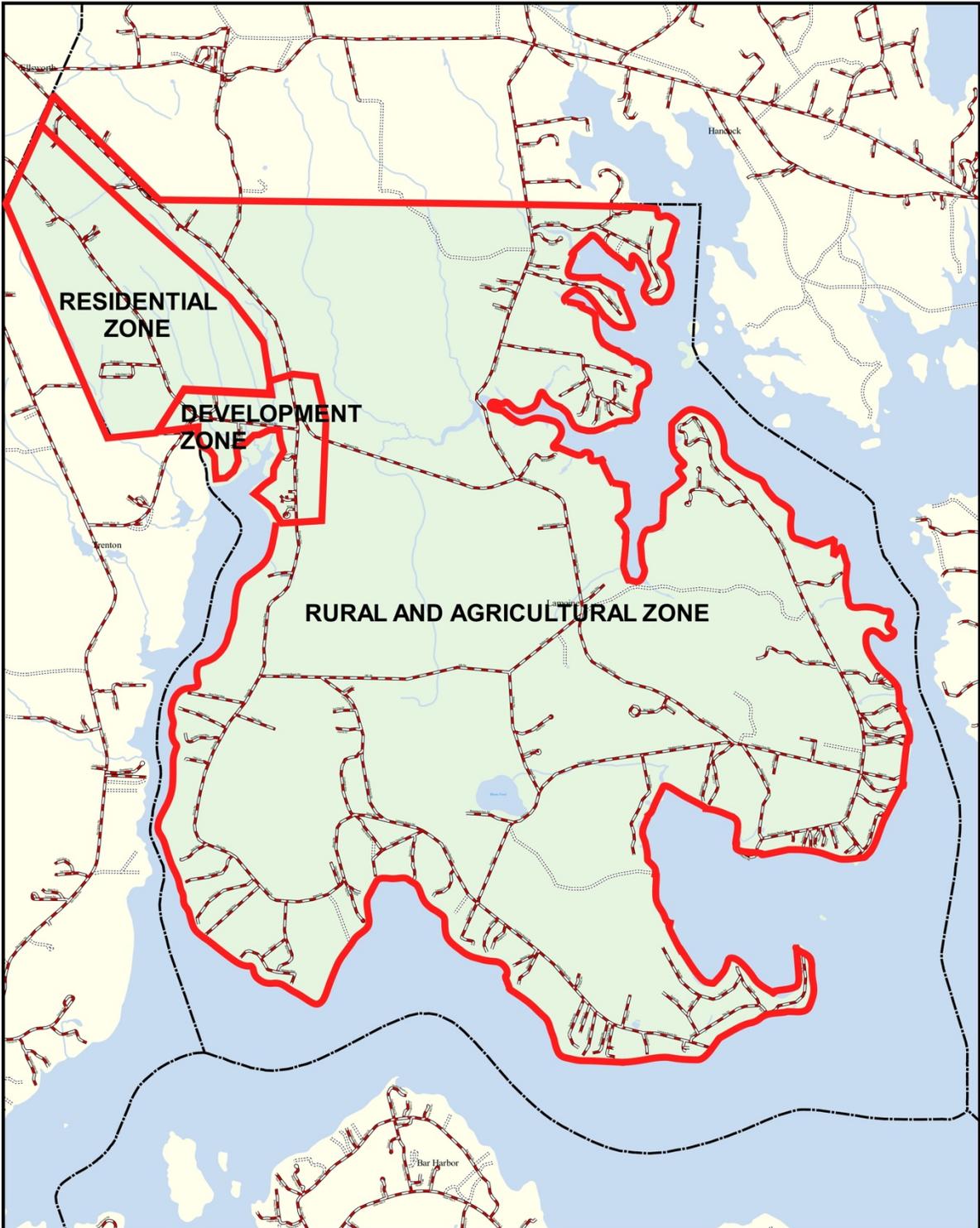
## Appendix C: Land Use

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The documents in this Appendix C include maps showing Lamoine land use zoning and land use potential. Also included are the current Table of Land Uses in the Building and Land Use Ordinance, and two ordinance amendments that have been proposed but not yet adopted as of the writing of this Plan.



# C1: Zoning Districts Map



Source: Adapted from printed zoning map in the Building and Land Use Ordinance. Zone boundaries are approximate.

## C2: BLUO Table of Land Uses

From Town of Lamoine Building and Land Use Ordinance, Section 4.H:

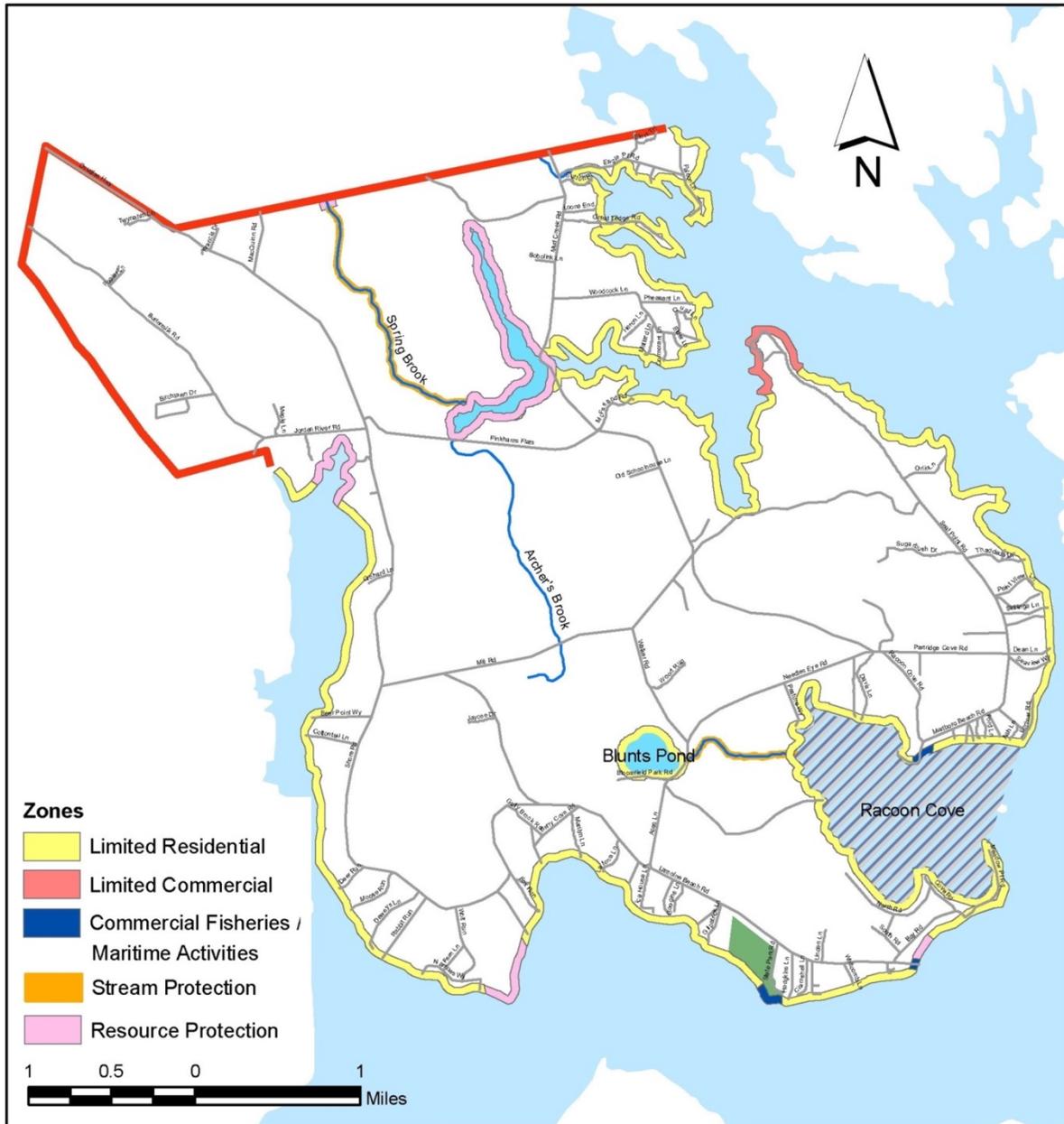
Land Use Descriptions	Residential Zone (RZ)	Development Zone (DZ)	Rural & Ag Zone (RAZ)
1. Campgrounds & Travel Trailer Parks	N	PB	PB
2. Car Washing Establishments	N	PB	PB
3. Church, School, Library, or Public Buildings	N	PB	PB
4. Clinic or Office, Medical, Health, or Psychiatric	N	PB	PB
5. Cluster Housing	PB	PB	PB
6. Commercial - General	N	PB	PB
7. Commercial - Recreation	N	PB	PB
8. Dwelling - Single Family	CEO	CEO	CEO
9. Dwelling - Two Family	CEO	CEO	CEO
10. Dwelling - Multi Family	PB	PB	PB
11. Dwelling - Accessory Units	CEO	CEO	CEO
12. Home Occupations	CEO	CEO	CEO
13. Essential Services (non residential)	PB	PB	PB
14. Industries - Assembling & Manufacturing Goods & Products	N	PB	N
15. Industries & Business - Assembling & Manufacturing Products Related to the Secondary Processing of Wood/Marine Products	N	PB	PB
16. Mineral Exploration <sup>2</sup>	N	PB	N
17. Mobile Home Parks <sup>1</sup>	N	N	PB
18. Motels, Hotels	N	PB	PB
19. Nurseries & Garden Centers	N	PB	PB
20. Nursing Homes, Congregate Care	N	PB	PB
21. Other Uses Similar to Those Requiring Planning Board Review	PB	PB	PB
22. Petroleum Storage, and Distillation Facilities	N	N	N
23. Quarries	N	PB	N
24. Restaurants	N	PB	PB
25. Retail Business, Business & Professional Offices	N	PB	PB
26. Salvage Yards, Junkyards, Scrap Metal Processing	N	PB	N
27. Sand/Gravel Pits, Etc. <sup>2</sup>	N	PB	N <sup>3</sup>
28. Service Stations, Vehicle	N	PB	N
29. Shops: Automobile Repair	N	PB	PB
30. Shops: Plumbing; Electrical; Carpentry	N	PB	PB
31. Signs	CEO	CEO	CEO
32. Small Lodging & Tourist Bed & Breakfast (5 Rooms or Less for Rent)	PB	PB	PB
33. Stand, Produce, Fruit & Vegetables	CEO	CEO	CEO
34. Subdivisions	PB	PB	PB

<sup>1</sup> See Mobile Home Park Ordinance. Not permitted over Sand and Gravel Aquifer areas.

<sup>2</sup> See separate standards in the Lamoine Gravel Ordinance.

<sup>3</sup> Land within the Rural and Agricultural Zone that had received or applied for a Site Plan Review permit for gravel operations before March 13, 2013, may continue to be eligible for gravel operations upon Planning Board approval of a gravel permit.

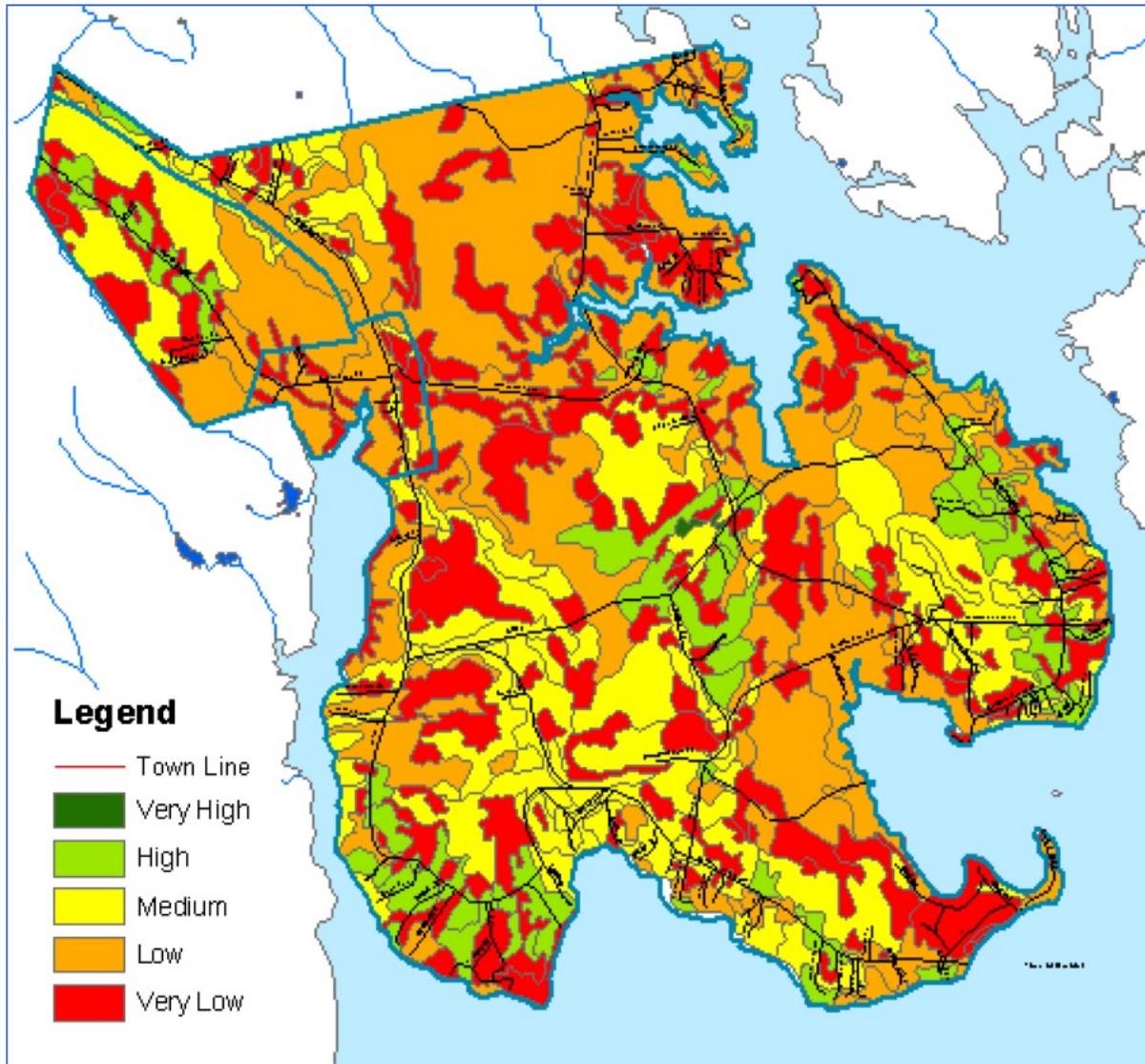
## C3: Shoreland Zoning Districts



Source: Adapted from map prepared by College of the Atlantic GIS Laboratory, January 2007

## C4: Development Potential

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Source: "Land Use Planning for Lamoine" (Powerpoint presentation), College of the Atlantic Land Use Planning Class, Spring 2004

## **C5: Cluster Development Standards**

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FINAL DRAFT 2018-10-01 Lamoine Planning Board

### BLUO - SECTION 13. CLUSTER DEVELOPMENT STANDARDS

- A. Purpose. The purpose of the cluster development standards is to encourage new concepts of housing development with variations of design that will result in:
1. permanently protected open space and recreation areas;
  2. the preservation of trees, outstanding natural topography and rare natural features, and the prevention of soil erosion;
  3. a development in harmony with surrounding topography and development; and
  4. a development more creatively designed than would be possible through strict application of other sections of the ordinance
- B. Basic Requirements
1. The uses of the land shall not differ from uses permitted in the district in which the land is located.
  2. Unless otherwise provided for in this Section 13, all application procedures, review standards, and issuances of permits for Cluster Housing shall meet all requirements of Section 12. Subdivisions.
  3. The minimum area of land in a cluster development shall be ten (10) acres.
  4. Any lot in the development abutting a public road shall have a minimum frontage and minimum area no less than normally required in the district. For lots abutting other than public roads, lot road frontage and lot area may be reduced by not more than 50% of the requirements of the district in which the development is located. A minimum road frontage of 75 feet is allowed on lots fronting on a cul-de-sac.
  5. The Planning Board, at its discretion, may reduce minimum front, side and rear setback requirements.
  6. The total area of common open space within the development shall equal or exceed the sum of the areas by which the building lots are reduced below the minimum lot area normally required in the district in which the development is located.
  7. Further subdivision of common open space or its use for purposes other than those noted in C (8) below, except for easements for underground utilities, shall be prohibited. Structures and buildings accessory to permitted open space uses may be erected on the common land, subject to Planning Board approval.
  8. Each building shall be an element of an overall site development plan. The plan shall identify the location of all proposed roads, structures, parking areas, footpaths, common open space, and private yard space reserved to individual dwelling units. Only developments having such a plan will be considered for a permit. In presenting such a plan, the developer shall take into consideration all requirements of this Section 13 and of other relevant sections of this ordinance.
  9. The Planning Board may approve or deny the cluster development plan. Approval of the development plan does not eliminate the necessity for Planning Board approval based on Subdivision standards prior to the issuance of a permit. Any development

contrary to the approved development plan shall constitute a violation of this ordinance.

### C. Site Considerations

The Cluster Development plan shall comply with the following site considerations:

#### 1. Orientation

Buildings and other improvements shall be oriented on the site so as to preserve scenic vistas and significant natural features of the parcel.

#### 2. Roads

Access from public ways, internal circulation, and parking areas shall be designed to provide for vehicular and pedestrian safety and convenience, emergency and fire equipment, snow clearance, road maintenance, delivery and collection services.

#### 3. Drainage

Adequate provision shall be made for management of stormwater runoff, with particular concern for the effects of effluent draining from the site. Erosion resulting from any improvements on the site shall be prevented by landscaping or other means

#### 4. Sewage Disposal

All structures in the development with required plumbing shall be connected to a private central collection and treatment system or individual septic systems in accordance with standards set forth in the State of Maine Plumbing Code. The developer shall demonstrate clearly to the Planning Board that:

- a. adequate soils and land area are available at all locations proposed for the central system and/or to the individual septic systems;
- b. the proposed system(s) shall not adversely affect ground water supplies which are currently used as a water source for any existing development.

#### 5. Water Supply

- a. All dwelling units shall be connected to a common water supply and distribution system unless the developer demonstrates to the Planning Board that:
  - (1) adequate ground water is available at all locations proposed for individual water supplies; and
  - (2) groundwater source(s) proposed for individual water systems is safe from both on-site and off-site contamination;
- b. The development shall provide for any special needs for fire protection as required in Section 12. I

#### 6. Utilities

- a. All utilities shall be installed underground unless specifically exempted by the Planning Board.
- b. Transformer boxes, pumping stations and meters shall be located so as to be neither unsightly nor hazardous to the public.

#### 7. Buffering

Planting, landscaping, disposition and form of buildings, fencing, and screening shall be used to integrate the proposed development with the landscape and the character of any surrounding development.

#### 8. Common Open Space

The following provisions shall apply:

- a. The required minimum acreage of land dedicated as common space shall not include land described in Section 3.D of this ordinance as not suitable for development, excepting wetlands, which may comprise as much as 50% of the designated common space.
- b. Common open space usage may include, but is not limited to, recreation (playing fields, hiking or skiing trails, playgrounds, etc.), ornamentation (garden, park areas, etc.), protection of natural resources (deer yards, wetlands, eagle nest sites, timber stands, etc.), or scenic views, or common access to the coast, or common protection, such as a fire pond. The use of open space may be further limited or controlled at the time of final subdivision approval where necessary to protect adjacent properties.
- c. The common open space shall be accessible to all residents of the development.
- d. Where a planned unit development or cluster development abuts a water body, a portion of the shoreline, as well as reasonable access to it, shall be a part of the common open space.
- e. Whenever possible, at least a portion of the open space shall be located adjacent to the existing public road(s) serving the development so as to preserve a rural appearance from such roads.
- f. Common open space shall be protected by legal arrangements, satisfactory to the Planning Board, sufficient to assure its maintenance and preservation for whatever purpose(s) it is intended. Covenants and other legal arrangements shall specify ownership of the common open space, responsibility for maintenance and liability for payment of property taxes. The developer shall submit to the Planning Board proposed language for incorporation into deeds, recorded plans and declarations designed to ensure the integrity, protection and maintenance of common open space. Such language shall be subject to the approval of the Town Attorney to ensure that it will accomplish its intended purposes.

# C6: Shoreland Zoning Ordinance

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Final Draft - 2018-10-01 – approved by Lamoine Planning Board

## SHORELAND ZONING ORDINANCE

Town of Lamoine, Maine

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## **Section 1. PURPOSES**

The purposes of this Ordinance are to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect commercial fishing and maritime industries; to protect freshwater and coastal wetlands; to control building sites, placement of structures and land uses; to conserve shore cover and visual as well as actual points of access to inland and coastal waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in shoreland areas.

## **Section 2. AUTHORITY**

This Ordinance has been prepared in accordance with the provisions of Title 38 Sections 435-449 of the Maine Revised Statutes Annotated (M.R.S.A.).

## **Section 3. APPLICABILITY**

This Ordinance applies to all land areas within 250 feet, horizontal distance, of the

- a. normal high-water line of any great pond or river,
- b. upland edge of a coastal wetland, including all areas affected by tidal action,
- c. upland edge of a freshwater wetland,

and all land areas within 75 feet, horizontal distance, of the normal high-water line of a stream.

This Ordinance also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.

**NOTE:** Coastal wetlands, by definition, include all areas affected by tidal action, not just those areas where salt marshes and salt meadows exist. Cobble and sand beaches, mudflats, and rocky ledges, below the highest annual tide are all considered to be coastal wetlands.

## **Section 4. EFFECTIVE DATE**

This Ordinance, which was adopted by the Lamoine Town Meeting in March, 1974 and amended in March 1982, March 1985, October 1989, May 1993, March 7, 2007, March 16, 2011 and \_\_\_\_\_ 2018, shall not be effective unless approved by the Commissioner of the Department of Environmental Protection. A certified copy of the Ordinance, or Ordinance Amendment, attested and signed by the Municipal Clerk, shall be forwarded to the Commissioner for approval. If the Commissioner fails to act on this Ordinance, or Ordinance Amendment, it shall be automatically approved. Upon approval of this Ordinance, or Ordinance Amendment, the Shoreland Zoning Ordinance as amended on March 11, 2011 is hereby amended. The effective date of this Ordinance, or Ordinance Amendment, if approved by the Commissioner, is the date when adopted by the Lamoine Town Meeting.

Any application for a permit submitted within the forty-five (45) day period noted above shall be governed by the terms of this Ordinance, or Ordinance Amendment, if the Ordinance, or Ordinance Amendment, is approved by the Commissioner.

**Section 5. AVAILABILITY**

A certified copy of this Ordinance shall be filed with the Municipal Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost at the expense of the person making the request. Notice of availability of this Ordinance shall be posted.

**Section 6. SEVERABILITY**

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of the Ordinance.

**Section 7. CONFLICTS WITH OTHER ORDINANCES**

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other ordinance, regulation or statute, the more restrictive provision shall control.

**Section 8. AMENDMENTS**

This Ordinance may be amended by majority vote of the Lamoine Town Meeting. Copies of amendments, attested and signed by the Municipal Clerk, shall be submitted to the Commissioner of the Department of Environmental Protection following adoption by the Town Meeting and shall not be effective unless approved by the Commissioner. If the Commissioner fails to act on any amendment within forty-five (45) days of his/her receipt of the amendment, the amendment is automatically approved. Any application for a permit submitted to the municipality within the forty-five (45) day period shall be governed by the terms of the amendment, if such amendment is approved by the Commissioner.

**Section 9. DISTRICTS AND ZONING MAP**

A. Official Shoreland Zoning Map

The areas to which this Ordinance is applicable are hereby divided into the following districts as shown on the Official Shoreland Zoning Map(s) which is (are) made a part of this Ordinance:

1. Limited Residential
2. Limited Commercial
3. Commercial Fisheries/Maritime Activities
4. Stream Protection
5. Resource Protection

B. Scale of Map

The Official Shoreland Zoning Map shall be drawn at a scale of not less than: 1 inch = 2000 feet. District boundaries shall be clearly delineated and a legend indicating the symbols for each district shall be placed on the map.

C. Certification of Official Shoreland Zoning Map

The Official Shoreland Zoning Map shall be certified by the attested signature of the Municipal Clerk and shall be located in the municipal office.

#### D. Changes to the Official Shoreland Zoning Map

If amendments, in accordance with Section 8, are made in the district boundaries or other matter portrayed on the Official Shoreland Zoning Map, such changes shall be made on the Official Shoreland Zoning Map within thirty (30) days after the amendment has been approved by the Commissioner of the Department of Environmental Protection.

#### **Section 10. INTERPRETATION OF DISTRICT BOUNDARIES**

Unless otherwise set forth on the Official Shoreland Zoning Map, district boundary lines are property lines, the centerlines of streets, roads and rights of way and the boundaries of the shoreland area as defined herein. Where uncertainty exists as to the exact location of district boundary lines, the Board of Appeals shall be the final authority as to location.

#### **Section 11. LAND USE REQUIREMENTS**

Except as hereinafter specified, no building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, expanded, moved, or altered and no new lot shall be created except in conformity with all of the regulations herein specified for the district in which it is located, unless a variance is granted.

#### **Section 12. NON-CONFORMANCE**

##### A. Purpose

It is the intent of this Ordinance to promote land use conformities, except that non-conforming conditions that existed before the effective date of this Ordinance or amendments thereto shall be allowed to continue, subject to the requirements set forth in this section. Except as otherwise provided in this Ordinance, a non-conforming condition shall not be permitted to become more non-conforming.

##### B. General

###### 1. Transfer of Ownership:

Non-conforming structures, lots, and uses may be transferred, and the new owner may continue the non-conforming use or continue to use the non-conforming structure or lot, subject to the provisions of this Ordinance.

###### 2. Repair and Maintenance:

This Ordinance allows, without a permit, the normal upkeep and maintenance of non-conforming uses and structures including repairs or renovations which do not involve expansion of the non-conforming use or structure, and such other changes in a non-conforming use or structure as federal, state, or local building and safety codes may require.

## C. Non-conforming Structures

### 1. Expansions:

All new principal and accessory structures, excluding functionally water-dependent uses, must meet the water body, tributary stream, or wetland setback requirements contained in Section 15(B)(1). A non-conforming structure may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure, if such addition or expansion does not increase the non-conformity of the structure and is in accordance with subparagraphs (a) and (b) below.

