

**TOWN OF YARMOUTH  
COMPREHENSIVE PLAN STEERING COMMITTEE  
REGULAR MEETING**

**January 23, 2023**

**7:00 PM, Log Cabin, 196 Main Street, and via Remote Meeting**

**<https://meet.goto.com/451872165>**

**Join by phone: 1 (872) 240-3412, Access Code: 451-872-165.**

**AGENDA**

- I. Welcome and Introductions (10 minutes)**
- II. New Committee Information (20 minutes)**
  - a. Role and Responsibility of Steering Committee**
  - b. Review Information about Open Meetings and Public Records**
  - c. Adopt Remote Participation Policy**
  - d. Confirm Regular Meeting Date of Fourth Tuesday**
  - e. Consider Electing a Chair and Vice Chair**
- III. What is comprehensive planning and overview of 2010 Comprehensive Plan (20 minutes)**
- IV. Review Workplan and Schedule (20 minutes)**
- V. Discuss Engagement Strategies (40 minutes)**
- VI. Public Comment (5 minutes)**
- VII. Adjournment**

**Comprehensive Plan Steering Committee Members:**

John Auble  
 Daniel Backman  
 Crispin Bokota Bolese  
 Emily Bryson  
 Judy Colby-George  
 Shanna Crofton Mitchell  
 Hildy Ginsburg  
 Miriam Markowitz  
 Tim McGonagle  
 Karin Orenstein  
 Neena Panozzo  
 Todd Rich  
 Bill Richards  
 Lynne Seeley  
 Sophie Wentzell  
 Jamie Whittemore  
 Sarah Witte

**Roles and Responsibilities:**

The Comprehensive Plan Steering Committee is tasked with:

- Providing direction to the Department of Planning & Development and the selected consultant in the preparation of the Comprehensive Plan update;
- Participating in the development and review of the inventory and analysis of existing conditions in various topic areas;
- Participating in the public engagement program;
- Along with the general public, refining the vision statement;
- Participating in the development of policies, goals, and strategies, and the future land use plan;
- Participating in the development of the implementation program; and
- Participating in the public presentation of the final draft comprehensive plan.

**Regular Meeting Date:**

Fourth Tuesday of the Month, in the Town Hall Community Room, 200 Main Street

Go To Meeting: <https://meet.goto.com/451872165>, Join by phone: 1 (872) 240-3412, Access Code: 451-872-165.

2023 Meeting dates (meetings with astericks may need to rescheduled):

2/28  
 3/28  
 4/25  
 5/23  
 6/27\*  
 7/25  
 8/22  
 9/26  
 10/31  
 11/28  
 12/26\*

### **New Committee Information**

The Town Council incorporated into its own Rule of Procedure both set of expectations for Committees as well as an internal reference to the Council's Conflict of Interest standards. In addition, a Committee of the Town is a public body and therefore is subject to the Open Meetings and Public Records laws.

Below you will find links to the Town Council Rules, which provides the local expectations for how a Yarmouth Committee will function, and to Title I MRSA Chapter 13, which provides the state's requirements for open meetings and public record laws.

In addition, in order to allow remote participation of Committee members, the Committee also must allow remote participation by members of the public. Following this document is the standard Remote Participation Policy that Boards and Committees in Yarmouth have adopted.

### **[Town Council Rules:](#)**

### **SECTION VIII: VOLUNTEER COMMITTEES**

Volunteer Committees play an important role in the management of the Town's affairs. Over the years, Committees have formed to serve as a resource on a variety of subjects and projects.

Some Committees form for a single purpose and have a limited life span; others serve as an ongoing resource on matters that require the Town's ongoing stewardship.

#### **A. Purpose**

The purpose of volunteer committees is to assist the Town Council in the management of the Town's affairs. Ideally, these Committees will serve to inform, educate and advise the Town Council on variety of subject matters.

