ROYAL RIVER SEWERSHED DEVELOPMENT MORATORIUM

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Erin Zwirko, Director of Planning and Development

August 7, 2025

YARMOUTH
MAINE

PRESENTATION OVERVIEW

- Provide background on sewer system limitations in the Royal River area
- Explain what a moratorium is and why it is being considered
- Outline legal authority and criteria for a moratorium
- Present proposed timeline and ordinance language
- Request Council feedback and direction

EXISTING CONSTRAINTS

- Royal River pump station is at or near capacity
  - Constructed in 1967, last upgraded in 1992
- January 2024 sewer overflow caused public health and environmental harm
  - 21-day shellfish harvesting closure in Casco Bay
- Future development will exacerbate risk of overflows
- Minor updates are not sufficient to accommodate growth

WHAT IS A MORATORIUM?

- Temporary suspension of specific development activities
- Tool used by Maine municipalities to prevent public harm
- It provides time for the municipality to:
  - Study an issue
  - Update ordinances or plans
  - Secure funding or engineer improvements
  - Implement necessary infrastructure upgrades
- Not a ban on growth—a pause to ensure sustainable development

LEGAL AUTHORITY – TITLE 30-A §4356

- Addresses development activity causing serious public harm
- Time-limited (initially up to 180 days, extensions allowed)
- Requires a public hearing (initially and for extensions)
- Narrowly tailored to the issue (e.g., sewer capacity)
- Must be accompanied by actionable steps toward resolution

WHY A MORATORIUM?

- Exacerbate public health risks (e.g., untreated wastewater backups or discharges)
- Violate environmental regulations (e.g., Maine DEP or Clean Water Act requirements)
- Jeopardize the Town's wastewater licenses or standing with state agencies, and
- Undermine long-term planning goals by creating infrastructure demands that exceed service capacity.

WHY A MORATORIUM?

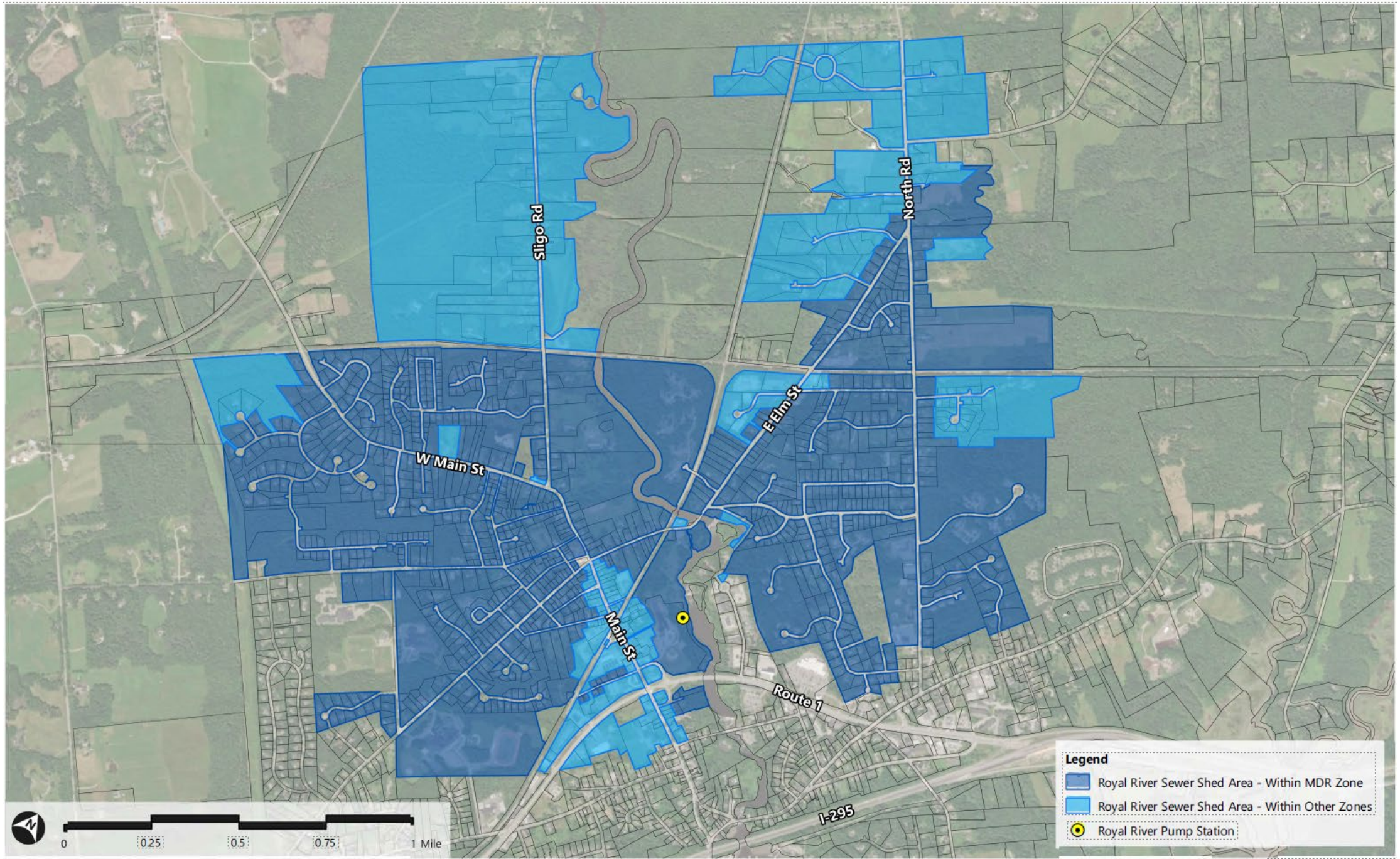
- Prevent new demand on already strained systems
- Focus resources on assessing and fixing the problem
- Avoid further noncompliance with environmental laws
- Communicate transparently with developers and residents, and
- Avoid potential legal action from regulatory agencies and/or environmental organizations
- Protect water-oriented commercial entities and public use of the waterfront

MORATORIUM ORDINANCE DETAILS

- Moratorium ordinance language applied to:
  - New residential units (single-family, duplex, multi-family, ADUs)
  - Additions/renovations increasing bedroom count
  - Commercial development increasing sewer discharge
  - Change of use increasing sewer discharge
- Excludes projects with approvals or permits prior to effective date
- Enforced by Code Enforcement Officer
- Violations subject to civil penalties under 30-A M.R.S. § 4452

Royal River Sewer Shed Areas
Yarmouth, Maine

July 30, 2025



PROJECTED TIMELINE

MILESTONE	DATE
Introductory Discussion	July 10, 2025
Moratorium Review	August 7 & 21, 2025
Potential Moratorium Effective	August 22, 2025
Initial Duration	Through February 8, 2026
Potential Extension	Through August 22, 2026
Bond Referendum (if advanced)	November 4, 2025
Pump Station Reconstruction (if funded)	Spring 2028

QUESTIONS?

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