- a. Expansion of any portion of a structure within 25 feet of the normal high-water line of a water body, tributary stream, or upland edge of a wetland is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream or wetland setback requirement. Expansion of an accessory structure that is located closer to the normal high- water line of a water body, tributary stream, or upland edge of a wetland than the principal structure is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.
- b. Notwithstanding paragraph (a), above, if a legally existing nonconforming principal structure is entirely located less than 25 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, that structure may be expanded as follows, as long as all other applicable municipal land use standards are met and the expansion is not prohibited by Section 12(C)(1).
  - (i) The maximum total footprint for the principal structure may not be expanded to a size greater than 800 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of the principal structure may not be made greater than 15 feet or the height of the existing structure, whichever is greater.
- c. All other legally existing nonconforming principal and accessory structures that do not meet the water body, tributary stream, or wetland setback requirements may be expanded or altered as follows, as long as other applicable municipal land use standards are met and the expansion is not prohibited by Section 12(C)(1) or Section 12(C)(1)(a), above.
  - i. For structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,000 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of any structure may not be made greater than 20 feet or the height of the existing structure, whichever is greater.
  - ii. For structures located less than 100 feet from the normal high-water line of a great pond classified as GPA or a river flowing to a great pond classified as GPA, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,500 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater. Any portion of those structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland must meet the

footprint and height limits in Section 12(C)(1)(b)(i) and Section 12(C)(1)(c)(i), above.

iii. In addition to the limitations in subparagraphs (i) and (ii), for structures that are legally nonconforming due to their location within the Resource Protection District when located at less than 250 feet from the normal high-water line of a water body or the upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,500 square feet or 30% larger than the footprint that existed at the time the Resource Protection District was established on the lot, whichever is greater. The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater, except that any portion of those structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height limits in Section 12(C)(1)(b)(i) and Section 12(C)(1)(c)(i), above.

d. An approved plan for expansion of a nonconforming structure must be recorded by the applicant with the registry of deeds, within 90 days of approval. The recorded plan must show the existing and proposed footprint of the non-conforming structure, the existing and proposed structure height, the footprint of any other structures on the parcel, the shoreland zone boundary and evidence of approval by the municipal review authority.

## 2. Foundations.

Whenever a new, enlarged, or replacement foundation is constructed under a non-conforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board or its designee, basing its decision on the criteria specified in Section 12(C)(3) Relocation, below.

## 3. Relocation.

A non-conforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Planning Board or its designee, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of State law and the State of Maine Subsurface Wastewater Disposal Rules (Rules), or that a new system can be installed in compliance with the law and said Rules. In no case shall a structure be relocated in a manner that causes the structure to be more non-conforming.

In determining whether the building relocation meets the setback to the greatest practical extent, the Planning Board or its designee shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation.

When it is necessary to remove vegetation within the water or wetland setback area in order to relocate a structure, the Planning Board shall require replanting of native vegetation to compensate for the destroyed vegetation in accordance with Section 15(S). In addition, the area from which the relocated structure was removed must be replanted with vegetation. Replanting shall be required as follows:

- a. Trees removed in order to relocate a structure must be replanted with at least one native tree, three (3) feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed.

Other woody and herbaceous vegetation, and ground cover, that are removed or destroyed in order to relocate a structure must be re-established. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.

- b. Where feasible, when a structure is relocated on a parcel the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.

#### 4. Reconstruction or Replacement.

Any non-conforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed, or damaged or destroyed, regardless of the cause, by more than 50% of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within eighteen (18) months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the Planning Board or its designee in accordance with the purposes of this Ordinance. In no case shall a structure be reconstructed or replaced so as to increase its non-conformity. If the reconstructed or replacement structure is less than the required setback it shall not be any larger than the original structure, except as allowed pursuant to Section 12(C)(1) above, as determined by the non-conforming footprint of the reconstructed or replaced structure at its new location. If the total footprint of the original structure can be relocated or reconstructed beyond the required setback area, no portion of the relocated or reconstructed structure shall be replaced or constructed at less than the setback requirement for a new structure. When it is necessary to remove vegetation in order to replace or reconstruct a structure, vegetation shall be replanted in accordance with Section 12(C)(3) above.

Any non-conforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed by 50% or less of the market value, or damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place if a permit is obtained from the Code Enforcement Officer within one year of such damage, destruction, or removal.

In determining whether the building reconstruction or replacement meets the setback to the greatest practical extent the Planning Board or its designee shall consider, in addition to the criteria in Section 12(C)(3) above, the physical condition and type of foundation present, if any.

## 5. Change of Use of a Non-conforming Structure

The use of a non-conforming structure may not be changed to another use unless the Planning Board, after receiving a written application, determines that the new use will be consistent with the surrounding character and uses and will have no greater adverse impact on the water body, wetland or tributary stream, or on the subject or adjacent properties and resources than the existing use.

In determining that no greater adverse impact will occur, the Planning Board shall require written documentation from the applicant regarding the probable effects on public health and safety, erosion and sedimentation, water quality, fish and wildlife habitat, vegetative cover, visual and actual points of public access to waters, natural beauty, flood plain management, archaeological and historic resources, and commercial fishing and maritime activities, and other functionally water-dependent uses.

### D. Non-conforming Uses

#### 1. Expansions:

Expansions of non-conforming uses are prohibited, except that non-conforming residential uses may, after obtaining a permit from the Planning Board, be expanded within existing residential structures or within expansions of such structures as permitted in Section 12(C)(1) above.

#### 2. Resumption Prohibited:

A lot, building or structure in or on which a non-conforming use is discontinued for a period exceeding one year, or which is superseded by a conforming use, may not again be devoted to a non-conforming use except that the Planning Board may, for good cause shown by the applicant, grant up to a one year extension to that time period. This provision shall not apply to the resumption of a use of a residential structure provided that the structure has been used or maintained for residential purposes during the preceding five (5) year period.

#### 3. Change of Use:

An owner may apply to the Planning Board for approval to change an existing non-conforming use to another non-conforming use provided that the proposed use has no greater adverse impact on the subject and adjacent properties and resources, including water dependent uses in the CFMA district, than the former use, as determined by the Planning Board. The determination of no greater adverse impact shall be made according to criteria listed in Section 12(C)(5) above.

### E. Non-conforming Lots

#### 1. Non-conforming Lots:

A non-conforming lot of record as of the effective date of this Ordinance or amendment thereto may be built upon, without the need for a variance, provided that such lot is in separate ownership and not contiguous with any other lot in the same ownership, and that all provisions of this Ordinance except lot area, lot width and shore frontage can be met.

Variations relating to setback or other requirements not involving lot area, lot width and shore frontage shall be obtained by action of the Board of Appeals.

2. Contiguous Built Lots:

If two or more contiguous lots or parcels are in a single or joint ownership of record at the time of adoption of this Ordinance, if all or part of the lots do not meet the dimensional requirements of this Ordinance, and if a principal use or structure exists on each lot, the non-conforming lots may be conveyed separately or together, provided that the State Minimum Lot Size Law (12 M.R.S.A. sections 4807-A through 4807-D) and the State of Maine Subsurface Wastewater Disposal Rules are complied with.

If two or more principal uses or structures existed on a single lot of record on the effective date of this ordinance, each may be sold on a separate lot provided that the above referenced law and rules are complied with. When such lots are divided each lot thus created must be as conforming as possible to the dimensional requirements of this Ordinance.

3. Contiguous Lots - Vacant or Partially Built:

If two or more contiguous lots or parcels are in single or joint ownership of record at the time of or since adoption or amendment of this Ordinance, if any of these lots do not individually meet the dimensional requirements of this Ordinance or subsequent amendments, and if one or more of the lots are vacant or contain no principal structure the lots shall be combined to the extent necessary to meet the dimensional requirements.

This provision shall not apply to 2 or more contiguous lots, at least one of which is non-conforming, owned by the same person or persons on May 8, 1993 and recorded in the registry of deeds if the lot is served by a public sewer or can accommodate a subsurface sewage disposal system in conformance with the State of Maine Subsurface Wastewater Disposal Rules; and

- (a) Each lot contains at least 100 feet of shore frontage and at least 20,000 square feet of lot area; or
- (b) Any lots that do not meet the frontage and lot size requirements of Section 12(E)(3)(a) are reconfigured or combined so that each new lot contains at least 100 feet of shore frontage and 20,000 square feet of lot area.

### **Section 13. ESTABLISHMENT OF DISTRICTS**

The Town of Lamoine establishes Shoreland Zone Districts to permit the orderly development of different shoreland uses. In doing so, the Town recognizes the need to encourage diverse uses including residential, economic and resource protection and to balance these one with another.

Shoreland Zone Districts are established by vote of the Town according to the following definitions and guidelines. The Town of Lamoine Shoreland Zoning Map, as most recently amended, assigns a district designation to all the town's shoreland -- the land area located within two hundred and fifty (250) feet, horizontal distance, of the normal high-water line of any great pond, river or saltwater body and within two hundred and fifty (250) feet of the upland edge of a coastal or freshwater

wetland; or within seventy-five (75) feet of the normal high-water line of a stream. The Map is available in the Town Office.

A. Limited Residential District

The Limited Residential District includes those areas suitable for residential and recreational development. It includes areas other than those in the Resource Protection District or Stream Protection District, and areas which are used less intensively than those in the Limited Commercial District or the Commercial Fisheries/Maritime Activities District.

B. Limited Commercial District

The Limited Commercial District includes areas of mixed light commercial and residential uses which can coexist compatibly so as not to intrude upon one another. This district includes areas of two or more contiguous acres in size devoted to a mix of residential and low intensity business and commercial uses. Excluded from this district are those areas which:

1. Fall within the 100 year flood plain;
2. Are designated as Resource Protection District; or
3. Are located in a Stream Protection District.

C. Commercial Fisheries/Maritime Activities District

The Commercial Fisheries/Maritime Activities District includes areas where the existing predominant pattern of development is consistent with the allowed uses for this district as indicated in the Table of Land Uses, Section 14, and other areas which are suitable for functionally water-dependent uses. The following factors will be taken into consideration by the Board and Town when making a decision:

1. Shelter from prevailing winds and waves;
2. Slope of the land within 250 feet, horizontal distance, of the normal high-water line;
3. Depth of the water within 150 feet, horizontal distance, of the shoreline;
4. Available support facilities including utilities and transportation facilities;
5. Compatibility with adjacent upland uses;
6. Historic uses, prevailing current uses, and future uses as projected in the Town of Lamoine Comprehensive Plan;
7. Compatibility of uses within the District. The Planning Board may restrict certain functionally water-dependent uses if they are incompatible with the dominant uses projected in the Town of Lamoine Comprehensive Plan.

#### D. Stream Protection District

The Stream Protection District includes all land areas within seventy-five (75) feet, horizontal distance, of the normal high-water line of a stream, exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal high-water line of a great pond, river or saltwater body, or within two hundred and fifty (250) feet horizontal distance of the upland edge of a freshwater or coastal wetland. Where a stream and its associated shoreland area is located within two-hundred and fifty (250) feet horizontal distance of the above water bodies or wetlands, the land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

#### E. Resource Protection District

The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the shoreland zone, exclusive of the Stream Protection District, except areas which are currently developed and areas which meet the criteria for Limited Commercial or Commercial Fisheries/Maritime activities need not be included within the Resource Protection District. The areas within the Resource Protection District are those designated as Resource Protection on the Town of Lamoine Shoreland Zoning Map, as most recently amended, and areas meeting one or more of the following criteria:

1. Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, salt marshes and salt meadows, and wetlands associated with great ponds, which are rated "moderate" or "high" value by the Maine Department of Inland Fisheries and Wildlife (MDIF&W). These shall include any such areas in Lamoine that the Department of Environmental Protection has designated as areas of "significant wildlife habitat."
2. Flood plains defined by the 100 year Flood Plain as designated on the most recent Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps, or the flood of record, or, in the absence of these, by soil types identified as recent flood plain soils. This district shall also include 100 year flood plains adjacent to tidal waters as shown on FEMA's Flood Insurance Rate Maps, but shall not include land within the shoreland zone which is shown by a surveyor to be outside the 100 year flood plain.
3. Areas of two (2) or more contiguous acres with sustained slopes of 20% or greater.
4. Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, as determined by a Certified Soil Scientist, which are not part of a freshwater or coastal wetland as defined and which are not surficially connected to a water body during normal spring high water.
5. Land areas subject to severe bank erosion or undercutting and lands adjacent to tidal waters which are subject to severe erosion or mass movement, such as steep coastal bluffs.
6. Other areas which have been recommended for protection in the Town of Lamoine's Comprehensive Plan including wildlife habitats, sites of significant scenic or esthetic value and sites of historic or archeological significance.

**Section 14. TABLE OF LAND USES**

All land use activities, as indicated in Table 1, Land Uses in the Shoreland Zone, shall conform with all of the applicable land use standards in Section 15. The district designation for a particular site shall be determined from the Official Shoreland Zoning Map.

Key to Table 1:

- yes - Allowed - No permit required but the use must comply with all applicable local & State land use regulations.
- PB - Allowed with permit issued by the Planning Board
- CEO – Allowed with permit issued by the Code Enforcement Officer
- LPI – Allowed with permit issued by the Local Plumbing Inspector
- no - Prohibited

Abbreviations:

- LR - Limited Residential
- LC - Limited Commercial
- CFMA - Commercial Fisheries/Maritime Activities
- SP - Stream Protection
- RP - Resource Protection

TABLE 1. LAND USES IN THE SHORELAND ZONE

	<u>Land Uses</u>	<u>LR</u>	<u>LC</u>	<u>CFMA</u>	<u>SP</u>	<u>RP</u>
1	Agriculture	CEO <sup>3</sup>	CEO <sup>3</sup>	NO	CEO <sup>3</sup>	CEO <sup>3</sup>
2	Aquaculture	no	PB	PB	PB	PB
3	Bunkhouses	no	no	no	no	no
4	Campgrounds	PB	PB	no	no	no
5	Clearing of vegetation for approved construction and other allowed uses	yes	yes	yes	CEO	CEO <sup>1</sup>
6	Conversions of seasonal residences to year-round residences	LPI	LPI	no	LPI	no
7	Emergency operations	yes	yes	yes	yes	yes
8	Essential services	PB	PB	PB	PB <sup>6</sup>	PB <sup>6</sup>
9	Filling and earthmoving of < 10 cubic yards	yes	yes	yes	CEO	CEO
10	Filling and earthmoving of > 10 cubic yards	CEO	CEO	CEO	PB	PB
11	Fire prevention activities	yes	yes	yes	yes	yes
12	Home occupations	PB	PB	PB	NO	no
13	Individual, private campsites	CEO	CEO	CEO	CEO	CEO
14	Marinas	PB	PB	PB	no	no
15	Mineral exploration	no	no	no	no	no
16	Mineral extraction including sand and gravel extraction	no	no	no	no	no
17	Motorized vehicular traffic on existing roads and trails	yes	yes	yes	yes	yes
18	Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking	yes	yes	yes	yes	yes
19	Parking facilities	PB	PB	PB <sup>5</sup>	no	no
20	Pathway within 100’ of median high water	CEO	CEO	CEO	CEO	CEO

21	Piers, docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland					
	a. Temporary	CEO	CEO	CEO	CEO	CEO
	b. Permanent	PB	PB	PB <sup>5</sup>	PB	PB
22	Principal Structures and uses					
	A. One and two family residential	CEO	CEO	no	no	no
	B. Multi-unit residential	PB	PB	no	no	no
	C. Commercial	no	PB	PB <sup>5</sup>	no	no
	D. Industrial	no	no	PB <sup>5</sup>	no	no
	E. Governmental and Institutional	no	PB	PB <sup>5</sup>	no	no
	F. Small non-residential facilities for educational, scientific or nature interpretation purposes.	CEO	CEO	PB <sup>5</sup>	PB <sup>4</sup>	PB
23	Private sewage disposal systems for allowed uses	LPI	LPI	LPI	no	no
24	Public and private recreational areas involving removal or addition of more than 10 cubic yards of soils and minor structural development.	CEO	CEO	PB <sup>5</sup>	no	no
25	Road and driveway construction	CEO	CEO	CEO <sup>5</sup>	PB	no <sup>8</sup>
26	Service drops, as defined, to allowed uses	yes	yes	yes	CEO	CEO
27	Signs	CEO	CEO	CEO	CEO	CEO
28	Soil and water conservation practices	yes	yes	yes	yes	yes
29	Structures accessory to allowed uses	CEO	CEO	PB	PB <sup>4</sup>	PB
30	Surveying and resource analysis	yes	yes	yes	yes	yes
31	Uses similar to allowed uses	CEO	CEO	CEO	CEO	CEO
32	Uses similar to uses requiring a CEO permit	CEO	CEO	CEO	CEO	CEO
33	Uses similar to uses requiring a PB permit	PB	PB	PB	PB	PB
34	Wildlife management practices	yes	yes	yes	yes	yes

<sup>1</sup> In RP not permitted within 75 feet of the normal high-water line of great ponds, except to remove safety hazards

<sup>2</sup> Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed

<sup>3</sup> See Section 15N (Agriculture)

<sup>4</sup> Provided that a variance from the setback requirement is obtained from the Board of Appeals

<sup>5</sup> Functionally water-dependent uses and uses accessory to such water dependent uses only

<sup>6</sup> See further restrictions in Section 15(L)(2)

<sup>7</sup> Except when area is zoned for Resource Protection due to Flood Plain criteria in which case a permit is required from the Planning Board

<sup>8</sup> Except to provide access to permitted uses within the district, or where no reasonable alternative route or location is available outside the RP area, in which case a permit is required from the PB.

NOTE: A person performing any of the following activities shall require a permit from the Department of Environmental Protection pursuant to Title 38 M.R.S.A., Section 480-C, if the activity occurs in, on, over or adjacent to any freshwater or coastal wetland, great pond, river, stream or brook and operates in such a manner that material or soil may be washed into them:

- A. Dredging, bulldozing, removing or displacing soil, sand vegetation or other materials;
- B. Draining or otherwise dewatering;
- C. Filling, including adding sand or other material to a sand dune; or
- D. Any construction or alteration of any permanent structure.

**Section 15. LAND USE STANDARDS**

All land use activities within the shoreland zone shall conform with the following provisions, if applicable.

A. Minimum Lot Standards

	Minimum Lot Area (square feet)	Minimum Shore Frontage (feet)
1. <u>Minimum Lot Size</u>	40,000	200
2. <u>Residential per dwelling unit</u>		
a. Within the Shoreland Zone Adjacent to Tidal Areas	40,000	200
b. Within the Shoreland Zone Adjacent to Non-Tidal Areas	40,000	200
3. <u>Governmental, Institutional, Commercial or Industrial per principal structure</u>		
a. Within the Shoreland Zone Adjacent to Tidal Areas Exclusive of Those Areas Zoned for Commercial Fisheries and Maritime Activities	60,000	300
b. Within the Shoreland Zone Adjacent to Tidal Areas Zoned for Commercial Fisheries and Maritime Activities	NONE	NONE
c. Within the Shoreland Zone Adjacent to Non-Tidal Areas	60,000	300
4 <u>Public and Private Recreational Facilities</u>		
a. Within the Shoreland Zone Adjacent to Tidal and Non-Tidal Areas	60,000	300

5. If more than one residential dwelling unit, more than one governmental, institutional, commercial or industrial principal structure, or more than one public or private recreational facility is constructed on a single parcel, all dimensional requirements, including shore frontage, shall be met for each additional unit, principal structure, facility, or use.

When determining whether dimensional requirements are met, only land area within the shoreland zone shall be considered.

6. Land below the normal high-water line of a water body or upland edge of a wetland and land beneath roads serving more than two (2) lots shall not be included toward calculating minimum lot area.
7. Lots located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof after September 22, 1971.

8. The minimum width of any portion of any lot within one hundred (100) feet, horizontal distance, of the normal high-water line of a water body or upland edge of a wetland shall be equal to or greater than the shore frontage requirement for a lot with the proposed use.
9. Lots shall meet or exceed the minimum lot standards of the Building and Land Use Ordinance, Town of Lamoine.

## B. Principal and Accessory Structures

### 1. Principal and Accessory Structures

All new principal and accessory structures shall be set back at least one hundred (100) feet, horizontal distance, from the normal high-water line of any water bodies, tributary streams, or the upland edge of a wetland, except:

- a. in the Resource Protection District the setback requirement shall be 250 feet, horizontal distance, except for structures, roads, parking spaces or other regulated objects specifically allowed in that district in which case the setback requirements specified shall apply;
- b. in the Commercial Fisheries/Maritime Activities District there shall be no minimum setback if uses are functionally water-dependent; or
- c. when dictated otherwise by the Lamoine Flood Plain Management Ordinance.

The one hundred (100) foot, horizontal distance, setback mark must be approved by the Code Enforcement Officer prior to any work being done or, in cases where a structure or activities are to be within 125 feet of normal high-water line, the setback mark must be marked with stakes set by a registered surveyor at the owner's expense and a letter from said surveyor attached to the application for shoreland permit.

If a structure or activities are proposed within twenty-five (25) feet, horizontal distance, of the hundred-year Flood Plain, falling thereby in a Resource Protection District, the boundary of that zone must be established and marked by a certified surveyor at the owner's expense and a letter to that effect must be submitted as part of the application for permit.

Both setback and Floodplain elevation markers must remain undisturbed until the Code Enforcement Officer's inspection has determined that all construction conforms to the requirements of this and other pertinent ordinances.

In addition:

- i The water body, tributary stream, or wetland setback provision shall neither apply to structures which require direct access to the water as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.
- ii The Planning Board may increase the required setback of a proposed structure, as a condition to permit approval, if necessary to accomplish the purposes of this ordinance. Instances where a greater setback may be appropriate to prevent erosion include, but are not limited to, areas of steep slope; shallow or erodible soils; or where an adequate vegetative buffer does not exist.

2. Coastal Bluffs

For principal structures, water and wetland setback measurements shall be taken from the top of a coastal bluff that has been identified on Coastal Bluff maps (available at the Town Hall) as being “highly unstable” or “unstable” by the Maine Geological Survey pursuant to its “Classification of Coastal Bluffs” and published on the most recent Coastal Bluff map. If the applicant and the permitting official(s) are in disagreement as to the specific location of a “highly unstable” or “unstable” bluff, or where the top of the bluff is located, the applicant may at his or her expense, employ a Maine Registered Professional Engineer, a Maine Certified Soil Scientist, a Maine State Geologist or other qualified individual to make a determination. If agreement is still not reached, the applicant may appeal the matter to the Board of Appeals.

3. Height

Principal or accessory structures and expansions of existing structures which are permitted in the Resource Protection, Limited Residential, Limited Commercial, and Stream Protection Districts, shall not exceed thirty-five (35) feet in height. This provision shall not apply to structures such as transmission towers, windmills, antennas, and similar structures having no floor area.

4. First Floor Elevations or Openings

The lowest floor elevation or openings of all buildings and structures, including basements, shall be elevated at least one foot above the elevation of the 100 year Flood Plain as designated on the most recent Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Maps, or the flood of record, or, in the absence of these, the flood as defined by soil types identified as recent flood plain soils. Accessory structures may be placed in accordance with the standards of the Floodplain Management Ordinance and need not meet the elevation requirements of this paragraph.

5. Total Area

The total area of all structures, parking lots and other non-vegetated surfaces within the shoreland zone shall not exceed ten (10) percent of the lot or a portion thereof located within the shoreland zone, including land area previously developed, except in the Commercial Fisheries/Maritime Activities District, where lot coverage shall not exceed seventy (70) percent.

For the purposes of calculating lot coverage, non-vegetated surfaces include, but are not limited to the following: structures, driveways, parking areas, and other areas from which vegetation has been removed. Naturally occurring ledge and rock outcroppings are not counted as nonvegetated surfaces when calculating lot coverage for lots of record on March 24, 1990 and in continuous existence since that date.

6. Retaining Walls Not Necessary of Erosion Control

Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the following conditions are met:

- a. The site has been previously altered and an effective vegetated buffer does not exist;
  - b. The wall(s) is(are) at least 25 feet, horizontal distance, from the normal high-water line of a water body, tributary stream, or upland edge of a wetland;
  - c. The site where the retaining wall will be constructed is legally existing lawn or is a site eroding from lack of naturally occurring vegetation, and which cannot be stabilized with vegetative plantings;
  - d. The total height of the wall(s), in the aggregate, is no more than 24 inches;
  - e. Retaining walls are located outside of the 100-year floodplain on rivers, streams, coastal wetlands, and tributary streams, as designated on the Federal Emergency Management Agency's FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent flood plain soils.
  - f. The area behind the wall is revegetated with grass, shrubs, trees, or a combination thereof, and no further structural development will occur within the setback area, including patios and decks; and
  - g. A vegetated buffer area is established within 25 feet, horizontal distance, of the normal high-water line of a water body, tributary stream, or upland edge of a wetland when a natural buffer area does not exist. The buffer area must meet the following characteristics:
    - i. The buffer must include shrubs and other woody and herbaceous vegetation. Where natural ground cover is lacking the area must be supplemented with leaf or bark mulch;
    - ii. Vegetation plantings must be in quantities sufficient to retard erosion and provide for effective infiltration of stormwater runoff;
    - iii. Only native species may be used to establish the buffer area;
    - iv. A minimum buffer width of 15 feet, horizontal distance, is required, measured perpendicularly to the normal high-water line or upland edge of a wetland;
    - v. A footpath not to exceed the standards in Section 15(P)(2)(a), may traverse the buffer.
7. Notwithstanding the requirements stated above, stairways or similar structures may be allowed with a permit from the Code Enforcement Officer, to provide shoreline access in areas of steep slopes or unstable soils provided that the structure is limited to a maximum of four (4) feet in width; that the structure does not extend below or over the normal high-water line of a water body or upland edge of a wetland; (unless permitted by the Department of Environmental Protection pursuant to the Natural Resources Protection Act, Title 38, Section 480-C or its successor statute); and that the applicant demonstrates that no reasonable access alternative exists on the property.

C. Piers, Docks, Wharfs, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland, and Shoreline Stabilization

1. No more than one pier, dock, wharf or similar structure extending or located below the normal high-water line of a water body or within a wetland is allowed on a single lot; except that when a single lot contains at least twice the minimum shore frontage as specified in Section 15(A), a second structure may be allowed and may remain as long as the lot is not further divided.
2. Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.
3. The location shall not interfere with existing developed or natural beach areas.
4. The facility shall be located so as to minimize adverse effects on fisheries.
5. The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock or wharf in non-tidal waters shall not be wider than six feet for non-commercial uses.
6. No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity.

**NOTE:** A structure constructed on a float or floats is prohibited unless it is designed to function as, and is registered with the Maine Department of Inland Fisheries and Wildlife as a watercraft.

7. New permanent piers and docks on non-tidal waters shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the *Natural Resources Protection Act*.
8. No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district.
9. Except in the Commercial Fisheries/Maritime Activities District, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure.
10. Vegetation may be removed in excess of the standards in Section 15(P) of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Planning Board. Construction equipment must access the shoreline by barge when feasible as determined by the Planning Board.
  - a. When necessary, the removal of trees and other vegetation to allow for construction equipment access to the stabilization site via land must be limited to no more than 12 feet in width. When the stabilization project is complete the construction equipment accessway must be restored.

- b. Revegetation must occur in accordance with Section 15(S).