#### **B. Existing Committees (as of June 20, 2019)**

There are hereby established the following volunteer committees: Economic Development Advisory Board, Harbor and Waterfront Committee, Investment Advisory Panel, Parks and Lands Committee, Recycling Committee, Shellfish Conservation Commission, Program Advisory Committee, Renewable Energy and Sustainability Advisory Committee, Rental Dwelling Committee

#### **C. Committee Membership, Voting and Attendance**

Committee membership requires formal appointment by the Town Council. Once formally appointed, all members are entitled to fully participate in, and vote on any matters before the Committee. It is recommended that each Committee appoint a Chairperson to preside over the meetings. Committee members are expected to attend a majority of the Committee meetings. Any member may resign at any time. Any member who misses three (3) consecutive meetings [unless excused] may be presumed to have resigned.

#### **D. Role of Town Council Liaison**

Each Committee shall be assigned a member of the Town Council as a Liaison. The Liaison serves as a conduit between the Committee and the Council. In this role, the Liaison will share information and updates between the Committee and the Council, advise the Council on any specific needs of the Committee, and coordinate formal presentations before the Council. The Liaison will also serve as a resource and mentor for the Committee when appropriate. The role or presence of a Liaison is not

intended to impact or influence the decisions of a Committee. As such, the Liaison is not a voting member of the Committee.

#### E. Meetings, Agendas and Records

Frequency of meetings, including dates, times and locations as well as meeting agendas should be posted to the Town web site in a timely manner prior to a proposed meeting. Meeting minutes are encouraged to be taken and posted to the Town website.

#### D. Annual Work Plan and Annual Report

With the goal of keeping the various Committees and the Council focused and engaged, the Council requests that each volunteer Committee prepare an annual work plan, and present that plan to the Town Council for approval on an annual basis. The work plan may include items that the Council requests the Committee work on in the coming year, or it may include matters that the Committee would like to address and present to the Council for consideration. Any budget requests should be included in this work plan. Volunteer Committees should also prepare an annual report on their work during the prior year for inclusion in the Town's annual report.

#### E. Presentations to the Council

With respect to matters formally presented to the Town Council, the Council requests that any presentations include, at a minimum, the following:

1. What is/are the issue(s), or subject matter before the Council?
2. What is the purpose of the report/presentation? Is it informational, action requested, or both?
3. What are the Town's options in addressing/acting upon the issues or subject matter? What are the pros/cons or costs/benefits for each option?
4. What are the Committee's conclusions/recommendations? Are they the best options and why are they in the best interest of the Citizens of Yarmouth?

The Council's goal is to be informed, educated and advised so the Council can make informed decisions on behalf of the Citizens of Yarmouth.

#### F. Conflicts of Interest

Volunteer Committee members are subject to conflict of interest rules adopted by the Town Council.

### **SECTION IV.E**

E. Conflict of Interest: It is the policy of the Town Council that the proper operation of democratic government requires that public officials be independent, impartial and responsible to citizens; that public service not be used for personal gain; and that the public has confidence in the integrity of its municipal government. The purpose and intent of this Policy is to promote improved transparency and public trust and to protect the integrity of Town government against actual or reasonably perceived conflicts of interest without creating unnecessary barriers to public service.

This Policy applies to members of the Yarmouth Town Council ("Councilors"). This Policy shall not prevent the Town Council from adopting additional procedures and standards intended to prevent the

exercise or appearance of improper influence or bias in the conduct of Town business. This Policy is intended to supplement, but not replace, any Maine or federal law governing conflicts of interest.

#### Conflict of Interest:

A conflict of interest may arise when specific circumstances exist such that a Town Councilor may reasonably be presumed to be motivated by a personal interest and/or direct financial interest rather than the public interest. Although not intended as an exhaustive list, this Policy addresses, by example, three circumstances where a conflict of interest may arise, and where Town Councilors are encouraged to exercise caution before determining that their participation in decision making on a particular agenda item is in compliance with this Policy:

1. When a matter before the Council could have a direct personal and/or direct financial benefit or detriment to the Councilor or his/her immediate family members;
2. When a matter before the Council could have a direct personal and/or direct financial benefit or detriment to the Councilor's employer or his/her immediate family's employer(s);
3. When a matter before the Council could have a direct personal and/or direct financial benefit or detriment to any outside organization for whom the Councilor holds an official leadership position.