Permanent structures projecting into or over water bodies shall require a permit from the Department of Environmental Protection pursuant to the Natural Resources Protection Act, Title 38 M.R.S.A., Section 480-C or its successor statute.

#### D. Campgrounds

Campgrounds shall conform to the minimum requirements imposed under State licensing procedures and the following:

1. Campgrounds shall contain a minimum of five thousand (5,000) square feet of land, not including roads and driveways, for each site. Land supporting wetland vegetation, and land below the normal high-water line of a water body shall not be included in calculating land area per site.
2. The areas intended for placement of a recreational vehicle, tent or shelter, and utility and service buildings shall be set back a minimum of one hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA, and one hundred (100) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.

#### E. Temporary Uses:

Individual, private campsites, recreational vehicles, and similar temporary shelters are permitted provided the following conditions are met:

1. One campsite per lot existing on the effective date of this Ordinance, or forty thousand (40,000) square feet of lot area within the shoreland zone, whichever is less, may be permitted.
2. When an individual private campsite is proposed on a lot that contains another principal use and/or structure, the lot must contain the minimum lot dimensional requirements for the principal structure and/or use, and the individual private campsite separately.
3. Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back one hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or river flowing to a great pond classified GPA, and one hundred (100) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.
4. Only one recreational vehicle shall be allowed on a campsite. The recreational vehicle shall not be located on any type of permanent foundation except for a gravel pad, and no structure(s) except canopies shall be attached to the recreational vehicle.
5. The clearing of vegetation for the siting of the recreational vehicle, tent or similar shelter in a Resource Protection District shall be limited to one thousand (1000) square feet.
6. A written sewage disposal plan describing the proposed method and location of sewage disposal shall be required for each campsite and shall be approved by the Local Plumbing

Inspector. Where disposal is off-site, written authorization from the receiving facility or land owner is required.

7. When a recreational vehicle, tent or similar shelter is placed on a site for purposes of occupation for more than one hundred and twenty (120) days within a calendar year, all requirements for residential structures shall be met, including the installation of a subsurface sewage disposal system in compliance with the State of Maine Subsurface Wastewater Disposal Rules unless served by public sewage facilities.

#### F. Commercial and Industrial Uses.

The following new commercial and industrial uses are prohibited within the shoreland zone adjacent to great ponds classified GPA, and rivers and streams which flow to great ponds classified GPA:

1. Auto washing facilities
2. Auto or other vehicle service and/or repair operations, including body shops
3. Chemical and bacteriological laboratories
4. Storage of chemicals, including herbicides, pesticides or fertilizers, other than amounts normally associated with individual households or farms

**NOTE:** 22 M.R.S.A. section 1471-U requires municipal ordinances that apply to pesticide storage, distribution or use be filed with the Maine Board of Pesticides Control, 28 State House Station, Augusta, ME 04333. If a municipality's ordinance is more inclusive or restrictive than these Guidelines, as it pertains to pesticides, a copy of the ordinance must be filed with the Board of Pesticides Control.

5. Commercial painting, wood preserving, and furniture stripping
6. Dry cleaning establishments
7. Electronic circuit assembly
8. Laundromats, unless connected to a sanitary sewer
9. Metal plating, finishing, or polishing
10. Petroleum or petroleum product storage and/or sale except storage on same property as use occurs and except for storage and sales associated with marinas
11. Photographic processing
12. Printing

#### G. Parking Areas

1. Parking areas shall meet the shoreline and tributary setback requirements for structures for the district in which such areas are located, except that in the Commercial Fisheries/Maritime Activities District parking areas shall be set back at least twenty-five (25) feet, horizontal

distance, from the normal high-water line or the upland edge of a wetland. The setback requirement for parking areas serving public boat launching facilities, in Districts other than the Commercial Fisheries/Maritime Activities District may be reduced to no less than fifty (50) feet, horizontal distance, from the normal high-water line or upland edge of a wetland if the Planning Board finds that no other reasonable alternative exists.

2. Parking areas shall be adequately sized for the proposed use and shall be designed to prevent stormwater runoff from flowing directly into a water body, and where feasible, to retain all runoff on-site.
3. In determining the appropriate size of proposed parking facilities, the following shall apply:
  - a. Typical parking space: Approximately ten (10) feet wide and twenty (20) feet long, except that parking spaces for a vehicle and boat trailer shall be forty (40) feet long.
  - b. Internal travel aisles: Approximately twenty (20) feet wide.

#### H. Roads, Private Ways and Driveways

The following standards shall apply to the construction of roads, private ways and/or driveways and drainage systems, culverts and other related features.

1. Roads, private ways and driveways shall be set back at least one-hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA, and one hundred (100) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland unless no reasonable alternative exists as determined by the Planning Board. If no other reasonable alternative exists, the Planning Board may reduce the road, private way and/or driveway setback requirement to no less than seventy-five (75) feet, horizontal distance, upon clear showing by the applicant that appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed so as to avoid sedimentation of the water body, tributary stream, or wetland.

On slopes of greater than twenty (20) percent the road, private way and/or driveway setback shall be increased by ten (10) feet for each five (5) percent increase in slope above twenty (20) percent.

Section 15(H)(1) does not apply to approaches to water crossings or to roads or driveways that provide access to permitted structures and facilities located nearer to the shoreline or tributary stream due to an operational necessity, excluding temporary docks for recreational uses. Roads and driveways providing access to permitted structures within the setback area shall comply fully with the requirements of Section 15(H)(1) except for that portion of the road or driveway necessary for direct access to the structure.

2. Existing public roads may be expanded within the legal road right-of-way regardless of its setback from a water body, tributary stream or wetland.
3. New roads, private ways and driveways are prohibited in a Resource Protection District except to provide access to permitted uses within the district, or as approved by the Planning Board upon a finding that no reasonable alternative route or location is available outside the

district, in which case the road, private way and/or driveway shall be set back as far as practicable from the normal high-water line of a water body, tributary stream, or upland edge of a wetland.

4. Road banks shall be no steeper than a slope of two (2) horizontal to one (1) vertical, and shall be graded and stabilized in accordance with the provisions for erosion and sedimentation control contained in subsection T.
5. Road grades shall be no greater than ten (10) percent except for short segments of less than two hundred (200) feet.
6. In order to prevent road surface drainage from directly entering water bodies, tributary streams or wetlands, roads shall be designed, constructed and maintained to empty onto an unscarified buffer strip at least (50) feet plus two times the average slope, in width between the outflow point of the ditch or culvert and the normal high-water line of a water body, tributary stream or upland edge of a wetland. Road surface drainage which is directed to an unscarified buffer strip shall be diffused or spread out to promote infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip.
7. Ditch relief (cross drainage) culverts, drainage dips and water turnouts shall be installed in a manner effective in directing drainage onto unscarified buffer strips before the flow in the road, private way, driveway or ditch gains sufficient volume or head to erode the road, private way, driveway or ditch. To accomplish this, the following shall apply:
  - a. Ditch relief culverts, drainage dips and associated water turnouts shall be spaced along the road at intervals no greater than indicated in the following table:

Road Grade (Percent)	Spacing (Feet)
0-2	250
3-5	200-135
6-10	100-80
11-15	80-60
16-20	60-45
21+	40

- b. Drainage dips may be used in place of ditch relief culverts only where the road grade is ten (10) percent or less.
  - c. On road sections having slopes greater than ten (10) percent, ditch relief culverts shall be placed across the road at approximately a thirty (30) degree angle downslope from a line perpendicular to the centerline of the road.
  - d. Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends shall be stabilized with appropriate materials.
8. Ditches, culverts, bridges, dips, water turnouts and other storm water runoff control installations associated with roads, private ways, and driveways shall be maintained on a regular basis to assure effective functioning.

## 9. Private Ways: Construction Standards

All private ways located in whole or in part of the Shoreland Zone shall meet the requirements in this Section (15G) and the following:

- a. For every 500 foot section of a private way, an area twenty (20) feet in width and fifty (50) feet in length shall be constructed for the purpose of allowing two vehicles to pass;
- b. Prior to final approval the private way shall receive written approval from the Lamoine Fire Chief or his designee;
- c. Any proposal to increase the number of lots to be served by a private way to three or more must include a plan to upgrade the private way to the Minimum Standards for Street Design and Construction as found in Section 12(F) of the Lamoine Building and Land Use Code, whether or not the proposed construction constitutes a subdivision as defined in that Ordinance.

### I. Signs

The following provisions shall govern the use of signs in the Resource Protection, Stream Protection, Limited Residential and Limited Commercial Districts:

1. Signs and billboards relating to goods and services sold on the premises shall be permitted except within the 100 foot setback where no signs are permitted. Signs shall not exceed six (6) square feet in area and shall not exceed two (2) signs per premises. Signs relating to goods or services not sold or rendered on the premises shall be prohibited.
2. Name signs shall be permitted, provided such signs shall not exceed two (2) square feet in total area and two (2) signs per premises and shall be posted in accordance with State guidelines.
3. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.
4. Signs relating to trespassing and hunting shall be permitted provided that no such sign shall exceed two (2) square feet in area.
5. Signs relating to public safety shall be permitted without restriction.
6. No sign shall extend higher than eight (8) feet above the ground.
7. Only commercial signs may be illuminated and only by shielded, non-flashing lights.

### J. Storm Water Runoff

1. All new construction and development shall be designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces and wooded areas shall be retained in order to reduce runoff and encourage infiltration of stormwaters.

2. Storm water runoff control systems shall be maintained as necessary to ensure proper functioning.

**NOTE:** The *Stormwater Management Law* (38 M.R.S.A. section 420-D) requires a full permit to be obtained from the DEP prior to construction of a project consisting of 20,000 square feet or more of impervious area or 5 acres or more of a developed area in an urban impaired stream watershed or most-at-risk lake watershed, or a project with 1 acre or more of developed area in any other stream, coastal or wetland watershed. A permit-by-rule is necessary for a project with one acre or more of disturbed area but less than 1 acre impervious area (20,000 square feet for most-at-risk lakes and urban impaired streams) and less than 5 acres of developed area. Furthermore, a Maine Construction General Permit is required if the construction will result in one acre or more of disturbed area.

#### K. Septic Waste Disposal

All subsurface sewage disposal systems shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules, and the following: a) clearing or removal of woody vegetation necessary to site a new system and any associated fill extensions, shall not extend closer than seventy-five (75) feet, horizontal distance, from the normal high-water line of a water body or the upland edge of a wetland and b) a holding tank is not allowed for a first-time residential use in the shoreland zone.

**NOTE:** The Maine Subsurface Wastewater Disposal Rules require new systems, excluding fill extensions, to be constructed no less than one hundred (100) horizontal feet from the normal high-water line of a perennial water body. The minimum setback distance for a new subsurface disposal system may not be reduced by variance.

#### L. Essential Services

1. Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.
2. The installation of essential services is not permitted in a Resource Protection or Stream Protection District, except to provide services to a permitted use within said district, or except where the applicant demonstrates that no reasonable alternative exists. Where permitted, such structures and facilities shall be located so as to minimize any adverse impacts on surrounding uses and resources, including visual impacts.
3. Damaged or destroyed public utility transmission and distribution lines, towers and related equipment may be replaced or reconstructed without a permit.

M. Mineral Exploration and Extraction in the Shoreland Zone is NOT permitted.

#### N. Agriculture

1. All spreading or disposal of manure shall be accomplished in conformance with the Manure Utilization Guidelines published by the Maine Department of Agriculture on November 1, 2001 and the *Nutrient Management Law* (7 M.R.S.A. sections 4201-4209).
2. Manure shall not be stored or stockpiled within one hundred (100) feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, or within

seventy- five (75) feet horizontal distance, of other water bodies, tributary streams, or wetlands. All manure storage areas within the shoreland zone must be constructed or modified such that the facility produces no discharge of effluent or contaminated storm water.

3. Agricultural activities involving tillage of soil greater than forty thousand (40,000) square feet in surface area, or the spreading, disposal or storage of manure within the shoreland zone shall require a Soil and Water Conservation Plan to be filed with the Planning Board. Non-conformance with the provisions of said plan shall be considered to be a violation of this Ordinance.

NOTE: Assistance in preparing a soil and water conservation plan may be available through the local Soil and Water Conservation District office.

4. There shall be no new tilling of soil within one-hundred (100) feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within seventy-five (75) feet, horizontal distance, from other water bodies and coastal wetlands; nor within twenty-five (25) feet, horizontal distance, of tributary streams and freshwater wetlands. Operations in existence on the effective date of this ordinance and not in conformance with this provision may be maintained.
5. Newly established livestock grazing areas shall not be permitted within one hundred (100) feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within seventy- five (75) feet, horizontal distance, of other water bodies and coastal wetlands, nor; within twenty- five (25) feet, horizontal distance, of tributary streams and freshwater wetlands. Livestock grazing must be conducted in accordance with a Soil and Water Conservation Plan.

#### O. Timber Harvesting - REPEALED

Timber Harvesting in Lamoine is governed by Title 38 MRSA § 438-B (3) of the State of Maine Guidelines for Municipal Shoreland Zoning Ordinances. Rules for timber harvesting will be administered and enforced by the State of Maine Department of Conservation, Bureau of Forestry. Please consult Maine Statutes or the Maine Department of Conservation for the latest regulations.

#### P. Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting

1. In a Resource Protection District abutting a great pond, there shall be no cutting of vegetation within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, except to remove safety hazards trees as described in section Q.

Elsewhere, in any Resource Protection District the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.

2. Except in areas as described in Section P(1), above, and except to allow for the development of permitted uses within a strip of land extending one-hundred (100) feet, horizontal distance, inland from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance from any other water body, tributary stream or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

- a. There shall be no cleared opening greater than 250 square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer limits of the tree or shrub crown. However, a footpath not to exceed six (6) feet in width as measured between tree trunks and/or shrub stems is allowed provided that a cleared line of sight to the water through the buffer strip is not created.
- b. Selective cutting of trees within the buffer strip is allowed provided that a well-distributed stand of trees and other natural vegetation is maintained. For the purposes of Section 15(P) (2) (b) a "well-distributed stand of trees" adjacent to a great pond classified GPA or a river or stream flowing to a great pond classified GPA, shall be defined as maintaining a rating score of 24 or more in each 25-foot by 50-foot rectangular (1250 square feet) area as determined by the following rating system.

Diameter of Tree at 4-1/2 feet Above Ground Level (inches)	Points
2 - < 4 in.	1
4 - < 8 in.	2
8 - < 12 in.	4
12 in. or greater	8

Adjacent to other water bodies, tributary streams, and wetlands, a "well-distributed stand of trees" is defined as maintaining a minimum rating score of 16 per 25-foot by 50-foot rectangular area.

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NOTE: As an example, adjacent to a great pond, if a 25-foot x 50-foot plot contains four (4) trees between 2 and 4 inches in diameter, two trees between 4 and 8 inches in diameter, three trees between 8 and 12 inches in diameter, and two trees over 12 inches in diameter, the rating score is:

$$(4 \times 1) + (2 \times 2) + (3 \times 4) + (2 \times 8) = 36 \text{ points}$$

Thus, the 25-foot by 50-foot plot contains trees worth 36 points. Trees totaling 12 points (36 - 24 = 12) may be removed from the plot provided that no cleared openings are created.

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The following shall govern in applying this point system:

- i. The 25-foot by 50-foot rectangular plots must be established where the landowner or lessee proposes clearing within the required buffer;
- ii. Each successive plot must be adjacent to, but not overlap a previous plot;
- iii. Any plot not containing the required points must have no vegetation removed except as otherwise allowed by this Ordinance;
- iv. Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by this Ordinance;

- v. Where conditions permit, no more than 50% of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of Section 15(P) (2) (b) “other natural vegetation” is defined as retaining existing vegetation under three (3) feet in height and other ground cover and retaining at least five (5) saplings less than two (2) inches in diameter at four and one half (4 ½) feet above ground level for each 25-foot by 50-foot rectangle area. If five saplings do not exist, no woody stems less than two (2) inches in diameter can be removed until 5 saplings have been recruited into the plot.

Notwithstanding the above provisions, no more than 40% of the total volume of trees four (4) inches or more in diameter, measured at 4 1/2 feet above ground level may be removed in any ten (10) year period.

- c. In order to protect water quality and wildlife habitat, existing vegetation under three (3) feet in height and other ground cover, including leaf litter and the forest duff layer, shall not be cut, covered, or removed, except to provide for a footpath or other permitted uses as described in Section 15(P) paragraphs (2) and (2)(a) above.
- d. Pruning of tree branches on the bottom 1/3 of the tree is allowed.
- e. In order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species in accordance with Section Q below, unless existing new tree growth is present.
- f. In order to maintain the vegetation in the shoreline buffer, clearing or removal of vegetation for allowed activities, including associated construction and related equipment operation, within or outside the shoreline buffer, must comply with the requirements of Section 15(P)(2).

Section 15(P) (2) does not apply to those portions of public recreational facilities adjacent to public swimming areas as long as cleared areas are limited to the minimum area necessary.

- 3. At distances greater than one hundred (100) feet, horizontal distance, from a great pond classified GPA or a river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance from the normal high-water line of any other water body, tributary stream or the upland edge of a wetland, there shall be allowed on any lot, in any ten (10) year period, selective cutting of not more than forty (40) percent of the volume of trees four (4) inches or more in diameter, measured 4 1/2 feet above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the forty (40) percent calculation. For the purposes of these standards volume may be considered to be equivalent to basal area.

In no event shall cleared openings for any purpose, including but not limited to principal and accessory structures, driveways and sewage disposal areas, exceed, in the aggregate, 25% of the lot area within the shoreland zone or ten thousand (10,000) square feet, whichever is greater, including land previously cleared. This provision applies to the portion of a lot within the shoreland zone, including the buffer area, but shall not apply to the Commercial Fisheries/Maritime Activities District.

4. Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this Ordinance.
5. Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of Section 15(P).

Q. Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal

1. Hazard trees in the shoreland zone may be removed without a permit after consultation with the Code Enforcement Officer if the following requirements are met:
  - a. Within the shoreline buffer, if the removal of a hazard tree results in a cleared opening in the tree canopy greater than two hundred and fifty (250) square feet, replacement with native tree species is required, unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least four (4) feet in height, and be no less than two (2) inches in diameter. Stumps may not be removed.
  - b. Outside of the shoreline buffer, when the removal of hazard trees exceeds forty (40) percent of the volume of trees four (4) inches or more in diameter, measured at four and one half (4.5) feet above ground level in any ten (10) year period, and/or results in cleared openings exceeding twenty-five (25) percent of the lot area within the shoreland zone, or ten thousand (10,000) square feet, whichever is greater, replacement with native tree species is required, unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level.
  - c. The removal of standing dead trees, resulting from natural causes, is permissible without the need for replanting or a permit, as long as the removal does not result in the creation of new lawn areas, or other permanently cleared areas, and stumps are not removed. For the purposes of this provision dead trees are those trees that contain no foliage during the growing season.
  - d. The Code Enforcement Officer may require the property owner to submit an evaluation from a licensed forester or arborist before any hazard tree can be removed within the shoreland zone.
  - e. The Code Enforcement Officer may require more than a one-for-one replacement for hazard trees removed that exceed eight (8) inches in diameter measured at four and one half (4.5) feet above the ground level.
2. Storm-damaged trees in the shoreland zone may be removed without a permit after consultation with the Code Enforcement Officer if the following requirements are met:
  - a. Within the shoreline buffer, when the removal of storm-damaged trees results in a cleared opening in the tree canopy greater than two hundred and fifty (250) square feet,

replanting is not required, but the area shall be required to naturally revegetate, and the following requirements must be met:

- i. The area from which a storm-damaged tree is removed does not result in new lawn areas, or other permanently cleared areas;
  - ii. Stumps from the storm-damaged trees may not be removed;
  - iii. Limbs damaged from a storm event may be pruned even if they extend beyond the bottom one-third (1/3) of the tree; and
  - iv. If after one growing season, no natural regeneration or regrowth is present, replanting of native tree seedlings or saplings is required at a density of one seedling per every eighty (80) square feet of lost canopy.
- b. Outside of the shoreline buffer, if the removal of storm damaged trees exceeds 40% of the volume of trees four (4) inches or more in diameter, measured at four and one half (4.5) feet above the ground level in any ten (10) year period, or results, in the aggregate, in cleared openings exceeding 25% of the lot area within the shoreland zone or ten thousand (10,000) square feet, whichever is greater, and no natural regeneration occurs within one growing season, then native tree seedlings or saplings shall be replanted on a one-for-one basis.

#### R. Exemptions to Clearing and Vegetation Removal Requirements

The following activities are exempt from the clearing and vegetation removal standards set forth in Section 15(P), provided that all other applicable requirements of this chapter are complied with, and the removal of vegetation is limited to that which is necessary:

1. The removal of vegetation that occurs at least once every two (2) years for the maintenance of legally existing areas that do not comply with the vegetation standards in this chapter, such as but not limited to cleared openings in the canopy or fields. Such areas shall not be enlarged, except as allowed by this section. If any of these areas, due to lack of removal of vegetation every two (2) years, reverts back to primarily woody vegetation, the requirements of Section 15(P) apply;
2. The removal of vegetation from the location of allowed structures or allowed uses, when the shoreline setback requirements of section 15(B) are not applicable;
3. The removal of vegetation from the location of public swimming areas associated with an allowed public recreational facility;
4. The removal of vegetation associated with allowed agricultural uses, provided best management practices are utilized, and provided all requirements of section 15(N) are complied with;
5. The removal of vegetation associated with brownfields or voluntary response action program (VRAP) projects provided that the removal of vegetation is necessary for remediation activities to clean-up contamination on a site in a general development district, commercial fisheries and maritime activities district or other equivalent zoning district approved by the Commissioner that is part of a state or federal brownfields

program or a voluntary response action program pursuant 38 M.R.S.A section 343-E, and that is located along:

- a. A coastal wetland; or
  - b. A river that does not flow to a great pond classified as GPA pursuant to 38 M.R.S.A section 465-A.
6. The removal of non-native invasive vegetation species, provided the following minimum requirements are met:
- a. If removal of vegetation occurs via wheeled or tracked motorized equipment, the wheeled or tracked motorized equipment is operated and stored at least twenty-five (25) feet, horizontal distance, from the shoreline, except that wheeled or tracked equipment may be operated or stored on existing structural surfaces, such as pavement or gravel;
  - b. Removal of vegetation within twenty-five (25) feet, horizontal distance, from the shoreline occurs via hand tools; and
  - c. If applicable clearing and vegetation removal standards are exceeded due to the removal of non-native invasive species vegetation, the area shall be revegetated with native species to achieve compliance.

NOTE: An updated list of non-native invasive vegetation is maintained by the Department of Agriculture, Conservation and Forestry's Natural Areas Program: [http://www.maine.gov/dacf/mnap/features/invasive\\_plants/invasives.htm](http://www.maine.gov/dacf/mnap/features/invasive_plants/invasives.htm)

7. The removal of vegetation associated with emergency response activities conducted by the Department, the U.S. Environmental Protection Agency, the U.S. Coast Guard, and their agents.

#### S. Revegetation Requirements

When revegetation is required in response to violations of the vegetation standards set forth in Section 15(P), to address the removal of non-native invasive species of vegetation, or as a mechanism to allow for development that may otherwise not be permissible due to the vegetation standards, including removal of vegetation in conjunction with a shoreline stabilization project, the revegetation must comply with the following requirements.

1. The property owner must submit a revegetation plan, prepared with and signed by a qualified professional, that describes revegetation activities and maintenance. The plan must include a scaled site plan, depicting where vegetation was, or is to be removed, where existing vegetation is to remain, and where vegetation is to be planted, including a list of all vegetation to be planted.
2. Revegetation must occur along the same segment of shoreline and in the same area where vegetation was removed and at a density comparable to the pre-existing vegetation, except where a shoreline stabilization activity does not allow revegetation to occur in the same area and at a density comparable to the pre-existing vegetation, in which case revegetation must occur along the same segment of shoreline and as close as possible to the area where vegetation was removed.

3. If part of a permitted activity, revegetation shall occur before the expiration of the permit. If the activity or revegetation is not completed before the expiration of the permit, a new revegetation plan shall be submitted with any renewal or new permit application.
4. Revegetation activities must meet the following requirements for trees and saplings:
  - a. All trees and saplings removed must be replaced with native noninvasive species;
  - b. Replacement vegetation must at a minimum consist of saplings;
  - c. If more than three (3) trees or saplings are planted, then at least three (3) different species shall be used;
  - d. No one species shall make up 50% or more of the number of trees and saplings planted;
  - e. If revegetation is required for a shoreline stabilization project, and it is not possible to plant trees and saplings in the same area where trees or saplings were removed, then trees or sapling must be planted in a location that effectively reestablishes the screening between the shoreline and structures; and
  - f. A survival rate of at least eighty (80) percent of planted trees or saplings is required for a minimum five (5) years period.
5. Revegetation activities must meet the following requirements for woody vegetation and other vegetation under three (3) feet in height:
  - a. All woody vegetation and vegetation under three (3) feet in height must be replaced with native noninvasive species of woody vegetation and vegetation under three (3) feet in height as applicable;
  - b. Woody vegetation and vegetation under three (3) feet in height shall be planted in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;
  - c. If more than three (3) woody vegetation plants are to be planted, then at least three (3) different species shall be planted;
  - d. No one species shall make up 50% or more of the number of planted woody vegetation plants; and
  - e. Survival of planted woody vegetation and vegetation under three feet in height must be sufficient to remain in compliance with the standards contained within this chapter for minimum of five (5) years.
6. Revegetation activities must meet the following requirements for ground vegetation and ground cover:
  - a. All ground vegetation and ground cover removed must be replaced with native herbaceous vegetation, in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;

- b. Where necessary due to a lack of sufficient ground cover, an area must be supplemented with a minimum four (4) inch depth of leaf mulch and/or bark mulch to prevent erosion and provide for effective infiltration of stormwater; and
- c. Survival and functionality of ground vegetation and ground cover must be sufficient to remain in compliance with the standards contained within this chapter for minimum of five (5) years.

T. Erosion and Sedimentation Control

1. All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall also require a written soil erosion and sedimentation control plan. The plan shall be submitted to the permitting authority for approval and shall include, where applicable, provisions for:
  - a. Mulching and revegetation of disturbed soil.
  - b. Temporary runoff control features such as hay bales, silt fencing or diversion ditches.
  - c. Permanent stabilization structures such as retaining walls or rip-rap.
2. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.
3. Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed soil at every phase of construction shall be minimized to reduce the potential for erosion.
4. Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases permanent stabilization shall occur within nine (9) months of the initial date of exposure. In addition:
  - a. Where mulch is used, it shall be applied at a rate of at least one (1) bale per five hundred (500) square feet and shall be maintained until a catch of vegetation is established.
  - b. Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.
  - c. Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.
5. Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainage ways shall be designed and constructed in order to carry water from a twenty five (25) year storm or greater, and shall be stabilized with vegetation or lined with riprap.