"Immediate family" is defined under this Policy to mean the Councilor's spouse, child, (natural or adopted), parent, brother or sister, and any other person with whom a Councilor shares living quarters under circumstances that closely resemble a marital relationship or who is financially dependent on the Councilor. "Step" relations shall be deemed the same as natural relations.

#### Avoidance of appearance of conflict:

Town Councilors should avoid the appearance of a conflict of interest, bias or improper influence by disclosure and/or abstention.

#### Disclosure; Abstention:

Councilors are required under this Policy to disclose any potential conflict of interest they may have in any agenda item before the Council. Once a disclosure is made, the Councilor shall either abstain from the decision-making process (including any discussion, deliberation and/or vote) regarding that agenda item or shall explain why he or she believes his or her abstention is not necessary.

#### Abstention not required:

It is not the intent of this Policy to prevent Councilors from voting on matters while acting in a legislative capacity even if their actions may be based upon strongly held personal views, so long as there is no private interest in the outcome of the decision.

Moreover, given the relatively small size of the Yarmouth community, Councilors may be faced from time to time with making decisions that affect their personal interests in a manner substantially similar to the interests of other Yarmouth residents. For example, Town Councilors are not automatically disqualified from voting on a town-wide zoning change merely because they own land that will be affected by the zoning decision, especially if the private benefits to the Councilor involved in the legislative action are speculative, indirect and/or insubstantial.

## Title 1 MRSA Ch 13 Excerpts:

### **§403. Meetings to be open to public; record of meetings**

**1. Proceedings open to public.** Except as otherwise provided by statute or by section 405, all public proceedings must be open to the public and any person must be permitted to attend a public proceeding.

[PL 2011, c. 320, Pt. C, §1 (NEW).]

**2. Record of public proceedings.** Unless otherwise provided by law, a record of each public proceeding for which notice is required under section 406 must be made within a reasonable period of time after the proceeding and must be open to public inspection. At a minimum, the record must include:

A. The date, time and place of the public proceeding; [PL 2011, c. 320, Pt. C, §1 (NEW).]

B. The members of the body holding the public proceeding recorded as either present or absent; and [PL 2011, c. 320, Pt. C, §1 (NEW).]

C. All motions and votes taken, by individual member, if there is a roll call. [PL 2011, c. 320, Pt. C, §1 (NEW).]

[PL 2011, c. 320, Pt. C, §1 (NEW).]

**3. Audio or video recording.** An audio, video or other electronic recording of a public proceeding satisfies the requirements of subsection 2.

[PL 2011, c. 320, Pt. C, §1 (NEW).]

**4. Maintenance of record.** Record management requirements and retention schedules adopted under Title 5, chapter 6 apply to records required under this section.

[PL 2011, c. 320, Pt. C, §1 (NEW).]

**5. Validity of action.** The validity of any action taken in a public proceeding is not affected by the failure to make or maintain a record as required by this section.

[PL 2011, c. 320, Pt. C, §1 (NEW).]

**6. Advisory bodies exempt from record requirements.** Subsection 2 does not apply to advisory bodies that make recommendations but have no decision-making authority.

[PL 2011, c. 320, Pt. C, §1 (NEW).]

### **§404. Recorded or live broadcasts authorized**

In order to facilitate the public policy so declared by the Legislature of opening the public's business to public scrutiny, all persons shall be entitled to attend public proceedings and to make written, taped or filmed records of the proceedings, or to live broadcast the same, provided the writing, taping, filming or broadcasting does not interfere with the orderly conduct of proceedings. The body or agency holding the public proceedings may make reasonable rules and regulations governing these activities, so long as these rules or regulations do not defeat the purpose of this subchapter. [PL 1975, c. 758 (RPR).]

### **§406. Public notice**

Public notice shall be given for all public proceedings as defined in section 402, if these proceedings are a meeting of a body or agency consisting of 3 or more persons. This notice shall be given in ample time to allow public attendance and shall be disseminated in a manner reasonably calculated to notify the general public in the jurisdiction served by the body or agency concerned. In the event of an emergency meeting, local representatives of the media shall be notified of the meeting, whenever practical, the notification to include time and location, by the same or faster means used to notify the members of the agency conducting the public proceeding.

#### **§408-A. Public records available for inspection and copying**

Except as otherwise provided by statute, a person has the right to inspect and copy any public record in accordance with this section within a reasonable time of making the request to inspect or copy the public record. [PL 2011, c. 662, §5 (NEW).]

**1. Inspect.** A person may inspect any public record during reasonable office hours. An agency or official may not charge a fee for inspection unless the public record cannot be inspected without being converted or compiled, in which case the agency or official may charge a fee as provided in subsection 8. [PL 2011, c. 662, §5 (NEW).]

**2. Copy.** A person may copy a public record in the office of the agency or official having custody of the public record during reasonable office hours or may request that the agency or official having custody of the record provide a copy. The agency or official may charge a fee for copies as provided in subsection 8.

A. A request need not be made in person or in writing. [PL 2011, c. 662, §5 (NEW).]

B. The agency or official shall mail the copy upon request. [PL 2011, c. 662, §5 (NEW).]  
[PL 2011, c. 662, §5 (NEW).]

**3. Acknowledgment; clarification; time estimate; cost estimate.** The agency or official having custody or control of a public record shall acknowledge receipt of a request made according to this section within 5 working days of receiving the request and may request clarification concerning which public record or public records are being requested. Within a reasonable time of receiving the request, the agency or official shall provide a good faith, nonbinding estimate of the time within which the agency or official will comply with the request, as well as a cost estimate as provided in subsection 9. The agency or official shall make a good faith effort to fully respond to the request within the estimated time. For purposes of this subsection, the date a request is received is the date a sufficient description of the public record is received by the agency or official at the office responsible for maintaining the public record. An agency or official that receives a request for a public record that is maintained by that agency but is not maintained by the office that received the request shall forward the request to the office of the agency or official that maintains the record, without willful delay, and shall notify the requester that the request has been forwarded and that the office to which the request has been forwarded will acknowledge receipt within 5 working days of receiving the request.

[PL 2015, c. 317, §1 (AMD).]

**4. Refusals; denials.** If a body or an agency or official having custody or control of any public record refuses permission to inspect or copy or abstract a public record, the body or agency or official shall provide, within 5 working days of the receipt of the request for inspection or copying, written notice of the denial, stating the reason for the denial or the expectation that the request will be denied in full or in part following a review. A request for inspection or copying may be denied, in whole or in part, on the basis that the request is unduly burdensome or oppressive if the procedures established in subsection 4-A are followed. Failure to comply with this subsection is considered failure to allow inspection or copying and is subject to appeal as provided in section 409.

[PL 2015, c. 494, Pt. A, §1 (RPR).]

**4-A. Action for protection.** A body, an agency or an official may seek protection from a request for inspection or copying that is unduly burdensome or oppressive by filing an action for an order of protection in the Superior Court for the county where the request for records was made within 30 days of receipt of the request.

A. The following information must be included in the complaint if available or provided to the parties and filed with the court no more than 14 days from the filing of the complaint or such other period as the court may order:

- (1) The terms of the request and any modifications agreed to by the requesting party;
- (2) A statement of the facts that demonstrate the burdensome or oppressive nature of the request, with a good faith estimate of the time required to search for, retrieve, redact if necessary and compile the records responsive to the request and the resulting costs calculated in accordance with subsection 8;
- (3) A description of the efforts made by the body, agency or official to inform the requesting party of the good faith estimate of costs and to discuss possible modifications of the request that would reduce the burden of production; and
- (4) Proof that the body, agency or official has submitted a notice of intent to file an action under this subsection to the party requesting the records, dated at least 10 days prior to filing the complaint for an order of protection under this subsection. [PL 2015, c. 248, §2 (NEW).]