## U. Soils

All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, improper drainage, and water pollution, whether during or after construction. Proposed uses requiring subsurface waste disposal, and commercial or industrial development and other similar intensive land uses, shall require a soils report based on an on-site investigation and be prepared by state-certified professionals. Certified persons may include Maine Certified Soil Scientists, Maine Registered Professional Engineers, Maine State Certified Geologists and other persons who have training and experience in the recognition and evaluation of soil properties. The report shall be based upon the analysis of the characteristics of the soil and surrounding land and water areas maximum ground water elevation, presence of ledge, drainage conditions and other pertinent data which the evaluator deems appropriate. The soils report shall include recommendations for a proposed use to counteract soil limitations where they exist.

## V. Water Quality

No activity shall deposit on or into the ground or discharge to the waters of the State any pollutant that, by itself or in combination with other activities or substances will impair designated uses or the water classification of the water body.

## W. Archeological Sites

Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on the National Register of Historic Places, as determined by the permitting authority shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment, at least twenty (20) days prior to action being taken by the permitting authority. The permitting authority shall consider comments received from the Commission prior to rendering a decision on the application.

**NOTE:** Municipal officials should contact the Maine Historic Preservation Commission for the listing and location of Historic Places in their community.

## Section 16. ADMINISTRATION

### A. Administering Bodies and Agents

#### 1. Planning Board

A Planning Board shall be created in accordance with the provisions of State law.

The Planning Board shall exercise responsibility for the administration of this Ordinance. It shall issue permits as authorized in the Table of Land Uses (Section 14). The Board shall retain oversight responsibilities for any parcel under consideration for development in the Shoreland Zone, undergoing such development, or in which such development has been completed.

#### 2. Code Enforcement Officer

A Code Enforcement Officer shall be appointed or reappointed annually by July 1st.

The Planning Board shall call on the services of the Code Enforcement Officer (CEO) for its administrative purposes and the Code Enforcement Officer shall be responsible to the Board in the performance of Board-related duties.

The CEO shall review all applications required to be submitted under this ordinance and shall make findings and recommendations to the Board. Permits shall be issued in accordance with the Table of Land Uses (Section 14). The CEO shall carry out all those enforcement activities and responsibilities described in Section 16(I) of this ordinance and perform other duties as the Board may request.

### 3. Board of Appeals

A Board of Appeals shall be created in accordance with the provisions of MRSA Title 30-A Section 2691. See Section I for powers and duties of the Board of Appeals.

### 4. Board of Selectmen

Any action needed to enforce the provisions of this Ordinance shall be taken by the Selectmen of the Town of Lamoine on their own motion or on the recommendation of the Planning Board or the Code Enforcement Officer. See Section J.Enforcement.

## B. Permits Required

After the effective date of this Ordinance no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur; or expand, change, or replace an existing use or structure; or renew a discontinued nonconforming use. The applicant is responsible for obtaining all required permits prior to the issuance of a Lamoine Shoreland permit. A person who is issued a permit pursuant to this Ordinance shall have a copy of the permit on site while the work authorized by the permit is performed.

1. A permit is not required for the replacement of an existing road culvert as long as:
  - a. The replacement culvert is not more than 25% longer than the culvert being replaced;
  - b. The replacement culvert is not longer than 75 feet; and
  - c. Adequate erosion control measures are taken to prevent sedimentation of the water, and the crossing does not block fish passage in the watercourse.
2. A permit is not required for an archaeological excavation as long as the excavation is conducted by an archaeologist listed on the State Historic Preservation Officer's level 1 or level 2 approved list, and unreasonable erosion and sedimentation are prevented by means of adequate and timely temporary and permanent stabilization measures.
3. Any permit required by this Ordinance shall be in addition to any other permit required by other law or ordinance.

### C. Permit Application

Every applicant for a Shoreland Zoning permit shall complete all applicable sections of the Town of Lamoine Construction Application form. The application shall include all information listed below and be submitted to the appropriate official as indicated in Section 14 – Table of Land Uses. Applications submitted to the Planning Board must be signed by the Code Enforcement Officer to indicate that they have been reviewed for completeness. Application materials must be submitted in nine copies (one for each Board member, one for the CEO, and one for the Town file).

1. The Shoreland Zoning permit application shall include:
  - a. detailed plot plan (See Attachment A of the Construction Application) showing the names of abutting landowners, boundary lines and perimeter footage, all setback measurements, Flood Plain boundary lines, sewage plans, roads, site elevation above normal high-water mark, and location and elevation notations if required by section d and/or e below;
  - b. front and side elevations drawings of any proposed structures (See Attachment B of the Construction Application);
  - c. a completed HHE-200 (or successor form used as an application for septic system permit), with a written statement from the Town Plumbing Inspector that the design is sufficient to allow granting of a plumbing permit (Form obtained from CEO);
  - d. a Flood Hazard Development permit if required, which includes, where necessary, a letter from a registered surveyor attesting to the placement of markers indicating the boundary of the Flood Plain affecting the location of structures and other land uses (See Article III Flood Plain Management Ordinance);
  - e. in cases where construction will occur within 125 feet of normal high water mark, a letter from a registered surveyor attesting to the fact that markers indicating the location and elevation of the 100 foot setback from normal high water mark have been placed on the property;
  - f. the signature of the owner or owners who can show evidence of right, title, or interest in the parcel or their authorized agent (in which case a letter of authorization must be included);
  - g. the appropriate fee;
  - h. any other information that the Code Enforcement Officer or Planning Board may require as necessary to determine conformity with the provisions of this Ordinance.

In addition to the above information and that information stipulated in Lamoine’s Building and Land Use Ordinance, applications for governmental, institutional, commercial or industrial principal structures or for public or private recreational facilities must be accompanied by an environmental impact study indicating the effects of the proposed land use on the parcel, on abutting landowners, on the abutting water bodies and on their customary uses.

2. Flood Hazard Development Permit Required Prior to Building Permit.

No building permit shall be issued for any structure or use on a parcel which, in part or in whole, falls within the Flood Plain unless the conditions of the Town of Lamoine Flood Plain Management Ordinance are met. In cases where a Flood Plain Zone restricts the proposed land use, a registered surveyor must mark the boundary of that zone on the parcel and provide a letter to the Planning Board attesting to the accurate placement of those markers. In these cases, a Flood Hazard Development permit must be obtained prior to the issuance of a Building Permit.

3. Plumbing Permit Required Prior to Building Permit

No building permit shall be issued for any structure or use involving construction, installation or alteration of plumbing facilities unless a permit for such facilities has been secured by the applicant or an authorized agent, according to the requirements of this Ordinance.

4. All applications shall be dated and the Planning Board shall note upon each application the date and time of the Planning Board meeting at which it was received.

D. Procedure for Administering Permits

1. Notification of Completeness

Within 35 days of the date of receiving a written application, the Planning Board or Code Enforcement Officer, as indicated in Section 14, shall notify the applicant in writing either that the application is a complete application, or, if the application is incomplete, that specified additional material is needed to make the application complete.

2. Notification of Decision

When an application can be approved without public hearing, the Planning Board or the Code Enforcement Officer, as appropriate, shall approve, approve with conditions or deny all permit applications in writing within 35 days of receiving a completed application unless the Planning Board has a waiting list of applications. In such case, a decision shall occur within 35 days after the first available date on the Planning Board's agenda following receipt of the completed application.

3. Criteria for Decision

Permits shall be approved if the proposed use or structure is found to be in conformance with the purposes and provisions of this Ordinance.

The applicant shall have the burden of proving that the proposed land use activity is in conformity with the purposes and provisions of this Ordinance.

After the submission of a complete application to the Planning Board, the Board shall approve an application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use:

- a. Will meet requirements for the Shoreland Zone in which the proposal is located;

- b. Will maintain safe and healthful conditions;
- c. Will not result in water pollution, erosion, or sedimentation to surface waters;
- d. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
- e. Will protect buildings and lands from flooding and accelerated erosion;
- f. Will protect archaeological and historic resources as designated in the Comprehensive Plan;
- g. Will not adversely affect existing commercial fishing or maritime activities in a Commercial Fisheries/Maritime Activities district;
- h. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
- i. Will avoid problems associated with Flood Plain development and use;
- j. Will adequately provide for the disposal of wastewater; and
- k. Is in conformance with the provisions of Section 15, Land Use Standards.

#### 4. Denial and Conditions

If a permit is either denied or approved with conditions, the reasons as well as conditions shall be stated in writing.

No approval shall be granted for an application involving a structure if the structure would be located in an unapproved subdivision or would violate any other local ordinance or regulation or any State law which the Town of Lamoine is responsible for enforcing.

- E. Special Exceptions. In addition to the criteria specified in Section 16(D) above, excepting structure setback requirements, the Planning Board may approve a permit for a single family residential structure in a Resource Protection District provided that the applicant demonstrates that all of the following conditions are met:
  - 1. There is no location on the property, other than a location within the Resource Protection District, where the structure can be built.
  - 2. The lot on which the structure is proposed is undeveloped and was established and recorded in the registry of deeds of the county in which the lot is located before the adoption of the Resource Protection District.
  - 3. All proposed buildings, sewage disposal systems and other improvements are:
    - (a) Located on natural ground slopes of less than 20%; and

- (b) Located outside the floodway of the 100-year flood-plain along rivers and artificially formed great ponds along rivers and outside the velocity zone in areas subject to tides, based on detailed flood insurance studies and as delineated on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps; all buildings, including basements, are elevated at least one foot above the 100-year flood-plain elevation; and the development is otherwise in compliance with any applicable municipal flood-plain ordinance.

If the floodway is not shown on the Federal Emergency Management Agency Maps, it is deemed to be 1/2 the width of the 100-year flood-plain.

- 4. The total footprint, including cantilevered or similar overhanging extensions, of all principal and accessory structures is limited to a maximum of 1,500 square feet. This limitation shall not be altered by variance.
- 5. All structures, except functionally water-dependent structures, are set back from the normal high- water line of a water body, tributary stream or upland edge of a wetland to the greatest practical extent, but not less than 75 feet, horizontal distance. In determining the greatest practical extent, the Planning Board shall consider the depth of the lot, the slope of the land, the potential for soil erosion, the type and amount of vegetation to be removed, the proposed building site's elevation in regard to the flood-plain, and its proximity to moderate-value and high-value wetlands.

#### F. Expiration of Permit

A permit issued under this Ordinance shall lapse and become void if a substantial start is not made in construction or in the use of the property within one year from the date of issuance of the permit and if the project is not completed sufficiently to receive a certificate of occupancy within two years of the date of issuance of the permit. Thereafter, no further work on such construction shall be performed until the Board either renews the application or requests and approves a new application.

If an extension of these time limits is granted, the permit shall be valid for no more than one additional year.

Nothing in this section shall prohibit the Planning Board from requiring submission of additional information if needed to determine whether to grant an extension.

#### G. Fees.

An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen.

No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.

## H. Installation of Public Utility Service

No public utility, water district, sanitary district or any utility company of any kind may install services to any new structure located in the shoreland zone unless written authorization attesting to the validity and currency of all local permits required under this or any previous Ordinance has been issued by the appropriate municipal officials. Following installation of service, the company or district shall forward the written authorization to the Code Enforcement Officer of the Town of Lamoine, indicating that installation has been completed.

## I. Appeals

### 1. Powers and Duties of the Board of Appeals

The Board of Appeals shall have the following powers:

#### a. Administrative Appeals:

- (1) To hear and decide administrative appeals on an appellate basis where it is alleged by an aggrieved party that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Planning Board in the administration of this Ordinance;
- (2) To hear and decide administrative appeals on a de novo basis where it is alleged by an aggrieved party that there is an error in any order, requirement, decision or determination made by, or failure to act by, the Code Enforcement Officer in his or her review of and action on a permit application under this Ordinance.
- (3) Any order, requirement, decision or determination made, or failure to act, in the enforcement of this ordinance is not appealable to the Board of Appeals.

#### b. Variance Appeals:

To authorize variances upon appeal, within the limitations set forth in this Ordinance.

### 2. Administrative Appeals

- a. When the Board of Appeals reviews a decision of the Code Enforcement Officer, it shall hold a “de novo” hearing. At this time the Board may receive and consider new evidence and testimony, be it oral or written. When acting in a “de novo” capacity the Board of Appeals shall hear and decide the matter afresh, undertaking its own independent analysis of evidence and the law, and reaching its own decision.
- b. When the Board of Appeals reviews a decision of the Planning Board, it shall hold an appellate hearing and may reverse the decision of the Planning Board only upon finding that the decision was contrary to specific provisions of the Ordinance or contrary to the facts presented to the Planning Board. The Board of Appeals may review only the record of the proceedings before the Planning Board. The Board of Appeals shall not receive or consider any evidence which was not presented to the Planning Board, but the Board of Appeals may receive and consider written or oral arguments. If the Board of Appeals determines that the record of the Planning Board proceeding are inadequate, the Board of Appeals may remand the matter to the Planning Board for additional fact finding.

### 3. Variance Appeals

Variations may be permitted only under the following conditions:

- a. Variations may be granted only from dimensional requirements including but not limited to, lot width, structure height, percent of lot coverage and setback requirements.
- b. Variations shall not be granted for establishment of any uses otherwise prohibited by this Ordinance.
- c. The Board shall not grant a variance unless it finds that:
  - (1) The proposed structure or use would meet the provisions of Section 15 except for the specific provision which has created the non-conformity and from which relief is sought; and
  - (2) The strict application of the terms of this Ordinance would result in undue hardship. The term "undue hardship" shall mean:
    - (a) That the land in question cannot yield a reasonable return unless a variance is granted;
    - (b) That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
    - (c) That the granting of a variance will not alter the essential character of the locality; and
    - (d) That the hardship is not the result of action taken by the applicant or a prior owner.
- d. Notwithstanding Section 16(I)(2)(c)(ii) above, the Board of Appeals, or the Code Enforcement Officer, if authorized in accordance with 30-A MRSA §4353-A, may grant a variance to an owner of a residential dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The board shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability. The board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. The term "structures necessary for access to or egress from the dwelling" shall include railing, wall or roof systems necessary for the safety or effectiveness of the structure. Any permit issued pursuant to this subsection is subject to Sections 16(I)(2)(f) and 16(I)(4)(b)(iv) below.)
- e. The Board of Appeals shall limit any variations granted as strictly as possible in order to ensure conformance with the purposes and provisions of this Ordinance to the greatest extent possible, and in doing so may impose such conditions to a variance as it deems necessary. The party receiving the variance shall comply with any conditions imposed.

- f. A copy of each variance request, including the application and all supporting information supplied by the applicant, shall be forwarded by the municipal officials to the Commissioner of the Department of Environmental Protection at least twenty (20) days prior to action by the Board of Appeals. Any comments received from the Commissioner prior to action by the Board of Appeals shall be made part of the record and shall be taken into consideration by the Board of Appeals.
- g. A copy of all variances granted by the Board of Appeals shall be submitted to the Department of Environmental Protection within fourteen (14) days of the decision.

#### 4. Appeal Procedure

##### a. Making an Appeal

- (1) An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party from any decision of the Code Enforcement Officer or the Planning Board, except for enforcement-related matters as described in Section 16(I)(1)(a) above. Such an appeal shall be taken within thirty (30) days of the date of the written decision appealed from, and not otherwise, except that the Board, upon a showing of good cause, may waive the thirty (30) day requirement.
- (2) Such appeal shall be made by filing with the Board of Appeals a written notice of appeal which includes:
  - (a) A concise written statement indicating what relief is requested and why it should be granted.
  - (b) A sketch drawn to scale showing lot lines, location of existing buildings and structures and other physical features of the lot pertinent to the relief sought.
- (3) Upon being notified of an appeal to the Board of Appeals, the Code Enforcement Officer or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the papers constituting the record of the decision appealed from.
- (4) The Board of Appeals shall hold a public hearing on an administrative appeal or a variance appeal within thirty-five (35) days of its receipt of a complete written application, unless this time period is extended by agreement of both parties

##### b. Decision by Board of Appeals

- (1) A majority of the full voting membership of the Board shall constitute a quorum for the purpose of deciding an appeal. A member who abstains shall not be counted in determining whether a quorum exists.
- (2) The concurring vote of a majority of the full voting membership of the Board of Appeals present and voting shall be necessary to reverse an order, requirement, decision, or determination of the Code Enforcement Officer or Planning Board, or to decide in favor of the applicant on any matter on which it is required to decide under this Ordinance, or to affect any variation in the application of this Ordinance from its stated terms. The board may reverse the decision, or failure to act, of the Code

Enforcement Officer or Planning Board only upon a finding that the decision, or failure to act, was clearly contrary to specific provisions of this Ordinance.

- (3) The person filing the appeal shall have the burden of proof.
- (4) The Board shall decide all administrative appeals and variance appeals within thirty five (35) days after the close of the hearing, and shall issue a written decision on all appeals.
- (5) All decisions shall become a part of the record and shall include a statement of findings and conclusions as well as the reasons or basis thereof, and the appropriate order, relief or denial thereof.

#### 5. Appeal to Superior Court

Except as provided by 30-A M.R.S.A. Section 2691(3)(F), any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court in accordance with State laws within forty-five (45) days from the date of any decision of the Board of Appeals.

#### 6. Reconsideration.

In accordance with 30-A M.R.S.A. section 2691(3)(F), the Board of Appeals may reconsider any decision within forty-five (45) days of its prior decision. A request to the Board to reconsider a decision must be filed within ten (10) days of the decision that is being reconsidered. A vote to reconsider and the action taken on that reconsideration must occur and be completed within forty-five (45) days of the date of the vote on the original decision. Reconsideration of a decision shall require a positive vote of the majority of the Board members originally voting on the decision, and proper notification to the landowner, petitioner, Planning Board, Code Enforcement Officer, and other parties of interest, including abutters and those who testified at the original hearing(s). The Board may conduct additional hearings and receive additional evidence and testimony.

Appeal of a reconsidered decision to Superior Court must be made within fifteen (15) days after the decision on reconsideration.

### J. Enforcement

#### 1. Nuisances

Any violation of this Ordinance shall be deemed to be a nuisance.

#### 2. Code Enforcement Officer

- a. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he or she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including discontinuance of illegal use of land, buildings or structures or work being done, removal of illegal buildings or structures, and abatement of nuisance

conditions. A copy of such notices shall be submitted to both the Selectmen and the Planning Board and be maintained as a permanent record.

- b. The Code Enforcement Officer shall conduct on-site inspections to ensure compliance with all applicable laws and conditions attached to permit approvals. The Code Enforcement Officer shall also investigate all written complaints of alleged violations of this Ordinance submitted to the Selectmen.
- c. The Code Enforcement Officer shall keep a complete record of all essential transactions of the office, including applications submitted, permits granted or denied, variances granted or denied, revocation actions, revocation of permits, appeals, court actions, violations investigated, violations found, and fees collected. On an annual basis, a summary of this record shall be submitted to the Director of the Bureau of Land Quality Control within the Department of Environmental Protection.

### 3. Legal Actions

When the above action does not result in the correction or abatement of the violation or nuisance condition, the Lamoine Board of Selectmen, upon notice from the Code Enforcement Officer, are hereby directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the Town of Lamoine. The Board of Selectmen, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without Court action. Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.

### 4. Fines

Any person, including but not limited to a landowner, a landowner's agent or a contractor, who orders or conducts any activity in violation of this Ordinance shall be penalized in accordance with Title 30-A, Maine Revised Statutes Annotated, Subsection 4452.

NOTE: Current penalties include fines of not less than \$100 or more than \$2500 per violation for each day that the violation continues. However, in a Resource Protection District the maximum penalty is increased to \$5000 (30-A M.R.S.A. § 4452)

## Section 17. DEFINITIONS

**Accessory structure or use** - a use or structure which is incidental and subordinate to the principal use or structure. Accessory uses, when aggregated shall not subordinate the principal use of the lot. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.

**Aggrieved party** - an owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.

**Agriculture** - the production, keeping or maintenance for sale or lease, of plants and/or animals, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green house products. Agriculture does not include forest management and timber harvesting activities.

**Aquaculture** - the growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species.

**Basal Area** – the area of cross-section of a tree stem at 4 ½ feet above ground level and inclusive of bark.

**Basement** – any portion of a structure with a floor-to-ceiling height of 6 feet or more and having more than 50% of this volume below the existing ground level.

**Boat Launching Facility** - a facility designed primarily for the launching and landing of watercraft, and which may include an access ramp, docking area, and parking spaces for vehicles and trailers.

**Bunkhouses and similar structures** – Structures that are not accessory to a principal structure and that are intended for use as temporary or seasonal living quarters, that have no permanent foundation and no subsurface sewage disposal system.

**Bureau of Forestry** – State of Maine Department of Agriculture, Conservation, and Forestry, Bureau of Forestry

**Campground** – any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.

**Canopy** – the more or less continuous cover formed by tree crowns in a wooded area.

**Coastal Bluff** – the area identified on Coastal Bluff maps as being “highly unstable” or “unstable” by the Maine Geological Survey. (A coastal bluff map is available at the Town Office).

**Coastal wetland** - all tidal and subtidal lands; all lands *in the Shoreland Zone* below any identifiable debris line left by tidal action; all lands with vegetation present that is tolerant of salt water and occurs primarily in a salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous low land which is subject to tidal action during the maximum spring tide level as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes.

**Commercial use** - the use of lands, buildings, or structures, other than a "home occupation," defined below, the intent and result of which activity is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units.

**Development** – a change in land use involving alteration of the land, water or vegetation, or the addition or alteration of structures or other construction not naturally occurring.

**Dimensional requirements** - numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height.

**Disability** - any disability, infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness; and also includes the physical or mental condition of a person which constitutes a substantial handicap as determined by a physician or in the case of mental handicap, by a psychiatrist or psychologist, as well as any other health or sensory impairment which requires special education, vocational rehabilitation or related services.

**Driveway** - a vehicular access-way less than five hundred (500) feet in length serving two single-family dwellings or one two-family dwelling, or less.

**Emergency operations** - operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings, property and livestock from the threat of destruction or injury.

**Essential services** - gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

**Expansion of a structure** - an increase in the floor area or volume of a structure, including all extensions such as, but not limited to, attached: decks, garages, porches and greenhouses.

**Expansion of use** - the addition of one or more months to a use's operating season; or the use of more footprint of a structure or ground area devoted to a particular use.

**Family** - two (2) or more persons related by blood, marriage, adoption or guardianship, or not more than five (5) persons not so related, occupying a dwelling unit and living as a single housekeeping unit; such a group to be distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

**Floodway** - the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation by more than one foot in height.

**Floor area** - the sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches and decks.

**Footprint** - the entire area of ground covered by the structure(s) on a lot, including but not limited to cantilevered or similar overhanging extensions, as well as unenclosed structures, such as patios and decks.

**Forested wetland** – a freshwater wetland dominated by woody vegetation that is six (6) meters tall (approximately twenty (20) feet) or taller.

**Foundation** - the supporting substructure of a building or other structure, excluding wooden sills and post supports, including but not limited to basements, slabs, sills, posts, frostwalls or other base consisting of concrete, block, brick or similar material

**Freshwater wetland** - freshwater swamps, marshes, bogs and similar areas which are:

1. of ten or more contiguous acres; or of less than 10 contiguous acres and adjacent to a surface water body, excluding any river, stream or brook such that in a natural state, the combined surface area is in excess of 10 acres; and
2. inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

**Functionally water-dependent uses** - those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal and inland waters and which cannot be located away from these waters. The uses include, but are not limited to commercial and recreational fishing and boating facilities, finfish and shellfish processing, fish storage and retail and wholesale fish marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas, navigation aides, basins and channels, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water and which cannot reasonably be located or operated at an inland site, and uses which primarily provide general public access to marine or tidal waters. Recreational boat storage buildings are not considered to be a functionally water-dependent use.

**Great pond** - any inland body of water which in a natural state has a surface area in excess of ten acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres except for the purposes of this Ordinance, where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner.

**Great pond classified GPA** - any great pond classified GPA, pursuant to Title 38 Article 4-A Section 465-A. This classification includes some, but not all impoundments of rivers that are defined as great ponds.

**Ground cover** – small plants, fallen leaves, needles and twigs, and the partially decayed organic matter of the forest floor.

**Hazard tree** - a tree with a structural defect, combination of defects, or disease resulting in a structural defect that under the normal range of environmental conditions at the site exhibits a high probability of failure and loss of a major structural component of the tree in a manner that will strike a target. A normal range of environmental conditions does not include meteorological anomalies,

such as, but not limited to: hurricanes; hurricane-force winds; tornados; microbursts; or significant ice storm events. Hazard trees also include those trees that pose a serious and imminent risk to bank stability. A target is the area where personal injury or property damage could occur if the tree or a portion of the tree fails. Targets include roads, driveways, parking areas, structures, campsites, and any other developed area where people frequently gather and linger.

**Height of a structure** - the vertical distance between the mean original (prior to construction) grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.

**Home occupation** - an occupation or profession which is customarily conducted on or in a residential structure or property and which is 1) clearly incidental to and compatible with the residential use of the property and surrounding residential uses; and 2) which employs no more than two (2) persons other than family members residing in the home.

**Increase in nonconformity of a structure** – any change in a structure or property which causes further deviation from the dimensional standard(s) creating the nonconformity such as, but not limited to, reduction in water body, tributary stream or wetland setback distance, increase in lot coverage, or increase in height of a structure. Property changes or structure expansions which either meet the dimensional standard or which cause no further increase in the linear extent of nonconformance of the existing structure shall not be considered to increase nonconformity. For example, there is no increase in nonconformity with the setback requirement for water bodies, wetlands, or tributary streams if the expansion extends no further into the required setback area than does any portion of the existing nonconforming structure. Hence, a structure may be expanded laterally provided that the expansion extends no closer to the water body, tributary stream, or wetland than the closest portion of the existing structure from that water body, tributary stream, or wetland. Included in this allowance are expansions which in-fill irregularly shaped structures.

**Individual private campsite** - an area of land which is not associated with a campground, but which is developed for repeated camping by only one group not to exceed ten (10) individuals and which involves site improvements which may include but not be limited to gravel pads, parking areas, fire places, or tent platforms.

**Industrial** - The assembling, fabrication, finishing, manufacturing, packaging or processing of goods, or the extraction of minerals except when conducted as part of a home occupation or conducted wholly within an existing structure where no utility modifications are required, the operation has no more than three employees, and no more than 2000 square feet. Proposed uses beneath the above thresholds may be reviewed as commercial uses.

**Institutional:** A non-profit or quasi-public use or institution such as a church, library, public or private school, hospital or municipally owned or operated building structure or land used for public purposes.

**Light Commercial Uses** - Commercial uses which, because of the limited effects of traffic, noise, dust, fumes, vapors, gases, odors, hours of operation or other conditions, can coexist compatibly with residential and recreational uses.

**Lot area** - The area of land enclosed within the boundary lines of a lot, minus the land below the normal high-water line of a water body or upland edge of a freshwater or coastal wetland and areas beneath roads serving more than two lots.

**Marina** - a business establishment having frontage on navigable water and, as its principal use, providing for hire offshore moorings or docking facilities for boats, and which may also provide accessory services such as boat and related sales, boat repair and construction, indoor and outdoor storage of boats and marine equipment, boat and tackle shops and marine fuel service facilities.

**Market value** – The estimated price a property will bring in the open market and under prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels.

**Median High Water** – See “Normal High Water”

**Mineral exploration** - hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land and which include reasonable measures to restore the land to its original condition.

**Mineral extraction** - any operation which within any twelve (12) month period; removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and to transport the product removed away from the extraction site.

**Minimum lot width** - the closest distance between the side lot lines of a lot. When only two lot lines extend into the shoreland zone, both lot lines shall be considered to be side lot lines.

**Multi-family dwelling** - A building containing three (3) or more dwelling units, such buildings being designed exclusively for residential use and occupancy by three (3) or more families living independently of one another, with the number of families not exceeding the number of dwelling units.

**Native** – indigenous to the local forests.

**Non-conforming condition** – non-conforming lot, structure or use which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

**Non-conforming lot** - a single lot of record which, at the effective date of adoption or amendment of this Ordinance, does not meet the area, frontage, or width requirements of the district in which it is located.

**Non-conforming structure** - a structure which does not meet any one or more of the following dimensional requirements; setback, height, or lot coverage, but which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

**Non-conforming use** - use of buildings, structures, premises, land or parts thereof which is not permitted in the district in which it is situated, but which is allowed to remain solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

**Non-native invasive species of vegetation** - species of vegetation listed by the Maine Department of Agriculture, Conservation and Forestry as being invasive in Maine ecosystems and not native to Maine ecosystems.

**Normal high-water line** - that line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. Areas contiguous with rivers and

great ponds that support non-forested wetland vegetation and hydric soils and that are at the same or lower elevation as the water level of the river or great pond during the period of normal high-water are considered part of the river or great pond.

**Outlet stream** - any perennial or intermittent stream, as shown on the most recent highest resolution version of the national hydrography dataset available from the United States Geological Survey on the website of the United States Geological Survey or the national map, that flows from a freshwater wetland.

**Pathway** – A foot travel way for shore access not to exceed six (6) feet in width as measured between tree trunks, winding so as to preclude a clear line of sight and constructed of pervious material which follows the natural contour of land to the maximum extent possible.

**Person** - an individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, or other legal entity.

**Piers, docks, wharfs, bridges and other structures and uses** extending over or beyond the normal high-water line or within a wetland.

**Temporary:** Structures which remain in or over the water for less than seven (7) months in any period of twelve (12) consecutive months.

**Permanent:** Structures which remain in or over the water for seven (7) months or more in any period of twelve (12) consecutive months.

**Principal structure** - a building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same lot.

**Principal use** - a use other than one which is wholly incidental or accessory to another use on the same lot.

**Private Way** – A vehicular access-way five hundred (500) feet or greater in length serving two lots or less, and usually providing a means of access between a buildable back lot and a public or private road.

**Public facility** - any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated, or funded by a governmental body or public entity.

**Recent flood plain soils** - the following soil series as described and identified by the National Cooperative Soil Survey:

Alluvial	Cornish	Charles
Fryeburg	Hadley	Limerick
Lovewell	Medomak	Ondawa
Podunk	Rumney	Saco
Suncook	Sunday	Winooski

**Recreational facility** - a place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, excluding boat launching facilities.

**Recreational vehicle** - a vehicle or an attachment to a vehicle designed to be towed, and designed for temporary sleeping or living quarters for one or more persons, and which may include a pick-up camper, travel trailer, tent trailer, camp trailer, and motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on the ground, and must be registered with the State Division of Motor Vehicles.

**Replacement system** - a system intended to replace: 1.) an existing system which is either malfunctioning or being upgraded with no significant change of design flow or use of the structure, or 2.) any existing overboard wastewater discharge.

**Residential dwelling unit** - a room or groups of rooms designed and equipped exclusively for use as permanent, seasonal or temporary living quarters for only one family at a time and containing cooking, sleeping and toilet facilities. The term shall include mobile homes and rental units that contain cooking, sleeping and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units.

**Riprap** - rocks, irregularly shaped, and at least six (6) inches in diameter, used for erosion control and soil stabilization, typically used on ground slopes of two (2) units horizontal to one (1) unit vertical or less.

**River** - a free-flowing body of water including its associated flood plain wetlands from that point at which it provides drainage for a watershed of twenty five (25) square miles to its mouth.

**NOTE:** The portion of a river that is subject to tidal action is a coastal wetland.

**Road** - a route or track consisting of a bed of exposed mineral soil, gravel, asphalt or other surfacing material constructed for or created by the repeated passage of motorized vehicles, excluding a driveway or private way as defined.

**Salt marsh**- Areas of coastal wetland (most often along coastal bays) that support salt tolerant species, and where at average high tide during the growing season, the soil is irregularly inundated by tidal waters. The predominant species is saltmarsh cordgrass (*Spartina alterniflora*). More open areas often support widgeon grass, eelgrass and Sago pondweed.

**Salt meadow** - Areas of coastal wetland that support salt tolerant plant species bordering the landward side of salt marshes or open coastal water, where the soil is saturated during the growing season but which is rarely inundated by tidal water. Indigenous plant species include salt meadow cordgrass (*Spartina patens*) and black rush; common threesquare occurs in fresher areas.

**Sapling** - a tree species that is less than two (2) inches in diameter at four and one half (4.5) feet above ground level.

**Seedling** - a young tree species that is less than four and one half (4.5) feet in height above ground level.

**Service drop** - any utility line extension which does not cross or run beneath any portion of a water body provided that:

1. in the case of electric service
  - a. the placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way; and
  - b. the total length of the extension is less than one thousand (1,000) feet.
2. in the case of telephone service
  - a. the extension, regardless of length, will be made by the installation of telephone wires to existing utility poles, or
  - b. the extension requiring the installation of new utility poles or placement underground is less than one thousand (1,000) feet in length.

**Setback** - The nearest horizontal distance from the normal high-water line of a water body or tributary stream or upland edge of a freshwater or coastal wetland to the nearest part of a structure, road, parking space or other regulated object or area.

**Shore frontage** - The length of a lot bordering on a water body or wetland measured in a straight line between the intersections of the lot lines with the shoreline at normal high-water elevation, or at the upland edge of a wetland.

**Shoreland zone** - The land area located within two hundred and fifty (250) feet, horizontal distance, of the normal high-water line of any great pond or river; within 250 feet, horizontal distance, of the upland edge of a coastal wetland including all areas affected by tidal action: within 250 feet of the upland edge of a freshwater wetland or within seventy-five (75) feet, horizontal distance, of the normal high-water of a stream.

**Shoreline:** The normal high-water line or upland edge of a freshwater or coastal wetland.

**Significant River Segments** - See Title 38 MRSA Sec. 437.

**Storm-damaged tree** - a tree that has been uprooted, blown down, is lying on the ground, or that remains standing and is damaged beyond the point of recovery as the result of a storm event.

**Stream** - a free-flowing body of water from the outlet of a great pond or the confluence of two (2) perennial streams as depicted on the most recent, highest resolution version of the national hydrography dataset available from the United States Geological Survey on the website of the United States Geological Survey or the national map to the point where the stream becomes a river or where the stream meets the shoreland zone of another water body or wetland. When a stream meets the shoreland zone of a water body or wetland and a channel forms downstream of the water body or wetland as an outlet, that channel is also a stream.

**Structure** – anything temporarily or permanently located, built, constructed or erected for the support, shelter or enclosure of persons, animals, goods or property of any kind or anything constructed or erected on or in the ground. The term includes structures temporarily or permanently located, such as decks, patios, and satellite dishes. Structure does not include fences; poles and wiring and other aerial equipment normally associated with service drops, including guy wires and guy anchors; subsurface waste water disposal systems as defined in Title 30-A, section 4201, subsection

5; geothermal heat exchange wells as defined in Title 32, section 4700-E, subsection 3-C; or wells or water wells, as defined in Title 32, section 4700-E, subsection 8.

**Substantial start** - completion of thirty (30) percent of a permitted structure or use measured as a percentage of estimated total cost.

**Subsurface sewage disposal system** – any system designed to dispose of waste or waste water on or beneath the surface of the earth; includes, but is not limited to; septic tanks; disposal fields; grandfathered cesspools; holding tanks; pretreatment filter, piping, or any other fixture, mechanism, or apparatus used for those purposes; does not include any discharge system licensed under 38 M.R.S.A. section 414, any surface waste water disposal system, or any municipal or quasi-municipal sewer or waste water treatment system.

**Sustained slope** - a change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area.

**Tidal waters** - All waters affected by tidal action during the maximum spring tide.

**Tree** - a woody perennial plant with a well-defined trunk(s) at least two (2) inches in diameter at four and one half (4.5) feet above the ground, with a more or less definite crown, and reaching a height of at least ten (10) feet at maturity.

**Tributary stream** - a channel between defined banks created by the action of surface water having two (2) or more of the following characteristics:

- a. It is depicted as a solid or broken blue line on the most recent edition of the U.S. Geological Survey 7.5 series topographic map or, if that is not available, a 15-minute series topographic map;
- b. It contains or is known to contain flowing water continuously for a period of at least 6 months of the year in most years;
- c. The channel bed is primarily composed of mineral material such as sand and gravel, parent material or bedrock that has been deposited or scoured by water;
- d. The channel contains aquatic animals such as fish, aquatic insects or mollusks in the water or, if no surface water is present, within the stream bed;
- e. The channel contains aquatic vegetation and is essentially devoid of upland vegetation. A tributary stream is not a ditch or other drainage way constructed, or constructed and maintained, solely for the purpose of draining storm water or a grassy swale.

This definition does not include the term “stream” as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the Shoreland Zone of the receiving water body or wetland.

**Upland edge of a wetland** - the boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation, debris line and/or the maximum spring tide level, including all areas affected by tidal action. For purposes of a freshwater wetland the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation: or where the soils support the growth of wetland

vegetations, but such vegetation is dominated by woody stems that are six (6) meters (about 20 feet) tall or taller.

**Vegetation** - all live trees, shrubs, ground cover, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 1/2 above ground level.

**Velocity Zone** - an area of special flood hazard extending from offshore to the inland limit of the primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

**Volume of a structure** - the volume of all portions of a structure enclosed by roof and fixed exterior walls as measured from the exterior faces of these walls and roof.

**Water body** - any great pond, river, stream or tidal area.

**Water Crossing** - any project extending from one bank to the opposite bank of a river, stream, tributary stream, or wetland whether under, through, or over the water course or wetland. Such projects include but may not be limited to roads, fords, bridges, culverts, water lines, sewer lines, and cables as well as maintenance work on these crossings.

**Wetland** - a freshwater or coastal wetland.

**Wetlands associated with great ponds and rivers** - wetlands contiguous with or adjacent to a great pond or river, and which during normal high water, are connected by surface water to the great pond or river. Also included are wetlands which are separated from the great pond or river by a berm, causeway, or similar feature less than 100 feet in width, and which have a surface elevation at or below the normal high water line of the great pond or river. Wetlands associated with great ponds or rivers are considered to be part of that great pond or river.

**Woody Vegetation** - live trees or woody, non-herbaceous shrubs.

## Appendix A

### O-1. Timber Harvesting – Statewide Standards

- (1) **Shoreline integrity and sedimentation.** Persons conducting timber harvesting and related activities must take reasonable measures to avoid the disruption of shoreline integrity, the occurrence of sedimentation of water, and the disturbance of water body and tributary stream banks, water body and tributary stream channels, shorelines, and soil lying within water bodies, tributary streams and wetlands. If, despite such precautions, the disruption of shoreline integrity, sedimentation of water, or the disturbance of water body and tributary stream banks, water body and tributary stream channels, shorelines, and soil lying within water bodies, tributary streams and wetlands occurs, such conditions must be corrected.
- (2) **Slash treatment.** Timber harvesting and related activities shall be conducted such that slash or debris is not left below the normal high-water line of any water body or tributary stream, or the upland edge of a wetland. Section 15(O-1)(2) does not apply to minor, incidental amounts of slash that result from timber harvesting and related activities otherwise conducted in compliance with this section.
  - (a) Slash actively used to protect soil from disturbance by equipment or to stabilize exposed soil, may be left in place, provided that no part thereof extends more than 4 feet above the ground.
  - (b) Adjacent to great ponds, rivers and wetlands:
    - (i) No accumulation of slash shall be left within 50 feet, horizontal distance, of the normal high-water line or upland edge of a wetland; and
    - (ii) Between 50 feet and 250 feet, horizontal distance, of the normal high-water line or upland edge of a wetland, all slash larger than 3 inches in diameter must be disposed of in such a manner that no part thereof extends more than 4 feet above the ground.
- (3) Timber harvesting and related activities must leave adequate tree cover and shall be conducted so that a well-distributed stand of trees is retained. This requirement may be satisfied by following one of the following three options:
  - (a) **Option 1 (40% volume removal),** as follows:
    - (i) Harvesting of no more than 40 percent of the total volume on each acre of trees 4.5 inches DBH or greater in any 10 year period is allowed. Volume may be considered to be equivalent to basal area;
    - (ii) A well-distributed stand of trees which is windfirm, and other vegetation including existing ground cover, must be maintained; and,
    - (iii) Within 75 feet, horizontal distance, of the normal high-water line of rivers, streams, and great ponds, and within 75 feet, horizontal distance, of the upland edge of a freshwater or coastal wetlands, there must be no cleared openings. At

distances greater than 75 feet, horizontal distance, of the normal high-water line of a river or great pond or upland edge of a wetland, timber harvesting and related activities must not create single cleared openings greater than 14,000 square feet in the forest canopy. Where such openings exceed 10,000 square feet, they must be at least 100 feet, horizontal distance, apart. Such cleared openings will be included in the calculation of total volume removal. Volume may be considered equivalent to basal area.

(b) **Option 2 (60 square foot basal area retention)**, as follows:

- (i) The residual stand must contain an average basal area of at least 60 square feet per acre of woody vegetation greater than or equal to 1.0 inch DBH, of which 40 square feet per acre must be greater than or equal to 4.5 inches DBH;
- (ii) A well-distributed stand of trees which is windfirm, and other vegetation including existing ground cover, must be maintained; and,
- (iii) Within 75 feet, horizontal distance, of the normal high-water line of water bodies and within 75 feet, horizontal distance, of the upland edge of wetlands, there must be no cleared openings. At distances greater than 75 feet, horizontal distance, of the normal high-water line of a river or great pond, or upland edge of a wetland, timber harvesting and related activities must not create single cleared openings greater than 14,000 square feet in the forest canopy. Where such openings exceed 10,000 square feet, they must be at least 100 feet, horizontal distance, apart. Such cleared openings will be included in the calculation of the average basal area. Volume may be considered equivalent to basal area.

(c) **Option 3 (Outcome based)**, which requires: An alternative method proposed in an application, signed by a Licensed Forester or certified wildlife professional, submitted by the landowner or designated agent to the State of Maine Department of Conservation's Bureau of Forestry (Bureau) for review and approval, which provides equal or better protection of the shoreland area than this rule.

Landowners must designate on the Forest Operations Notification form required by 12 M.R.S.A. chapter 805, subchapter 5 which option they choose to use. If landowners choose Option 1 or Option 2, compliance will be determined solely on the criteria for the option chosen. If landowners choose Option 3, timber harvesting and related activities may not begin until the Bureau has approved the alternative method.

The Bureau may verify that adequate tree cover and a well-distributed stand of trees is retained through a field procedure that uses sample plots that are located randomly or systematically to provide a fair representation of the harvest area.

(4) **Skid trails, yards, and equipment operation.** This requirement applies to the construction, maintenance, and use of skid trails and yards in shoreland areas.

- (a) Equipment used in timber harvesting and related activities shall not use river, stream or tributary stream channels as travel routes except when surface waters are frozen and snow covered, and the activity will not result in any ground disturbance.

- (b) Skid trails and yards must be designed and constructed to prevent sediment and concentrated water runoff from entering a water body, tributary stream, or wetland. Upon termination of their use, skid trails and yards must be stabilized.
- (c) **Setbacks**
  - (i) Equipment must be operated to avoid the exposure of mineral soil within 25 feet, horizontal distance, of any water body, tributary stream, or wetland. On slopes of 10 percent or greater, the setback for equipment operation must be increased by 20 feet, horizontal distance, plus an additional 10 feet, horizontal distance, for each 5 percent increase in slope above 10 percent. Where slopes fall away from the resource, no increase in the 25-foot setback is required.
  - (ii) Where such setbacks are impracticable, appropriate techniques shall be used to avoid sedimentation of the water body, tributary stream or wetland. Such techniques may include the installation of sump holes or settling basins, and/or the effective use of additional ditch relief culverts and ditch water turnouts placed to avoid sedimentation of the water body, tributary stream, or wetland. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.
- (5) **Land Management Roads.** Land management roads, including approaches to crossings of water bodies, tributary stream channels, and freshwater wetlands, ditches and other related structures, must be designed, constructed, and maintained to prevent sediment and concentrated water runoff from directly entering the water body, tributary stream or wetland. Surface water on or adjacent to water crossing approaches must be diverted through vegetative filter strips to avoid sedimentation of the watercourse or wetland. Because roadside ditches may not extend to the resource being crossed, vegetative filter strips must be established in accordance with the setback requirements in Section 15(O-1)(7) of this rule.
  - (a) Land management roads and associated ditches, excavation, and fill must be set back at least:
    - (i) 100 feet, horizontal distance, from the normal high-water line of a great pond, river or freshwater or coastal wetland;
    - (ii) 50 feet, horizontal distance, from the normal high-water line of streams; and
    - (iii) 25 feet, horizontal distance, from the normal high-water line of tributary streams

- (b) The minimum 100 foot setback specified in Section 15(O-1)(5)(a)(i) above may be reduced to no less than 50 feet, horizontal distance, and the 50 foot setback specified in Section 15(O-1)(5)(a)(ii) above may be reduced to no less than 25 feet, horizontal distance, if, prior to construction, the landowner or the landowner's designated agent demonstrates to the Planning Board's satisfaction that no reasonable alternative exists and that appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed to avoid sedimentation of the water body, tributary stream or wetland. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.
- (c) On slopes of 10 percent or greater, the land management road setback must be increased by at least 20 feet, horizontal distance, plus an additional 10 feet, horizontal distance, for each 5 percent increase in slope above 10 percent.
- (d) New land management roads are not allowed within the shoreland area along Significant River Segments as identified in 38 M.R.S.A. section 437, nor in a Resource Protection District, unless, prior to construction, the landowner or the landowner's designated agent makes a clear demonstration to the Planning Board's satisfaction that no reasonable alternative route exists outside the shoreland zone, and that the new road must be set back as far as practicable from the normal high-water line and screened from the river by existing vegetation.
- (e) Ditches, culverts, bridges, dips, water turnouts and other water control installations associated with roads must be maintained on a regular basis to assure effective functioning. Drainage structures shall deliver a dispersed flow of water into an unscarified filter strip no less than the width indicated in the setback requirements in Section 15(O-1)(7). Where such a filter strip is impracticable, appropriate techniques shall be used to avoid sedimentation of the water body, tributary stream, or wetland. Such techniques may include the installation of sump holes or settling basins, and/or the effective use of additional ditch relief culverts and ditch water turnouts placed to avoid sedimentation of the water body, tributary stream, or wetland. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.
- (f) **Road closeout and discontinuance.** Maintenance of the water control installations required in Section 15(O-1)(5)(e) must continue until use of the road is discontinued and the road is put to bed by effective installation of water bars or other adequate road drainage structures at appropriate intervals, constructed to avoid surface water flowing over or under the water bar, and extending a sufficient distance beyond the traveled way so that water does not reenter the road surface.
- (g) **Upgrading existing roads.** Extension or enlargement of presently existing roads must conform to the provisions of Section 15(O-1). Any nonconforming existing road may continue to exist and to be maintained, as long as the nonconforming conditions are not made more nonconforming.
- (h) **Exception.** Extension or enlargement of presently existing roads need not conform to the setback requirements of Section 15(O-1)(5)(a) if, prior to extension or

enlargement, the landowner or the landowner's designated agent demonstrates to the Planning Board's satisfaction that no reasonable alternative exists and that appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed to avoid sedimentation of the water body, tributary stream, or wetland. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.

- (i) **Additional measures.** In addition to the foregoing minimum requirements, persons undertaking construction and maintenance of roads and river, stream and tributary stream crossings must take reasonable measures to avoid sedimentation of surface waters.
- (6) **Crossings of waterbodies.** Crossings of rivers, streams, and tributary streams must allow for fish passage at all times of the year, must not impound water, and must allow for the maintenance of normal flows.
- (a) **Determination of flow.** Provided they are properly applied and used for the circumstances for which they are designed, methods including but not limited to the following are acceptable as a means of calculating the 10 year and 25 year frequency water flows and thereby determining water crossing sizes as required in Section 15(O-1): The United States Geological Survey (USGS) Methods; specifically: Hodgkins, G. 1999. Estimating the Magnitude of Peak Flows for Streams in Maine for Selected Recurrence Intervals. U.S. Geological Survey. Water Resources Investigations Report 99-4008. 45 pp.
  - (b) **Upgrading existing water crossings.** Extension or enlargement of presently existing water crossings must conform to the provisions of Section 15(O-1). Any nonconforming existing water crossing may continue to exist and be maintained, as long as the nonconforming conditions are not made more nonconforming; however, any maintenance or repair work done below the normal high-water line must conform to the provisions of Section 15(O-1).
  - (c) **Other Agency Permits.** Any timber harvesting and related activities involving the design, construction, and maintenance of crossings on waterbodies other than a river, stream or tributary stream may require a permit from the Land Use Regulation Commission, the Department of Environmental Protection, or the US Army Corps of Engineers.
  - (d) Any timber harvesting and related activities involving the design, construction, and maintenance of crossings of freshwater wetlands identified by the Department of Inland Fisheries and Wildlife as essential wildlife habitat require prior consultation with the Department of Inland Fisheries and Wildlife.
  - (e) **Notice to Bureau of Forestry.** Written notice of all water crossing construction maintenance, alteration and replacement activities in shoreland areas must be given to the Bureau prior to the commencement of such activities. Such notice must contain all information required by the Bureau, including:
    - (i) a map showing the location of all proposed permanent crossings;

- (ii) the GPS location of all proposed permanent crossings;
  - (iii) for any temporary or permanent crossing that requires a permit from state or federal agencies, a copy of the approved permit or permits; and
  - (iv) a statement signed by the responsible party that all temporary and permanent crossings will be constructed, maintained, and closed out in accordance with the requirements of this Section.
- (f) **Water crossing standards.** All crossings of rivers require a bridge or culvert sized according to the requirements of Section 15(O-1)(6)(g)) below. Streams and tributary streams may be crossed using temporary structures that are not bridges or culverts provided:
- (i) concentrated water runoff does not enter the stream or tributary stream;
  - (ii) sedimentation of surface waters is reasonably avoided;
  - (iii) there is no substantial disturbance of the bank, or stream or tributary stream channel;
  - (iv) fish passage is not impeded; and,
  - (v) water flow is not unreasonably impeded.

Subject to Section 15(O-1)(6)(f)(i-v) above, skid trail crossings of streams and tributary streams when channels of such streams and tributary streams are frozen and snow-covered or are composed of a hard surface which will not be eroded or otherwise damaged are not required to use permanent or temporary structures.

- (g) **Bridge and Culvert Sizing.** For crossings of river, stream and tributary stream channels with a bridge or culvert, the following requirements apply:
- (i) Bridges and culverts must be installed and maintained to provide an opening sufficient in size and structure to accommodate 25 year frequency water flows or with a cross-sectional area at least equal to 3 times the cross-sectional area of the river, stream, or tributary stream channel.
  - (ii) Temporary bridge and culvert sizes may be smaller than provided in Section 15(O-1)(6)(g)(i) if techniques are effectively employed such that in the event of culvert or bridge failure, the natural course of water flow is maintained and sedimentation of the water body or tributary stream is avoided. Such crossing structures must be at least as wide as the channel and placed above the normal high-water line. Techniques may include, but are not limited to, the effective use of any, a combination of, or all of the following:
    1. use of temporary skidder bridges;
    2. removing culverts prior to the onset of frozen ground conditions;

3. using water bars in conjunction with culverts;
  4. using road dips in conjunction with culverts.
- (iii) Culverts utilized in river, stream and tributary stream crossings must:
1. be installed at or below river, stream or tributary stream bed elevation;
  2. be seated on firm ground;
  3. have soil compacted at least halfway up the side of the culvert;
  4. be covered by soil to a minimum depth of 1 foot or according to the culvert manufacturer's specifications, whichever is greater; and
  5. have a headwall at the inlet end which is adequately stabilized by riprap or other suitable means to reasonably avoid erosion of material around the culvert.
- (iv) River, stream and tributary stream crossings allowed under Section 15(O-1), but located in flood hazard areas (i.e. A zones) as identified on a community's Flood Insurance Rate Maps (FIRM) or Flood Hazard Boundary Maps (FHBM), must be designed and constructed under the stricter standards contained in that community's National Flood Insurance Program (NFIP). For example, a water crossing may be required to pass a 100-year flood event.
- (v) **Exception.** Skid trail crossings of tributary streams within shoreland areas and wetlands adjacent to such streams may be undertaken in a manner not in conformity with the requirements of the foregoing subsections provided persons conducting such activities take reasonable measures to avoid the disruption of shoreline integrity, the occurrence of sedimentation of water, and the disturbance of stream banks, stream channels, shorelines, and soil lying within ponds and wetlands. If, despite such precautions, the disruption of shoreline integrity, sedimentation of water, or the disturbance of stream banks, stream channels, shorelines, and soil lying within ponds and wetlands occurs, such conditions must be corrected.
- (h) **Skid trail closeout.** Upon completion of timber harvesting and related activities, or upon the expiration of a Forest Operations Notification, whichever is earlier, the following requirements apply:
- (i) Bridges and culverts installed for river, stream and tributary stream crossings by skid trails must either be removed and areas of exposed soil stabilized, or upgraded to comply with the closeout standards for land management roads in Section 15(O-1)(6)(i) below.
  - (ii) Water crossing structures that are not bridges or culverts must either be removed immediately following timber harvesting and related activities, or, if frozen into the river, stream or tributary stream bed or bank, as soon as practical after snowmelt.