B. Any appeal that may be filed by the requesting party under section 409 may be consolidated with an action under this subsection. [PL 2015, c. 248, §2 (NEW).]

C. An action for protection may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require upon the request of any party. [PL 2015, c. 248, §2 (NEW).]

D. If the court finds that the body, agency or official has demonstrated good cause to limit or deny the request, the court shall enter an order making such findings and establishing the terms upon which production, if any, must be made. If the court finds that the body, agency or official has not demonstrated good cause to limit or deny the request, the court shall establish a date by which the records must be provided to the requesting party. [PL 2015, c. 248, §2 (NEW).]

[PL 2017, c. 288, Pt. A, §1 (AMD).]

**5. Schedule.** Inspection, conversion pursuant to subsection 7 and copying of a public record subject to a request under this section may be scheduled to occur at a time that will not delay or inconvenience the regular activities of the agency or official having custody or control of the public record requested. If the agency or official does not have regular office hours, the name and telephone number of a contact person authorized to provide access to the agency's or official's records must be posted in a conspicuous public place and at the office of the agency or official, if an office exists.

[PL 2011, c. 662, §5 (NEW).]

**6. No requirement to create new record.** An agency or official is not required to create a record that does not exist.

[PL 2011, c. 662, §5 (NEW).]

**7. Electronically stored public records.** An agency or official having custody or control of a public record subject to a request under this section shall provide access to an electronically stored public record either as a printed document of the public record or in the medium in which the record is stored, at the requester's option, except that the agency or official is not required to provide access to an electronically stored public record as a computer file if the agency or official does not have the ability to separate or prevent the disclosure of confidential information contained in or associated with that file.

A. If in order to provide access to an electronically stored public record the agency or official converts the record into a form susceptible of visual or aural comprehension or into a usable format for inspection or copying, the agency or official may charge a fee to cover the cost of conversion as provided in subsection 8. [PL 2011, c. 662, §5 (NEW).]



B. This subsection does not require an agency or official to provide a requester with access to a computer terminal. [PL 2011, c. 662, §5 (NEW).]

[PL 2011, c. 662, §5 (NEW).]

**8. Payment of costs.** Except as otherwise specifically provided by law or court order, an agency or official having custody of a public record may charge fees for public records as follows.

A. The agency or official may charge a reasonable fee to cover the cost of copying. [PL 2011, c. 662, §5 (NEW).]

B. The agency or official may charge a fee to cover the actual cost of searching for, retrieving and compiling the requested public record of not more than \$15 per hour after the first hour of staff time per request. Compiling the public record includes reviewing and redacting confidential information. [PL 2011, c. 662, §5 (NEW).]

C. The agency or official may charge for the actual cost to convert a public record into a form susceptible of visual or aural comprehension or into a usable format. [PL 2011, c. 662, §5 (NEW).]

D. An agency or official may not charge for inspection unless the public record cannot be inspected without being compiled or converted, in which case paragraph B or C applies. [PL 2011, c. 662, §5 (NEW).]

E. The agency or official may charge for the actual mailing costs to mail a copy of a record. [PL 2011, c. 662, §5 (NEW).]

F. An agency or official may require payment of all costs before the public record is provided to the requester. [PL 2017, c. 158, §1 (NEW).]

[PL 2017, c. 158, §1 (AMD).]

**9. Estimate.** The agency or official having custody or control of a public record subject to a request under this section shall provide to the requester an estimate of the time necessary to complete the request and of the total cost as provided by subsection 8. If the estimate of the total cost is greater than \$30, the agency or official shall inform the requester before proceeding. If the estimate of the total cost is greater than \$100, subsection 10 applies.

[PL 2011, c. 662, §5 (NEW).]

**10. Payment in advance.** The agency or official having custody or control of a public record subject to a request under this section may require a requester to pay all or a portion of the estimated costs to complete the request prior to the search, retrieval, compiling, conversion and copying of the public record if:

A. The estimated total cost exceeds \$100; or [PL 2011, c. 662, §5 (NEW).]

B. The requester has previously failed to pay a properly assessed fee under this chapter in a timely manner. [PL 2011, c. 662, §5 (NEW).]