- (iii) River, stream and tributary stream channels, banks and approaches to crossings of water bodies and tributary streams must be immediately stabilized on completion of harvest, or if the ground is frozen and/or snow-covered, as soon as practical after snowmelt. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.
- (i) **Land management road closeout.** Maintenance of the water control features must continue until use of the road is discontinued and the road is put to bed by taking the following actions:
  - (i) Effective installation of water bars or other adequate road drainage structures at appropriate intervals, constructed to reasonably avoid surface water flowing over or under the water bar, and extending sufficient distance beyond the traveled way so that water does not reenter the road surface.
  - (ii) Water crossing structures must be appropriately sized or dismantled and removed in a manner that reasonably avoids sedimentation of the water body or tributary stream.
  - (iii) Any bridge or water crossing culvert in roads to be discontinued shall satisfy one of the following requirements:
    1. it shall be designed to provide an opening sufficient in size and structure to accommodate 25 year frequency water flows;
    2. it shall be designed to provide an opening with a cross-sectional area at least 3½ times the cross-sectional area of the river, stream or tributary stream channel; or
    3. it shall be dismantled and removed in a fashion to reasonably avoid sedimentation of the river, stream or tributary stream.

If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.

**(7) Slope Table**

Filter strips, skid trail setbacks, and land management road setbacks must be maintained as specified in Section 15(O-1), but in no case shall be less than shown in the following table.

Average slope of land between exposed Mineral soil and the shoreline (percent)	Width of strip between exposed mineral soil and shoreline (feet along surface of the ground)
0	25
10	45
20	65
30	85
40	105
50	125
60	145



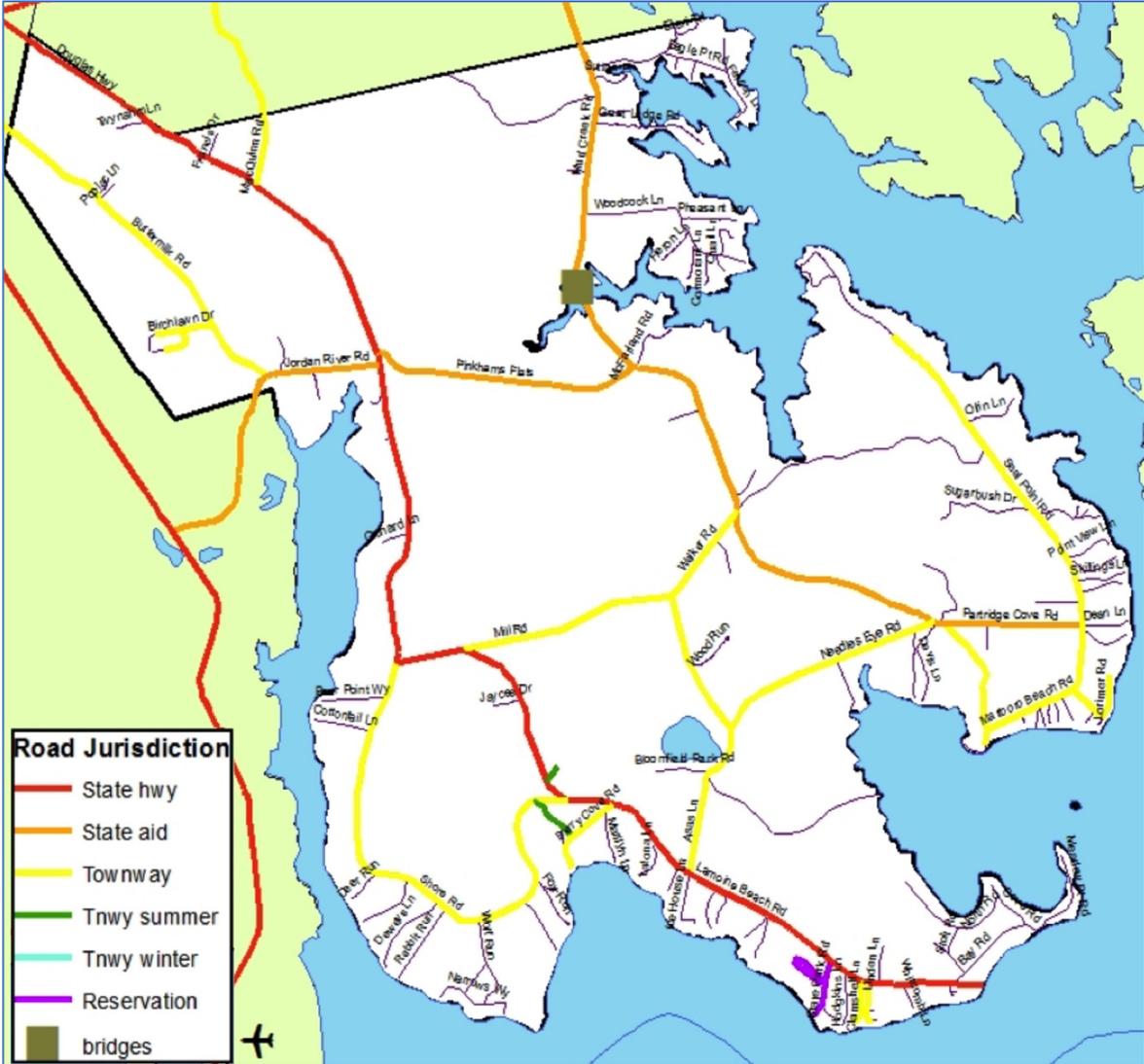
## **Appendix D: Roads and Transportation**

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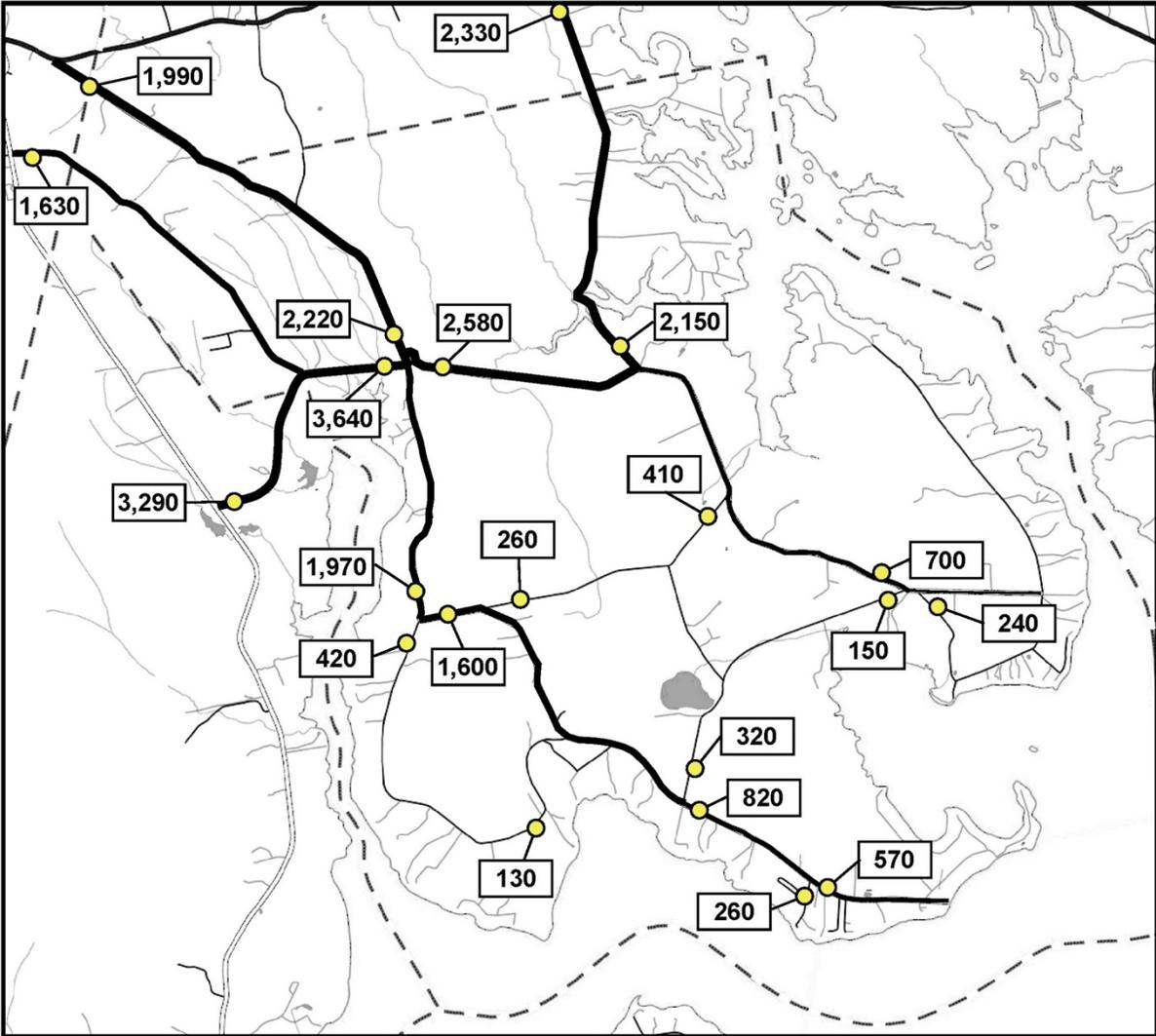
The documents in this Appendix D describe the roads systems in Lamoine, their maintenance, traffic and crash data, and an analysis of road vulnerability under conditions of sea level rise.

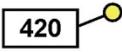


# D1: Lamoine Transportation Network



# D2: Estimated Average Annual Daily Traffic (AADT), 2015–2017 – Map




**420** Estimated Average Annual Daily Traffic (AADT), 2015-2017

Data Source: MaineDOT, 2017 Annual Traffic Count Report, Hancock County Traffic Counts - [https://www1.maine.gov/mdot/traffic/docs/ytcr/2017/CountReport\\_Hancock2017.pdf](https://www1.maine.gov/mdot/traffic/docs/ytcr/2017/CountReport_Hancock2017.pdf)  
 Base Map: MaineDOT Public Map Viewer - <https://www1.maine.gov/mdot/mapviewer/>

### **D3: Estimated Average Annual Daily Traffic (AADT), 2015-2017 – Table**

<b>Location</b>	<b>Group</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
SR 184 (Douglas Highway) At Ellsworth town line	II	2,270	1,920	-	1,990
Buttermilk Road East of Route 3 ( <i>in Ellsworth</i> )	II	1,390	-	-	1,630
SR 184 (Douglas Highway) Northwest of SR 204 (Pinkham's Flats)	II	-	2,220	-	-
SR 204 (Pinkham's Flats) East of SR 184 (Douglas Highway)	II	-	2,580	-	-
Mud Creek Road South of US Route 1 ( <i>in Hancock</i> )	II	-	2,330	-	-
Mud Creek Road Northwest of SR 204 (Pinkham's Flats)	II	-	2,150	-	-
SR 204 (Jordan River Road) West of SR 184 (Douglas Highway)	II	3,280	3,640	-	3,860
SR 204 (Jordan River Road) East of Route 3 ( <i>in Trenton</i> )	II	3,140	-	-	3,290
SR 184 (Douglas Highway) North of Shore Road (North Junction)	II	-	1,970	-	-
SR 184 (Lamoine Beach Road) East of Shore Road (North Junction)	II	-	1,600	-	-
Shore Road South of SR 184 (Douglas Highway / Lamoine Beach Road)	II	-	420	-	-
Mill Road East of SR 184 (Lamoine Beach Road)	II	-	260	-	-
SR 184 (Lamoine Beach Road) Southeast of Asa's Lane	II	-	820	-	-
Asa's Lane North of SR 184 (Lamoine Beach Road)	II	-	320	-	-
SR 184 (Lamoine Beach Road) Southeast of State Park Entrance	II	-	570	-	-
State Park Entrance South of SR 184 (Lamoine Beach Road)	III	-	260	-	-
Shore Road Southwest of Gully Brook Road	II	-	130	-	-
Walker Road Southwest of SR 204 (Partridge Cove Road)	II	-	410	-	-

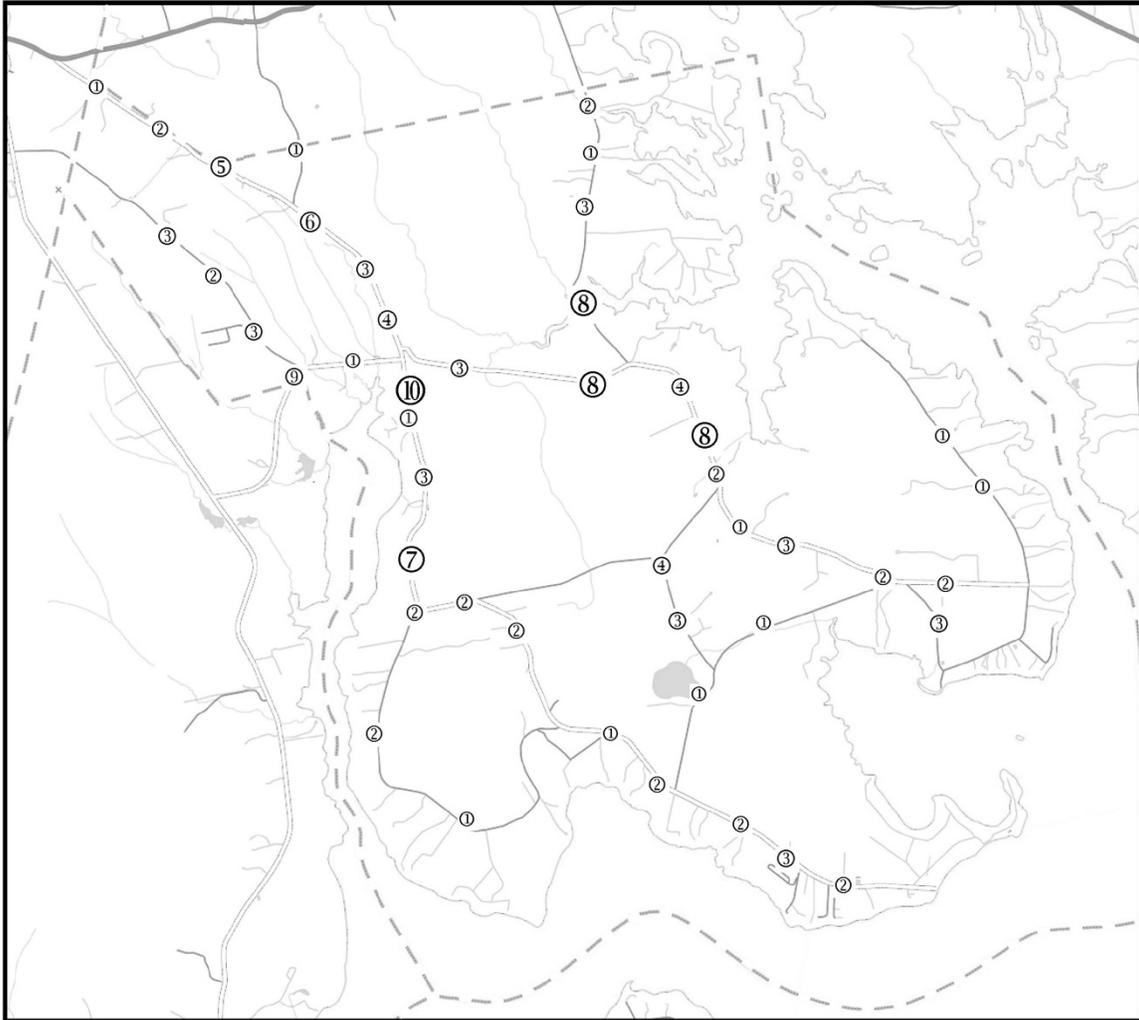
<b>Location</b>	<b>Group</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
SR 204 (Partridge Cove Road) West of Needles Eye Road	II	-	700	-	-
Needles Eye Road Southwest of SR 204 (Partridge Cove Road)	II	-	150	-	-
Raccoon Cove Road Southeast of SR 204 (Partridge Cove Road)	II	-	240	-	-

Group II = Arterial

Group III = Recreational

Source: MaineDOT, 2017 Annual Traffic Count Report, Hancock County Traffic Counts,  
[https://www1.maine.gov/mdot/traffic/docs/ytcr/2017/CountReport\\_Hancock2017.pdf](https://www1.maine.gov/mdot/traffic/docs/ytcr/2017/CountReport_Hancock2017.pdf)

## D4: Vehicle Crashes, 2013-2017 – Map



⑦ Number of Crashes, 2013-2017

Data Source: Maine Crash Public Query Tool - <https://mdotapps.maine.gov/MaineCrashPublic/>  
Base Map: MaineDOT Public Map Viewer - <https://www1.maine.gov/mdot/mapviewer/>

## D5: Public Roads Listing – Maintenance Records

Road Name	Length	Width	Last Paved	Tonnage	Last Rebuild	Use	Surface	Next Pave
Town Hall Parking Lot			2011			L	Paved	2022
Clamshell Alley	0.20	13.50	2013	114.01		L	Paved	2024
Cos Cob Avenue	0.20	14.00	2013	100.51		L	Paved	2024
Lamoine Transfer Station			2014			M	Paved	2025
Fire Dept. Parking Lot	0.03	50.00	2013	73.21		L	Paved	2024
Lamoine Beach Parking Lot	0.01	30.00	2013	85.47		L	Paved	2024
Asa's Lane	0.83		2011	986		M	Paved	2022
Shore Road Middle	1.30		2012	875		M	Paved	2023
Needles Eye Road	1.28		2015	1,397.08		M	Paved	2026
Mill Road Upper	0.80		2012	737		M	Paved	2023
Raccoon Cove Road	0.70	20.00	2016	712	1994	M	Paved	2027
Buttermilk Road (Upper)	1.00		2015	1,047.64		H	Paved	2026
Walker Road (Lower)	0.66		2014			M	Paved	2025
Mill Road Lower	0.40		2017	582.82	2004	M	Paved	2028
Shore Road West	1.60		2017	704.58		M	Paved	2028
Shore Road East	0.85	20.00	2017	1,670.69		M	Paved	2028
Seal Point Road	1.90		2006		2003	H	Paved	2018
Maxwell Avenue	0.20		2007			L	Paved	2020
Lorimer Road	0.20		2007			L	Paved	2020
Marlboro Beach Rd.	1.00		2007			M	Paved	2020
Walker Road Upper	0.70		2008		1989	M	Paved	2021
Birchlawn Drive	0.30		2008			L	Paved	2021
South Birchlawn Drive	0.20		2008			L	Paved	2021
Buttermilk (Lower)	0.95		2009	1,507		H	Paved	2019
Lamoine School Parking Lot			2015	298.95		M	Paved	2026
MacQuinn road	0.39	21.00	2016	363		H	Paved	2027
Berry Cove Road	0.28		n/a		1996	L	Gravel	n/a
Gully Brook Road	0.20		n/a			L	Gravel	n/a
<b>Total Town Road Miles</b>	<b>16.17</b>							
					*Portion Only	**Portion only - privately done		
Mud Creek Rd.	1.87							
Jordan River Rd.	0.73							
Pinkhams Flats	1.47							
Partridge Cove Rd.	3.20							
<b>State Plowed Roads</b>	<b>7.27</b>							
<b>Total Plowing Miles</b>	<b>23.14</b>							

## D6: Official Names and Detailed Descriptions of Lamoine Roads as of 2/13/15

Name	Description
<b>Alanna Lane</b>	A private, dirt road serving the Beal Estates Subdivision approved November 8, 2004, intersecting on the West Side of Douglas Highway (State Route 184) at 87 Douglas Hwy., extending westerly and ending at a cul-de-sac. (Private Road, name approved 8/18/05)
<b>Apple Blossom Lane</b>	Off Seal Point Road, 1st right after Partridge Cove Road leads easterly. (Private road).
<b>Artist's Way</b>	Off Douglas Hwy 950 southerly of the Jordan River Road intersection (663 Douglas Hwy) and leading to homes belonging to Alice & Christine Schmidt (Private Road)(8/27/98)
<b>Asa's Lane</b>	Off Lamoine Beach Road, leads north past Blunt's Pond to intersection with Needle's Eye and Walker Roads (Town Road)
<b>Ash Lane</b>	Off Maxwell Avenue to the right, heads Southwest to Salkaln residence (private Road)
<b>Bay Road</b>	Off Lamoine Beach Road leading into Meadow Point (Bar Harbor Highlands) Subdivision. Last left before Lamoine Beach (private road)
<b>Bear Point Way</b>	Off Shore Road, first right after entrance from Douglas Highway. A dirt road leading to the residence of Ray Stephens and other land to be developed. (Established as a private road in the fall of 1998.)
<b>Berry Cove Rd.</b>	Off Lamoine Beach Road, first right after easterly intersection with Shore Road. Leads southwest, then south to shore after Gully Brook intersection. (Town Road to Gully Brook, private after Gully Brook).
<b>Birchlawn Drive</b>	Off Buttermilk Road, only paved road leading into a subdivision, near intersection with Jordan River Road. (Town Road for paved portion)
<b>Bittersweet Lane</b>	Dirt Road intersecting at 241 Needle's Eye Road near intersection with Partridge Cove Rd. Private Road leads to Dumont and Davis houses on shore (private road, approved 11/6/96)
<b>Bloomfield Park Road</b>	Off Asa's Lane, leading westerly into Bloomfield Park on Blunt's Pond, ending at the Snowmobile Club (private road).

Name	Description
<b>Bob-O-Link Lane</b>	A dirt road beginning at approximately 365 Mud Creek Road and extending Northwesterly to residences presently occupied by Russell Pinkham and Lori & Robert Tilden (Private Road, approved 3/28/02).
<b>Boris Boulevard</b>	A private, gravel road intersecting on the North side of Madison Avenue in the Walker Farm Subdivision at a point approximately 550-feet from the beginning of Madison Avenue (22 Madison Avenue) and extending Northerly Approximately 330-feet ending with a cul-de-sac (as shown on the subdivision plan approved July 31, 2007. (Approved October 15, 2009)
<b>Boulder Cove Way</b>	A private, paved road serving the Boulder Cove subdivision approved in 2005, intersecting on the West Side of Shore Road at approximately 1101 Shore Road, extending westerly and ending at a cul-de-sac in the aforementioned subdivision. (Approved May 12, 2005)
<b>Brown Lane</b>	Off Marlboro Beach Road, 6th left after Maxwell Avenue. Leads south (private road).
<b>Buttermilk Road</b>	Off Jordan River Road leading to Route 3 in Ellsworth (Town Road)
<b>Cardinal Drive</b>	A private, gravel road intersecting on the West Side of Mud Creek Road at 323 Mud Creek Road, extending westerly approximately 800 feet. (Private Road, approved February 16, 2006)
<b>Cedar Lane</b>	Off Thaddeus Lane, 2nd left, leads northeast (private road)
<b>Celtic Drive</b>	A private, gravel road intersecting on the East Side of Lamoine Beach Road at 401 Lamoine Beach Road, extending generally easterly, approximately 1,050 feet. (Approved 9/1/2011)
<b>Chickadee Lane</b>	A private, dirt road intersecting on the west side of Mud Creek Road at 343 Mud Creek Road, extending westerly approximately 1,650'. The road is impassable by automobile after 86 feet. Leads to two camps constructed by William Pinkham (Private Road, approved January 8, 2009)
<b>Clamshell Alley</b>	Off Lamoine Beach Road, 2nd right after State Park (1st paved road). Leads South to Shore (town road).
<b>Coaling Station Lane</b>	Off State Park Road, leading to DMR offices (state owned road)
<b>Coley Cove Road</b>	A private, paved road intersecting on the southwest side of Seal Point Road (at 388 Seal Point Road) and serving as the main entrance road to the Sunset Point Subdivision (Private Road, approved 9/6/07)

Name	Description
<b>Coolidge Crossing</b>	A private, gravel road intersecting on the Southeast side of Lamoine Beach Road at 201 Lamoine Beach Road, extending southerly then easterly approximately .5 miles and intersecting with Shore Road. Deeds and ancient maps may refer to this as “Berry Road”. (Private Road Approved 9/21/06)
<b>Cormorant Lane</b>	In the Partridge Cove Subdivision. Third right off Woodcock Lane heads south then ends. (Private road)
<b>Cos Cob Avenue</b>	Off Lamoine Beach Road, 3rd right after State Park (2nd paved road). Leads South to Sanddollar Alley (Town Road)
<b>Cottontail Lane</b>	A private, gravel road beginning at 1083 Shore Road and leading generally westerly toward Jordan River. (Private Road Approved 10/9/03)
<b>Cove Road</b>	In Meadow Point Subdivision, left at end of Bay Road leading northeast to North road (private road)
<b>Davis Lane</b>	Off Partridge Cove Road between Needle’s eye and Raccoon Cove Road intersections. Leads Southerly to J. Aubrey Davis home. (Private road).
<b>Dean Lane</b>	From intersection of Partridge Cove, Seal Point and Marlboro Beach Roads it heads east (private road)
<b>Deer Run</b>	Off Shore Road, 2nd right coming from western intersecting of Lamoine Beach Road by Graham home, leads southwest (private road)
<b>De Laval Lane</b>	Off Lamoine Beach Road, last right before Lamoine Beach, heads south, and then east to intersect with Hamlin’s Way. (Private road)
<b>DesIsle Lane</b>	Off Lamoine Beach Road, 3rd right after Asa’s Lane/Ice House Lane. Leads Southwest to Rosen camp (private road)
<b>Dewey’s Lane</b>	Off Shore Road, 3rd right from westerly intersection with Lamoine Beach Road. Leads southwest to shore. (Private road)
<b>Dick’s Rock Road</b>	Off Marlboro Beach Rd., 1st right after Maxwell Avenue leading to buildings owned by Gunnison/Frost et al and Stickney (private road, approved 4/23/97)
<b>Dorothy’s Lane</b>	A private gravel road in the Marlboro Mist II subdivision, beginning at 29 Misty Way and extending generally easterly approximately 400 feet ending with a cul-de-sac (Private Road approved 1/12/06)

Name	Description
<b>Douglas Highway</b>	State Route 184 from Route 1 in Ellsworth to intersection of Shore Road and Lamoine Beach Road (State Road)
<b>Duckling Lane</b>	A private, gravel road intersecting on the Southeast side of Lamoine Beach Road at 663 Lamoine Beach Road, extending southeasterly approximately 740 feet to a dead end, serving residences currently owned by Gregory and Linda Mannisto. (Private Road, Approved September 21, 2006)
<b>Eagle Point Road</b>	Off Mud Creek Road, leads Easterly into Eagle Point Subdivision, ends at Falcon Lane. (Private road)
<b>Eider Lane</b>	In the Partridge Cove Subdivision, 4th right off Woodcock Lane, heads south and ends (private road)
<b>Eleni Trail</b>	From Heather Lane in the Eagle Point Subdivision to the Mihalopoulos property. (Private Road)
<b>Failte Lan</b>	A private, gravel road intersecting on the East Side of Seal Point Road at 307 Seal Point Road, extending generally easterly approximately 1410 feet. (Private Road, approved 6/17/10)
<b>Falcon Lane</b>	At end of Eagle Point Road T intersection leads North & South (Private Road)
<b>Fennellyville Road</b>	From Jordan River Road (Route 204) Southerly near property owned by members of the Fennelly Family (private road)
<b>Fern Lane</b>	First right off Wolf Run in Wolf Subdivision (Lamoine Narrows) leading southwest to Narrow's Way. (Private Road)
<b>Ford Lane</b>	Off Marlboro Beach Rd., 2nd right after Maxwell Avenue, heads south (private road).
<b>Fox Run</b>	Off Shore Road at sharp corner on Eastern Side, leading into Lawlor subdivision branching into several driveways (private road).
<b>Francis Drive</b>	A dirt road beginning at approximately 310 Douglas Highway and extending generally easterly toward the Hancock Town Lien on property owned by the late Francis Hodgkins, owned presently by June Bentivoglio (approved 11/1/01) (private road)
<b>Gilpatrick Lane</b>	Off Lamoine Beach Road, 4th right after Asa's Lane/Ice House Lane. Leads Southwest to Saliba home (private road).

Name	Description
<b>Glen Mary Road</b>	A private, dirt road intersecting on the North Side of Shore Road at 1456 Shore Road, extending northerly and serving existing and future homes on the property of Raye Menzietti et al (Private Road, name approved 8/18/05)
<b>Googins Lane</b>	Off Lamoine Beach Road, 2nd right after Asa's Lane/Ice House Lane. Leads south. (Private road).
<b>Great Ledge Road</b>	From Mud Creek road east to an area described as Great Ledge on the 9/11/95 OGIS map (private road).
<b>Guardhouse Point</b>	Off Seal Point Road, 3rd right after Partridge Cove Road leads easterly. (Private Road, shares entrance with Point View Ln)
<b>Gully Brook Road</b>	Dirt road joining Berry Cove Road to Shore Road, leading northwest from Berry Cove Road (Town Road)
<b>Hamlin's Way</b>	First left off DeLaval Lane, leading east and dead ending at a residence (private road, name approved 2/12/97)
<b>Heather Lane</b>	1st right off Eagle Point Road, mostly in Hancock (private road).
<b>Heron Lane</b>	Off Woodcock Road in Partridge Cove Road subdivision, 1st right leads to Johnston & Ouimet (private road)
<b>Hodgkins Lane</b>	Off Lamoine Beach Road, first right after Lamoine State Park leads south past Brown/Murphy farm to Ames. (Private road, name change approved at town meeting April 19, 1997, originally Starfish Lane).
<b>Ice House Lane</b>	Off Lamoine Beach Road, right at Asa's Lane, leads South (private road)
<b>Jaycee Drive</b>	Off Lamoine Beach Road, 1st right after Mill Road intersection. Leads westerly. (Private Road.)
<b>Jessie Way</b>	A private, gravel road intersecting on the North Side of Paradise Drive at 19 Paradise Drive, extending southerly approximately 350 feet. The road serves lots 6 and 7 of the Pine Grove Estates Subdivision. (private road, approved 4/6/06)
<b>Jordan River Road</b>	State Route 204 from Douglas Highway (route 184) to State Route 3 in Trenton. (State maintained summer, Town maintained winter).
<b>Kelley Lane</b>	Off Lamoine Beach Road, 1st right after intersection with Asa's Lane / Ice House leading south (private road).

Name	Description
<b>Kennel Brook Drive</b>	A private, gravel road intersecting on the North Side of Partridge Cove Road at approximately 304 Partridge Cove Road, extending northerly approximately 2,000 feet, serving the Partridge Cove Estates Subdivision (private road, approved 7/14/11)
<b>King's Lane</b>	A private, gravel road serving a subdivision entitled Jordan River View approved by the Lamoine Planning Board in 2004. The road intersects with Douglas Highway at a point approximately addressed at 715 Douglas Highway and extends Westerly and curves to a southerly extension and ends at a cul-de-sac and is approximately 900 feet in length. (Approved 10/28/04) (private gravel road)
<b>Kitt's Crossing</b>	A dirt road beginning at approximately 8 Fox Run and running generally easterly toward Berry Cove, ending at property presently owned by Wayne Lawrence (approved 11/1/01) (private road).
<b>Lamoine Beach Road</b>	State Route 184 from the western intersection of Shore Road to Lamoine Beach Park (State Maintained Road)
<b>Last Resort Lane</b>	Off Partridge Cove Road (Route 204), first right after Raccoon Cove Road, leading to property owned by Donald and Otho Knowles (private road, name approved 12/4/96)
<b>Latona Lane</b>	Off Lamoine Beach Road, first right after Berry Cove Road leading south toward shore. (Private road)
<b>Lightning Point Lane</b>	A private, gravel road intersecting on the East Side of Seal Point Road at 387 Seal Point Road, extending generally easterly approximately 500 feet. (Private Road, approved July 8, 2010)
<b>Linden Lane</b>	Off Lamoine Beach Road, first left after Cos Cob Avenue (private road).
<b>Lobster Lane</b>	A private, gravel road intersecting on the West Side of Seal Point Road at 488 Seal Point Road, extending generally westerly approximately 1525 feet where it ends at the Seal Point Lobster Pound dock. This road was previously a part of Seal Point Road but was segregated from this road with the division of Map 8 Lot 12-2 from Lot 12. (Private Road, Name Approved 4/6/06)
<b>Loons End</b>	Off Mud Creek Road, 1st right on Hancock side of Great Ledge Road leads to Eley property. (Private road)
<b>Lorimer Road</b>	Off Maxwell Avenue, paved road leads north along the shoreline. (Town road on paved portion, private on dirt portion)

Name	Description
<b>Lumberjack Lane</b>	Off Douglas Highway left if headed toward Route 1 after MacQuinn Road, leads westerly to buildings owned by Glenn and George Crawford (private road)
<b>Lupine Lane</b>	Off Marlboro Beach Road, 4th left after Maxwell Avenue, leading to cottages owned by the Harris family (Approved name 5/7/97)
<b>Lydia's Lane</b>	A private, paved road serving the Marlboro Woods subdivision approved in 2004, intersecting on the North Side of Partridge Cove Road at approximately 604 Partridge Cove Road, extending northerly then westerly and ending at a cul-de-sac in the aforementioned subdivision. (Private Road, approved October 28, 2004)
<b>MacQuinn Road</b>	Former Pine Tree Road, right off Douglas highway if headed toward Route 1, leads northeast to MacQuinn's pit and Route 1 in Hancock.
<b>Madison Avenue</b>	A private, gravel road intersecting on the east side of Walker Road (at 234 Walker Road) and serving as the main entrance road to the Walker Farm Subdivision (Private Road, approved 9/6/07)
<b>Mallard Lane</b>	In the Partridge Cove Subdivision, 2nd right off Woodcock Lane heads south and ends at water (private road).
<b>Maple Lane</b>	Off 258 Jordan River Road (even side), leading northerly to private home built by Stephen Cowles (private road)
<b>Marilyn Lane</b>	Off Berry Cove Road, 1st left, leads south to shore (private road).
<b>Marlboro Beach Rd.</b>	From intersection of Partridge Cove road and Seal Point Road leading southwest to end at Marlboro Beach. (Town Road).
<b>Martin's Cove Lane</b>	Off 107 Eagle Point Road leading to Martin's Cove and two residences (private, gravel road, approved 6/19/03)
<b>Maxwell Avenue</b>	Off Marlboro Beach Road, 1st paved left from intersection of Marlboro Beach and Seal Point and Partridge Cove Road, leads east to Lorimer Road (Town Road)
<b>McFarland Road</b>	From intersection of Partridge Cove and Mud Creek Roads northeasterly to the inlet to Partridge Cove (private road).
<b>Meadow Point Road</b>	In Meadow Point subdivision, bear right at end of Bay/Cove Road intersection, leads northeast to Catnip Island (private road).
<b>Memory Lane</b>	A private way intersecting on the North side of Lamoine Beach Road at 122 Lamoine Beach Road and serving two residences. Road is approximately 400 feet in length and was originally a paved driveway. (Private road approved 3/9/06)

Name	Description
<b>Mermont Avenue</b>	Off Marlboro Beach Road, 3rd left after Maxwell Avenue, heads south. (Private road).
<b>Milky Way</b>	A private, dirt road, intersecting on the East Side of Partridge Cove Road at 200 Partridge Cove Road, and extending easterly and serving existing buildings on the property of Lynn Ahlblad and Barbara Brooks. (Private Road, name approved 6/14/07)
<b>Mill Road</b>	Off Lamoine Beach Road, 1st paved left leads easterly to intersection with Walker Road.
<b>Misty Lane</b>	A private, paved road serving the Marlboro Mist II subdivision approved in 2005, intersecting on the South Side of Partridge Cove Road (State Route 204) at approximately 393 Partridge Cove Road, extending southerly approximately 800-feet and ending at a cul-de-sac in the aforementioned subdivision (Approved June 9, 2005)
<b>Moose Run</b>	A gravel road approved as part of a subdivision beginning at 1287 Shore Road and extending Southwesterly toward the shore serving the Jordan Bluff's Subdivision (Approved November 15, 2001) (Private Road)
<b>Mosely Point Lane</b>	A private, gravel road intersecting on the East Side of Seal Point Road beginning at 197 Seal Point Road, extending generally easterly (private road)
<b>Mud Creek Road</b>	At intersection of Pinkham's Flats & Partridge Cove road leading north to Route 1 in Hancock. (State Road, town plows)
<b>Narrows Way</b>	"T" intersections with Wolf Run and Fern Lane in Wolf Subdivision, leading east & west along shore (private road).
<b>Needle's Eye Road</b>	At intersection of Walker & Asa's Lane, leads east to intersection of Partridge Cove Road (town road)
<b>North Road</b>	In Meadow Point Subdivision, off Cove Road, follows shoreline westerly, best access by Stolt Rd. (Private road).
<b>Ocean Bridge Blvd</b>	A private, paved drive beginning at 1 Lorimer Road (the Northern end) and proceeding generally northerly then terminating at a residence presently owned by Hancock G. Fenton, approximately 300' in length.
<b>Old Schoolhouse Lane</b>	Beginning on even side of Partridge Cove Rd and leading westerly serving a subdivision called Old Schoolhouse, approximately 1,900 feet (private, dirt road, named 9/12/02)

Name	Description
<b>Orchard Lane</b>	A private, paved road serving the Applewood Shores Subdivision. The Road begins at 807 Douglas Highway and extends generally westerly then southwesterly toward Jordan River approximately 1,000 feet. (Approved 9/26/02)
<b>Orlin Lane</b>	A dirt road beginning at approximately 261 Seal Point Road and extending generally easterly toward the shore of the Skillings River, ending at the present home of Dennis and Nancy Ford (approved 11/1/01) (private road)
<b>Otter Lane</b>	A private, gravel road leading to cottages belonging to Steve & Patricia Leonard-Johnson on the western end of Shore Road at approximately 1135 Shore Road and extending westerly toward Jordan River (approved 10/28/04) (private, gravel road)
<b>Paradise Drive</b>	A private, gravel road intersecting on the West Side of Douglas Highway at 701 Douglas Hwy, extending westerly approximately 950 feet. This is the primary service road of the Pine Grove Estates Subdivision. (Private Road named April 6, 2006)
<b>Partridge Cove Road</b>	State Route 204 from the intersection of Mud Creek road to the intersection with Seal Point and Marlboro Beach road (State maintained in summer, town plowed in winter).
<b>Pasture Way</b>	Beginning at 137 Needle’s Eye Road and serving a subdivision called Saltwater Farm approximately 1,750’ in length (private dirt road, named 9-12-02)
<b>Periwinkle Alley</b>	Off Cos Cob Avenue, first left, heads easterly and ends at a residence (private road).
<b>Pheasant Lane</b>	In the Partridge Cove Subdivision, runs east from Woodcock Lane, then ends at the Aller gate (private road).
<b>Pinkham’s Flats</b>	State Route 204 from intersection of Douglas Highway by the Town Hall to Mud Creek Road (State summer road, town plows in Winter).
<b>Point View Lane</b>	Off Seal Point Road, 4th right after Partridge Cove Road, leads easterly (shares entrance with Guardhouse point, private road.)
<b>Poplar Lane</b>	Leads Easterly off Buttermilk Road at 236 Buttermilk leading to residences owned by Patricia Young (dirt, private road, established 9-12-02)
<b>Quail Lane</b>	In the Partridge Cove Subdivision, last left off Woodcock Lane, runs north then turns east and ends at water (private road.)

Name	Description
<b>Rabbit Run</b>	Off Shore road between Dewey's Lane and Wolf Run, runs toward shore, Gravel Road (private road, name approved June 2000).
<b>Raccoon Cove Road</b>	Off Partridge Cove Road, 2nd right past Needle's Eye intersection, paved road leads south to Marlboro Beach. (Town Road).
<b>Riley's Way</b>	A private dirt road beginning at 369 Douglas Highway and extending generally Southwesterly 1425', serving SW Boatworks' buildings and extending into the wooded area beyond said buildings.
<b>Riverside Drive</b>	A private, dirt road beginning at 693 Douglas Highway and leading generally westerly to homes belonging to Richard & Heather Zerrien and Ronald approximately 440 feet in length.
<b>Rusty's Lane</b>	A private, dirt road beginning at 236 Buttermilk Road next to Poplar Lane, leading northeasterly to residences owned by Kenneth Johnson and Joseph St. Pierre (Private Road, established 12/4/03)
<b>Saffell Drive</b>	A private, dirt road beginning at 191 Buttermilk Road and leading westerly approximately 480 feet (Private Road, established 1/8/09)
<b>Sanddollar Alley</b>	At end of Cos Cob Avenue leading along shore, dirt road. (Private Road)
<b>Seal Point Road</b>	At intersection of Partridge Cove Road and Marlboro Beach Road, leads northerly to a dead end at lobster pound. (Paved Town Road).
<b>Seaview Way</b>	At intersection with Marlboro Beach/Seal Point/Partridge Cove Road, leading to shore. (Private Road)
<b>Shore Road</b>	Begins at Lamoine Corner and runs in a semi-circle ending at Lamoine Beach Road. Numbering begins at 1000. (Paved Town Road)
<b>Silver Mine Lane</b>	Off Thaddeus Lane, goes right to Stevens property. (Private Road)
<b>Simon Way</b>	A private, gravel road intersecting on the South Side of Paradise Drive at 32 Paradise Drive, extending southerly approximately 200 feet. The road serves lots 2 and 3 of the Pine Grove Estates Subdivision. (Private Road, approved 4/6/06)
<b>Skillings Lane</b>	2nd Right off Seal Point Road. (Private dirt road)
<b>South Birchlawn Drive</b>	1st paved left off Birchlawn Drive in Ray Subdivision, right-angle shaped road (Paved Town Road)
<b>South Road</b>	1st Left off Bay Road (Private dirt road)

Name	Description
<b>Starfish Lane</b>	Off Marlboro Beach Road between Lupine Lane and Brown Lane, leading toward shore. (Private dirt road)
<b>State Park Road</b>	Off Lamoine Beach Road, is entrance to Lamoine State Park, leads to shore. (State Maintained Road)
<b>Stolt Road</b>	Intersects South Road and North Road in Bar Harbor Highlands Subdivision. (Private dirt road)
<b>Sugarbush Drive</b>	Off Seal Point Road, 1st left after Thaddeus Lane, leads westerly and meanders to Haskell residence (private road.)
<b>Sunset Drive</b>	A private, paved road intersecting on the north side of Coley Cove Lane (at 73 Coley Cove Rd.) and within the Sunset Bay at Seal Point Subdivision. (Private Road, approved 9/6/07)
<b>Sutton Place</b>	From Mud Creek Road east to Martin’s Cove and houses owned by Cheryl and Thomas Bowen. (Private road).
<b>Tall Pine Drive</b>	A private, dirt road, intersecting on the South Side of Lamoine Beach Road (State Route 184) at 143 Lamoine Beach Road, extending southerly and dead ending at the Peter Swanberg home.(Private Road, approved August 18, 2005)
<b>Tamarack Lane</b>	A private, gravel road intersecting on the East Side of Marlboro Beach Road at 28 Marlboro Beach Road, extending easterly approximately 1150 feet to properties owned by Nathaniel and Hancock Fenton. (private road, approved August 9, 2007)
<b>Thaddeus Lane</b>	Off Seal Point Road, 5th right after Partridge Cove Road, leads easterly to Silver Mine and Cedar Lanes (private road)
<b>Tilden Way</b>	A private, gravel road serving the Shore Road Estates Subdivision approved in 2005, intersecting on the East Side of Shore Road at 1060 Shore Road, extending easterly and ending at a cul-de-sac. (Private Road, approved name 8/18/05)
<b>Twynahm Lane</b>	Off Douglas Highway, 2nd right after MacQuinn Road (if headed toward route 1) leading to William Davis residence. (Private road, approved name 1/15/97)
<b>Up Back Road</b>	A private, gravel road beginning at the currently established entrance of 642 Lamoine Beach Road and leading in a generally northerly direction as access to buildings constructed on Map 2 Lot 18 (Private Road, approved name 12/16/2004)

Name	Description
<b>Walker Road</b>	From Partridge Cove Road, 1st paved right after Mud Creek Road Intersection, leading southwest to Mill Road, then South to intersection at Needle’s Eye and Asa’s Lane (Town Road)
<b>Whitcomb Lane</b>	Off Lamoine Beach Road, first right after Cos Cob Avenue & Bennett’s Pond (private road)
<b>Wolf Run</b>	From Shore Road leading into Wolf Subdivision (sometimes called Lamoine Narrows) 5th right from westerly intersecting with Lamoine Beach Road, proceed south then bears left, ending at Narrows Way (private road)
<b>Wood Run</b>	Off Walker Road, heads easterly into the Woodlawn Acres Subdivision. (Private road).
<b>Woodcock Lane</b>	In the Partridge Cove Subdivision leads from Mud Creek Road and proceeds through the subdivision to the shore connecting to all side roads in the subdivision.

## **D7: Highest Annual Tide (HAT 2015) Plus 6 Foot Sea Level Rise – Predicted Roadway Vulnerability**

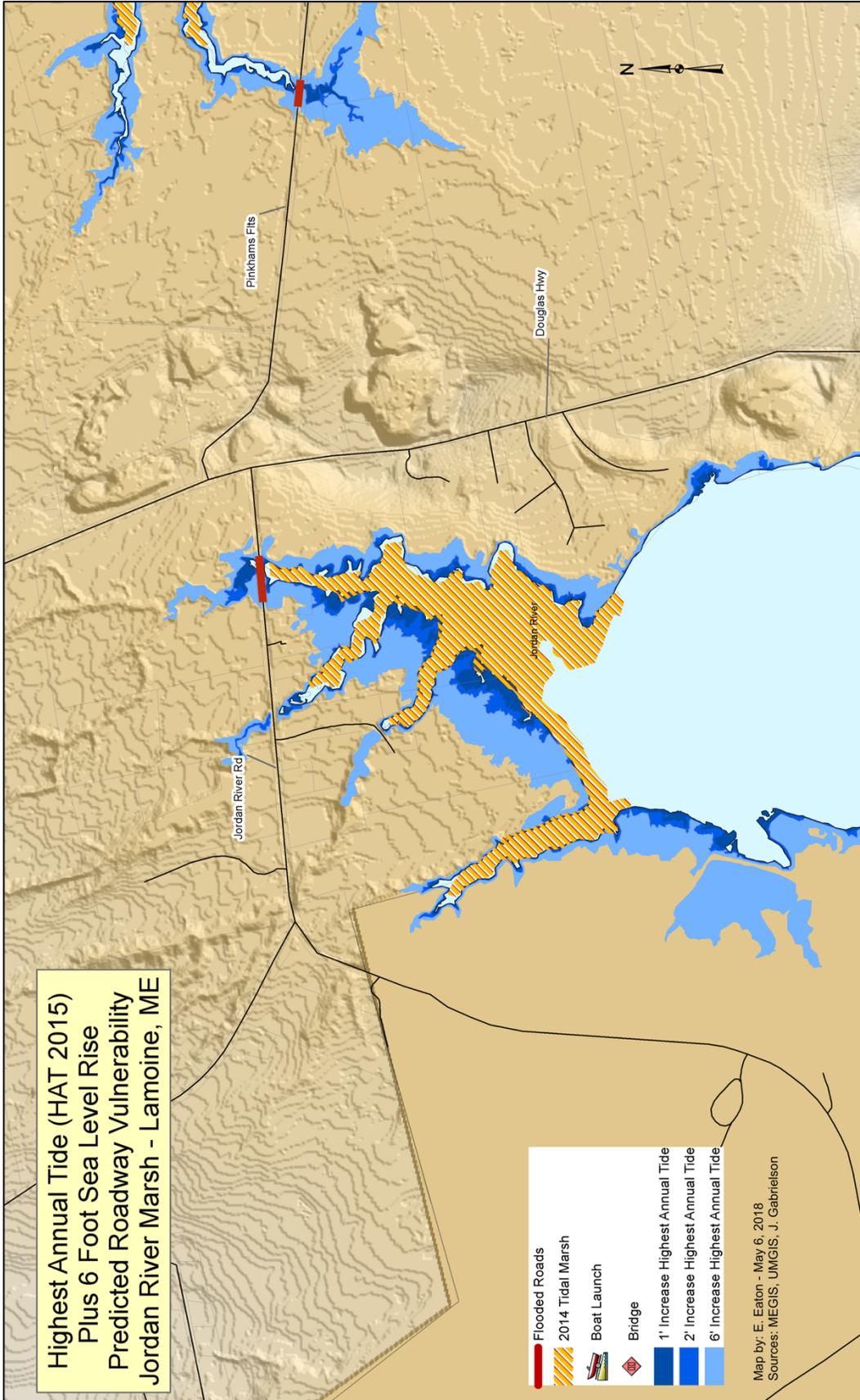
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The maps on the next three pages illustrate estimated Roadway Vulnerability in the event that a highest annual tide (“HAT”, from 2015 data) combined with sea level rise of six feet due to storm surge or other process (maps developed by Elaine Eaton, working under the direction of Dr. Tora Johnson of the University of Maine at Machias Geographic Information Systems (“GIS”) program).

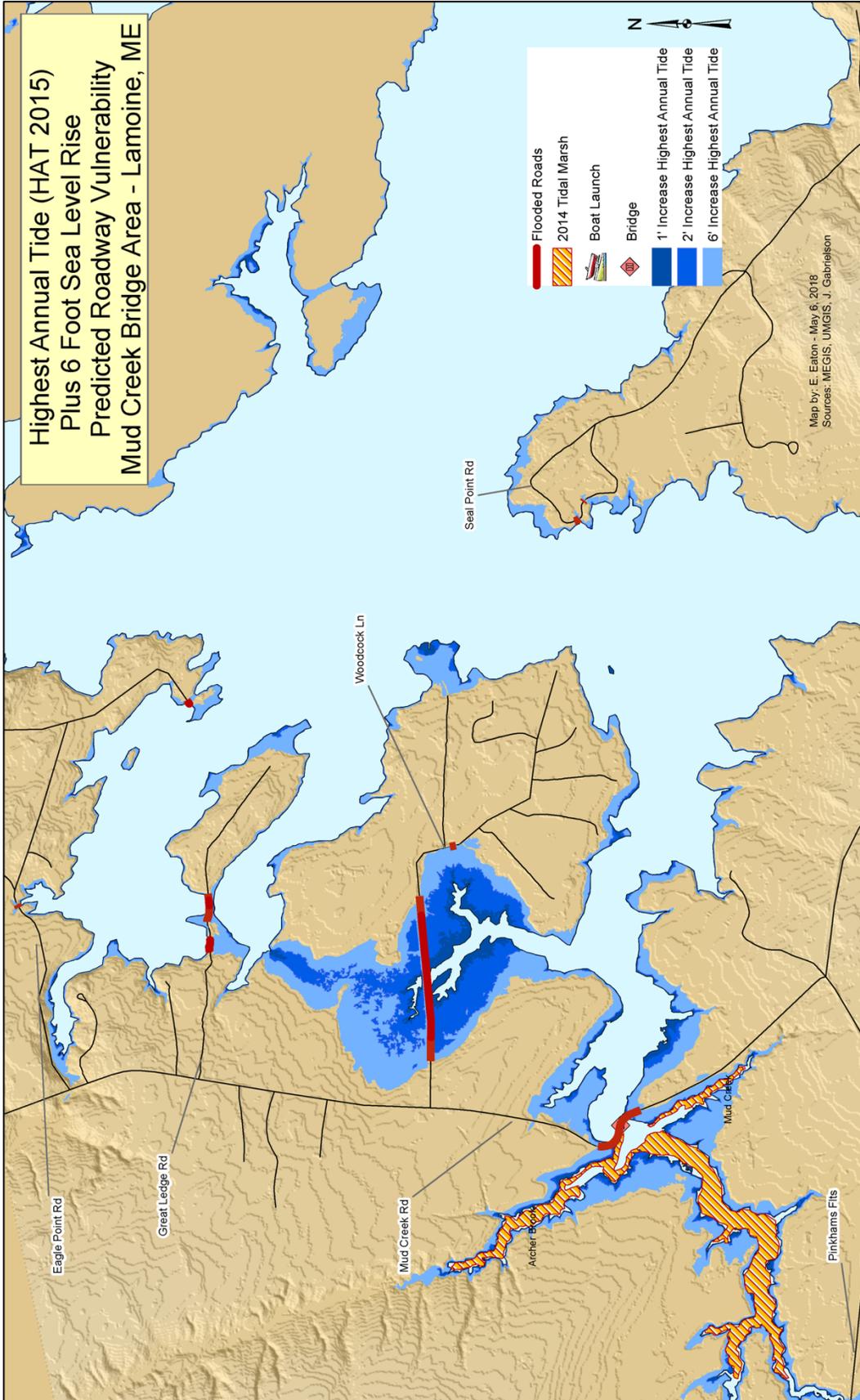
These maps illustrate the predicted Roadway Vulnerability for three areas of Lamoine:

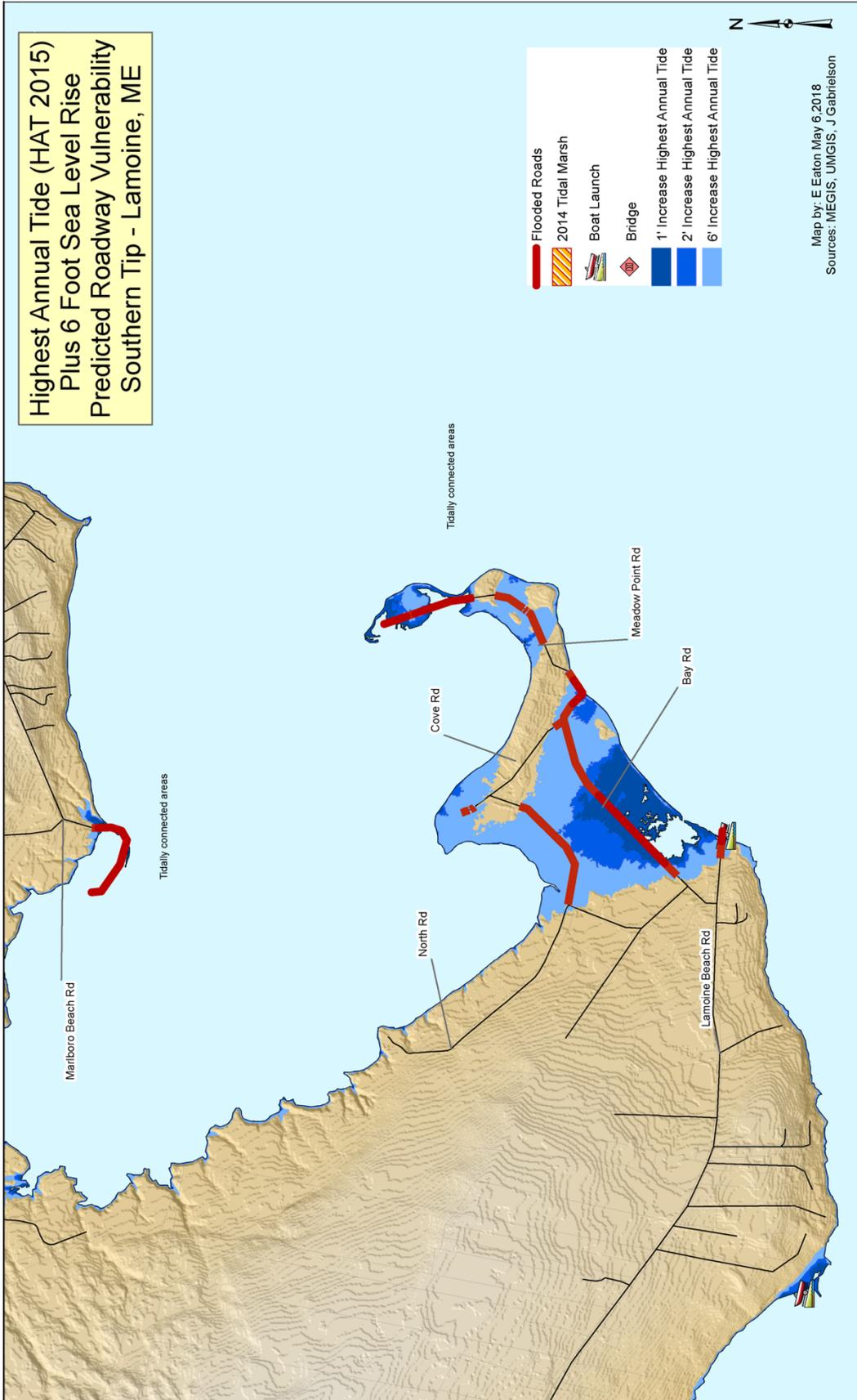
- A. The Jordan River Marsh area along with the upper reach of Archer’s Brook, showing potential flooding impacts on Jordan River Road and Pinkham’s Flats;
- B. The Mud Creek and Partridge Cove area, showing potential major flooding impacts on Mud Creek Road, Woodcock Lane and Great Ledge Road, and lesser impacts on Eagle Point Road, Falcon Lane and Seal Point Road; and
- C. The Lamoine Beach and Raccoon Cove area, showing potential major flooding impacts on Lamoine Beach Road, Bay Road, Meadow Point Road, Cove Road, and North Road.

# D7A



# D7B







## **Appendix E: Public Facilities and Services**

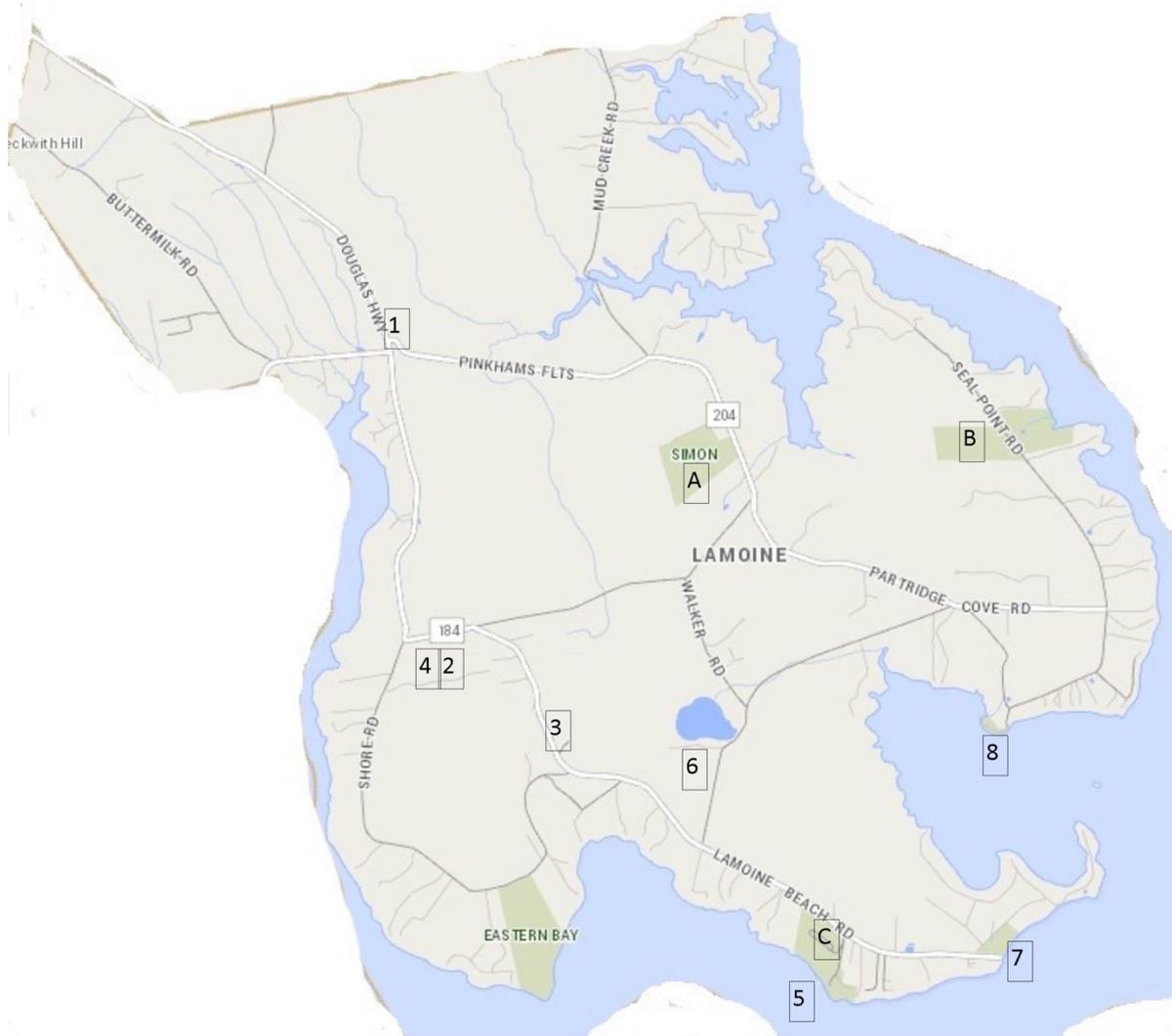
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The documents in this Appendix E show (1) the location of public facilities, parks and recreational trails in Lamoine, (2) documents related to the mission of the Lamoine Consolidated School, and (3) a description of the parks and trails in Lamoine.



# E1: Public Facilities, Parks and Hiking Trails

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## Key to Map

- |  |                              |
|--|------------------------------|
| 1. Lamoine Town Hall                         | A. Simon's Trail             |
| 2. Lamoine School                            | B. Coleman Mixed Woods Trail |
| 3. Lamoine Transfer Station                  | C. State Park Trail          |
| 4. Lamoine Volunteer Fire Department Station |                              |
| 5. Town Harbor (At Lamoine State Park)       |                              |
| 6. Bloomfield Park                           |                              |
| 7. Lamoine Beach Park                        |                              |
| 8. Marlboro Beach Park                       |                              |

## **E2: Lamoine Consolidated School – Central Purposes and Core Principles**

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### **The Heart of It: Two Central Purposes**

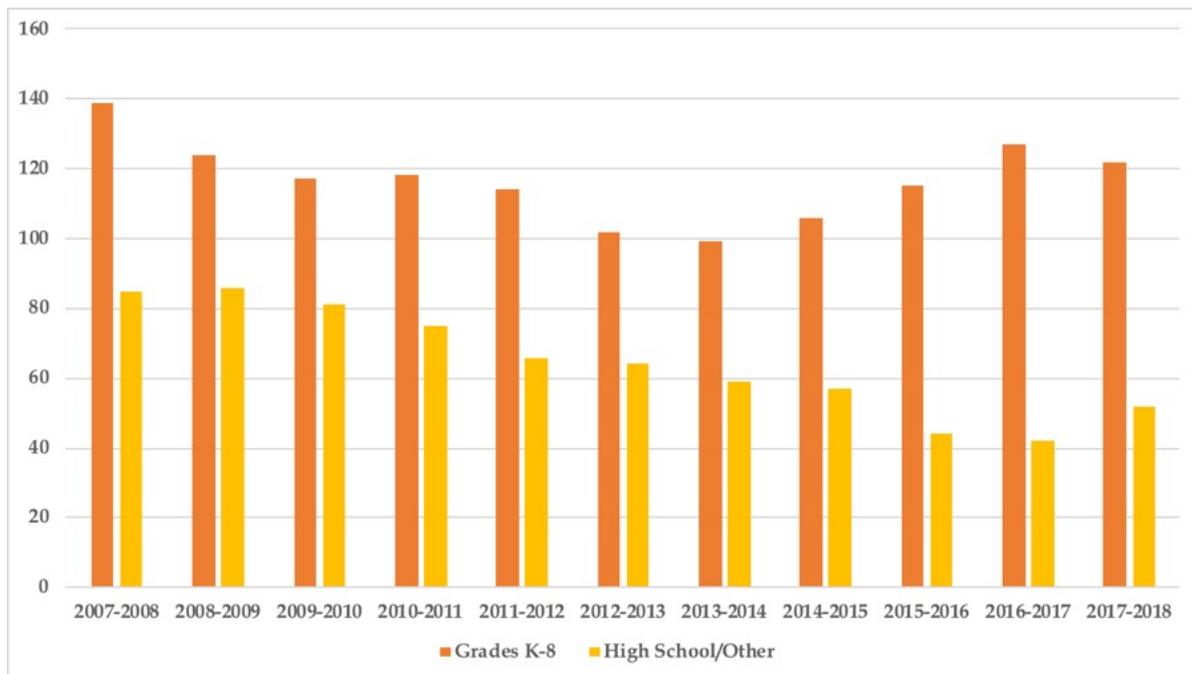
1. **Success for Every Child:** Education in Lamoine “lifts every student up”, instilling a love of learning and ensuring that every child grows intellectually, socially, emotionally, and physically. Every child feels confident and respected as a person and as a student. Every child leaves Grade 8 well prepared for high school and leaves high school well prepared for a productive future pathway.
2. **Surrounded by Community:** Every Lamoine child becomes a responsible community member by being surrounded by adults who nurture respect, cooperation, and citizenship. The Lamoine community participates in the education of our children, both by bringing community values and talents to the school and by extending children’s learning into the community.

### **Five Core Principles**

1. **A Strong Work Ethic:** Lamoine students have reliable work habits and know the rewards of persistence. They demonstrate self-discipline, can work well alone, and in groups. They explore future possibilities, set goals, and make choices that prepare them for productive futures.
2. **Kindling Sparks of Learning:** Every Lamoine child’s curiosity has been sparked, those sparks have been fanned into meaningful learning experiences that draw out creative genius and deepen learning skills. Every child has explored learning in many forms (mention multiple intelligences?) and has actively honed his/her knowledge and skills by following his/her “sparks”.
3. **Diversified Learning Paths:** Lamoine students learn to cultivate their talents and address their learning challenges; their learning paths are shaped to their needs and abilities throughout their K-12 years. School staff and parents have tailored educational activities to maximize each child’s learning and growth. Our high school students graduate with skills, work habits, and aspirations that will make them productive adults.
4. **Parent-Educator Partnerships Maximize Learning:** Each parent works in partnership with school staff to make home and school a seamless influence on each child’s learning. Every parent says, “Lamoine Consolidated School is/was a good place for my child to grow and learn.”
5. **A Learning Center for All:** The Lamoine School is a resource for ALL children and adults in Lamoine. Learning, recreation, and community events bring adults to our school for their own learning

### E3: Lamoine Consolidated School Enrollment, 2007-2017

School Year	Grades K-8	High School/Other
2007-2008	139	85
2008-2009	124	86
2009-2010	117	81
2010-2011	118	75
2011-2012	114	66
2012-2013	102	64
2013-2014	99	59
2014-2015	106	57
2015-2016	115	44
2016-2017	127	42
2017-2018	122	52



## E4: Hiking Trails of Lamoine

### Hiking Trails of Lamoine

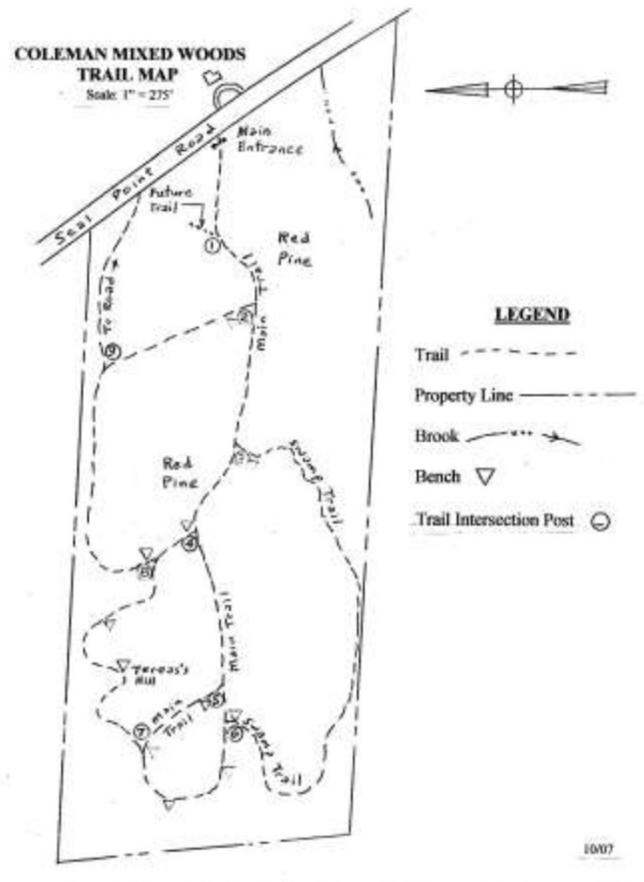
There are several hiking trails in Lamoine, varying from shoreline to mixed forest. Some of these trails are works in progress whereas others are fully established. Many need regular help with maintenance. The following is a listing of trails available to the public and information as to whom to contact if you are interested in volunteering to help establish and maintain these trails. More information about these and any additional trails, will be added as it becomes available.

**Coleman Woods Trail** – This trail system, of just over a mile and a half, winds through spruce, red pine, cedar and swamp within this 55 acre parcel.

**Access Point:**

Located on the left, approximately 1 mile down Seal Point Road from the intersection of Route 204. Limited parking on the side of the road.

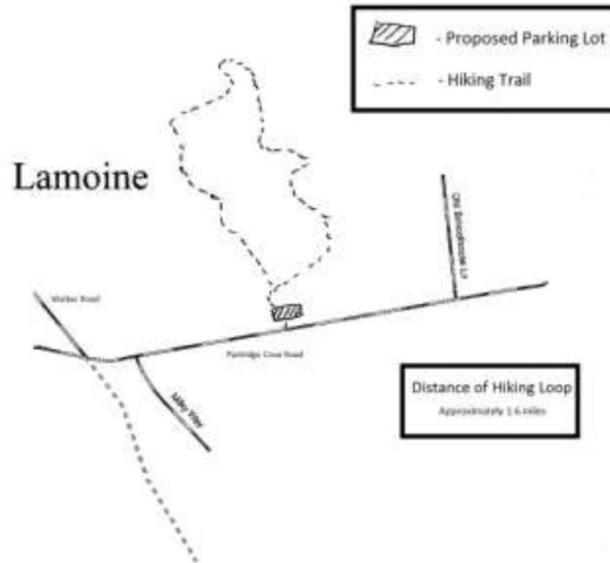
**Condition:** Maps are located at the trailhead. The main trail is just under a mile, but you can shorten or lengthen your hike as this main trail offers several loops that shoot off from it. This is an easy hike. Be prepared for some wet areas, which foster some incredible moss lined trails.



**Simon Property Trail** – This trail is a work in progress but offers a variety of wooded-terrain.

**Access Point:** Located on the right of Route 204, approximately eight tenths of a mile east of the intersection of Route 204 and Mud Creek Road, just before McMullens Landscape Construction and Maintenance. A parking lot is planned, designed and laid out by Ken Smith, funding is needed.. Currently parking is limited to the side of the road, watch for the deep ditches and soft shoulders.

**Condition:** This long trail has been cut, cleared and marked with more improvements planned. There is a possibility that this trail could be connected to other trails and may even go as far as Blunts Pond.



**Snowmobile Trails** – The snowmobile trails may be cleared and marked for snowmobiles, but some are groomed throughout the winter for cross-country skiing and some may be hiked in the summer. There are many miles of snowmobile trails that also connect to trails to other areas.

**Access Points:** There are several ways to access the snowmobile trails from the main roads. There is one access point at Latona Springs off Route 184, another access point is off the Mill Road, and yet another off of Asa’s Lane across from Blunts Pond. Parking varies but is generally limited to the sides of the road.

**Condition:** The condition of these trails varies greatly, depending on the time that you travel on them and the terrains which they cross.

**Lamoine School Cross-country Running Trail** – This mile and a half trail was cleared and marked for runners practice. The public may use this trail with the permission of the school. Some views are available from this trail.

**Access Point:** This trail starts behind the backstop of the baseball diamond behind the Lamoine Consolidated School

**Condition:** Variable

**Contact Info:** Lamoine School Office, 667-8578

**Lamoine State Park Trail** – This trail located within the boundaries of Lamoine State Park is wonderful for hiking / walking, as well as cross country skiing, offering scenic views and several rest stops along the way.

**Access Point:** Lamoine State Park, located on Route 184.

**Condition:** Excellent

**Contact Info:** Lamoine State Park, 207 667-4778

**Lamoine Beach** – This area is open to the public, but traveling too far either way on the beach crosses private property. Excellent views of Frenchman Bay, Mount Desert Narrows, Hancock Point, and Mount Desert Island. Plenty of parking. Picnic area, barbecue grills and privy available. Public boat launch.

**Access Point:** Located at the end of Route 184.

**Condition:** Well-taken care off.

**Bloomfield Park** – This town maintained park offers a short hiking trail along the shore of Blunts Pond, picnic tables, and a privy. Public access to the pond is located off from Bloomfield Park Road. Great swimming area (no lifeguard on duty) and public boat launch.

**Access Point:** Located on Bloomfield Park Road off from Asa's Lane.

**Condition:** Well-taken care off.

**Contact Info:** Kerry Galeaz (207) 667-1277

**Marlboro Beach** – (no hiking trail) This area offers beach combing and public boat access. Excellent spot to watch clam digging and worming during low tide. Most of the beach is privately owned, but open for public use.

**Access Point:** Marlboro Beach Road off the end of Route 204 or Raccoon Cove Road.

**Condition:** Access road is beginning to erode.

## **E5: Resolution on the Importance of Children’s Early Years**

Moderator Harvey Kelley declared Mr. Johnson and Mr. Mason the winners of the Selectman’s contest, Mrs. Fowler the winner of the Assessor’s office, and the “Will Not Enforce” option as prevailing on the advisory question.

### **Open Town Meeting**

Wednesday, March 13, 2013 6:00 PM

Prior to the resumption of the annual open town, Town Clerk Jennifer Kovacs administered the oaths of office to the following:

Bernard Johnson, Selectman & Overseer of the Poor  
Nathan Mason, Selectman & Overseer of the Poor  
E. Jane Fowler, Tax Assessor

Ballot Clerks Kathleen DeFusco and Carol Korty checked in 141 voters at the open town meeting.

Moderator Harvey Kelley called the open town meeting to order at approximately 6:00PM.

Mr. Kelley announced the results of the election the previous day.

Mr. Kelly established that he would operate according to the Maine Moderator’s Manual.

It was moved and 2<sup>nd</sup> to allow non-voters/non-residents to speak at the moderator’s discretion. The motion passed by a greater than 2/3rds majority on a hand vote.

Prior to the start of business:

The Lamoine Board of Selectmen presented the Citizen of the Year award to Richard Fennelly Jr.

The Lamoine Conservation Commission presented an award to Gerald and Iris Simon for their land conservation efforts.

The town acted on the following resolve: “To see if the town will acknowledge the importance of its children’s very early years; welcome all young children born or residing in Lamoine; and wish for them the blessings of healthy development; a nurturing family and neighborhood; a community that values them; a quality education; and support for them and their families.” **It was moved and 2<sup>nd</sup> to pass resolve as written. The motion passed on a hand vote.**

4. To see if the town will vote to set the date that property taxes will be due in two equal payments on August 31, 2013 and February 28, 2014, and to fix the rate of interest at 7.00% to be charged on the unpaid amounts beginning September 1, 2013 and March 1, 2014 respectively, and to fix the rate of interest paid for overpayments at 3.00% per annum. **It was moved and 2<sup>nd</sup> to approve article as written. The motion passed on a hand vote.**
5. To see if the Town will vote to authorize the Selectmen to sell and/or dispose of any property acquired by tax liens after first offering the property to the previous owners for payment of all back taxes, fees and interest, and if they decline, advertising for sealed bids on same, and stating the lowest bid acceptable, and to allow the Selectmen to authorize the Treasurer to waive automatic lien foreclosures when it is in the best interest of the Town. . **It was moved and 2<sup>nd</sup> to approve article as written. The motion passed on a hand vote.**
6. To see if the Town will vote to authorize the Selectmen to sell and/or dispose of any property or fixtures deemed to be surplus and unusable to the Town and worth less than \$1,000 fair market value, under such terms and conditions as they deem advisable after advertising such items

# Appendix F: Fiscal Capacity

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The document in this Appendix F is the current Capital Needs list of the Town of Lamoine.



# F1: Capital Needs Schedule

Town of Lamoine  
Capital Needs Schedule

Department	Item	FY 12	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	
Fire	Fire Truck - forestry truck	\$7,700.00	\$7,450.00															\$40,000.00
Fire	Turnout Gear Update		\$5,000.00									\$35,000.00						
Fire	SCBA & Bottles							\$22,500.00	\$22,500.00									
Fire	Hepatitis A Shots	\$4,686.00																
Fire	Tanker Truck			\$42,984.00	\$42,211.00	\$41,465.00	\$40,706.00	\$39,953.00	\$15,840.00	\$15,840.00	\$15,840.00							
Fire	Rescue Boat Replacement					\$15,840.00	\$15,840.00	\$15,840.00	\$15,840.00									
Parks	Play - Bloomfield Park	\$3,100.00							\$5,000.00	\$5,000.00								
Other	Seasonal/Annual Celebration																	
Planning	Comprehensive Plan				\$7,500.00	\$7,500.00												
Roads	Pave Seal Point Rd								\$150,000.00	\$150,000.00	\$100,000.00							
Roads	Pave Maxwell/Lorimer/Mariboro Beach			\$80,000.00								\$80,000.00			\$60,000.00			
Roads	Pave Walker Rd.														\$25,000.00			
Roads	Pave Birchawn, S Birchawn																	
Roads	Pave Clamshell, Cox Cob		\$47,000.00									\$80,000.00						
Roads	Lower Butternut											\$80,000.00						
Roads	Pave Asa's Lane												\$150,000.00					
Roads	Pave Mid-Shore, Upper Mill	\$145,500.00			\$150,000.00													
Roads	Pave Needles Eye Rd.																	
Roads	Raccoon Cove Rd.						\$75,000.00											
Roads	Mill Road - Lower End																	
Roads	Parking Lots		\$30,000.00						\$30,000.00						\$15,000.00	\$10,000.00	\$40,000.00	
Roads	Shore Road (East & West Ends)																	
Roads	MacQuinn Road						\$90,000.00	\$98,000.00										
Roads	Pave Upper Butternut					\$130,000.00												\$150,000.00
Roads	Reconfiguration?						\$10,000.00											
Solid Waste	Anderson Garage upgrades			\$3,000.00														
Solid Waste	Pave Transfer Station			\$10,000.00														
Administration	Town Hall Roof																	\$25,000.00
Administration	Town Hall Entrance Cover	\$5,000.00	\$1,500.00		\$5,000.00													
Administration	Town Hall Heating System																	
Administration	Town Hall Step Replacement				\$5,000.00	\$5,000.00												
Administration	Town Hall Foundation				\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00									
Administration	Vault Storage		\$8,000.00															
Administration	Computers/Copier	\$750.00			\$4,000.00													
Administration	Building Expansion, Parking							\$250,000.00										
Administration	Town Hall Electronic Sign							\$20,000.00										
Administration	Reevaluation							\$150,000.00										
Parks	Bloomfield Park Road	\$168,736.00	\$118,950.00	\$135,961.00	\$268,711.00	\$214,895.00	\$281,546.00	\$246,293.00	\$658,340.00	\$170,840.00	\$100,000.00	\$175,000.00	\$159,000.00	\$240,000.00	\$70,000.00	\$215,000.00	\$40,000.00	
	<b>Total</b>																	

Town of Lamoine  
Capital Needs Schedule

Summary by Department

Department	FY 12	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27
Roads	\$145,500	\$77,000	\$80,000	\$150,000	\$130,000	\$165,000	\$118,000	\$150,000	\$150,000	\$100,000	\$140,000	\$150,000	\$240,000	\$70,000	\$180,000	\$0
Fire	\$12,386	\$32,450	\$42,964	\$42,211	\$57,305	\$86,546	\$78,293	\$38,340	\$15,840	\$0	\$35,000	\$0	\$0	\$0	\$0	\$40,000
Administration	\$5,750	\$9,500	\$0	\$9,000	\$20,000	\$15,000	\$35,000	\$45,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000	\$0
Solid Waste	\$0	\$0	\$13,000	\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$3,100	\$0	\$0	\$0	\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Planning	\$0	\$0	\$0	\$7,500	\$7,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0	\$0	\$5,000	\$5,000	\$5,000	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$166,736</b>	<b>\$118,950</b>	<b>\$135,964</b>	<b>\$208,711</b>	<b>\$214,805</b>	<b>\$281,546</b>	<b>\$246,283</b>	<b>\$608,340</b>	<b>\$170,840</b>	<b>\$100,000</b>	<b>\$175,000</b>	<b>\$150,000</b>	<b>\$240,000</b>	<b>\$70,000</b>	<b>\$215,000</b>	<b>\$40,000</b>