[PL 2011, c. 662, §5 (NEW).]

**11. Waivers.** The agency or official having custody or control of a public record subject to a request under this section may waive part or all of the total fee charged pursuant to subsection 8 if:

A. The requester is indigent; or [PL 2011, c. 662, §5 (NEW).]

B. The agency or official considers release of the public record requested to be in the public interest because doing so is likely to contribute significantly to public understanding of the operations or activities of government and is not primarily in the commercial interest of the requester. [PL 2011, c. 662, §5 (NEW).]

## **REMOTE PARTICIPATION POLICY**

Yarmouth Comprehensive Plan Steering Committee

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the above-named body adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods. If public input is allowed or required at the meeting, an effective means of communication between the body and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Adopted by the Yarmouth Comprehensive Steering Committee on \_\_\_\_, 2023.



Erin Zwirko, AICP, LEED AP  
E-mail: [ezwirko@yarmouth.me.us](mailto:ezwirko@yarmouth.me.us)

Tel: 207-846-2401  
Fax: 207-846-2438

---

**TOWN OF YARMOUTH**  
200 Main Street, Yarmouth, Maine 04096  
[www.yarmouth.me.us](http://www.yarmouth.me.us)

To: Comprehensive Plan Steering Committee  
From: Erin Zwirko, Director of Planning & Development  
Re: Comprehensive Planning and an Overview of the 2010 Comprehensive Plan  
Date: January 17, 2023

### **Comprehensive Planning**

The purpose of the Comprehensive Plan is to guide town-wide growth and development patterns, investments, and initiatives, and is the foundation for determining effective public policy, master planning, and land use decisions for the future. It will provide an ongoing framework for informed and directed development. It serves as the guiding policy document for many of the Town's most critical decisions. A comprehensive plan includes goals, objectives, and strategies, and will utilize maps, graphs, and other imagery tools to analyze, assess, and recommend best practices for values-based planning, economic development, housing, infrastructure, transportation, and other improvements. The purpose of a comprehensive plan is to reflect and respond to the priorities, values, and requirements of Yarmouth residents, safeguarding Yarmouth's history and sense of place while providing for our future. To this end, the goal is to create a realistic document with goals, policies, and guidance that can be holistically and collaboratively implemented to enhance existing town services and growth patterns.

Maine's Comprehensive Planning and Land Use Regulation Act ([MRSA Title 30-A §4301-4350](#)) standardizes a three-part process for municipalities undertaking comprehensive planning. The first piece is the inventory and analysis of existing conditions. The inventory of existing conditions sets the baseline for consideration of future policies. The inventory does not include contemporary planning issues, such as sustainability, climate change and sea level rise, or equity, yet many municipalities, including this effort, require attention to these issues. The second element is to prepare policies to address the topics raised in the inventories, and designate "growth" and "rural" areas. The final element of a comprehensive plan is to prepare strategies to implement the plan. While the inventory of existing conditions is retrospective, the development of policies and the implementation plan cannot be accomplished without public engagement. See the attached excerpt of the Growth Management Act (Title 30-A MRS Section 4326) for what is required for a comprehensive plan.

### **2010 Comprehensive Plan**

The 2010 Comprehensive Plan (2010 Plan) was adopted by the Town Council on December 16, 2010 and was submitted to the (then) Maine State Planning Office for review. The 2010 Plan was found consistent with Maine's Growth Management Act in October 2011 with a finding of consistency for 12 years or through October 2023. The 2010 Plan was

*"Our Latchstring Always Out"*

subsequently amended to incorporate the Complete Streets Policy, adopted by the Town Council and added to the plan as an appendix on November 19, 2015. The amended Comprehensive Plan was reviewed by the Department of Agriculture, Conservation & Forestry, which found that the amended Plan continued to be consistent with the Maine Growth Management Act. This finding remains valid until October 2023 (see attached). In the event that a community allows a consistency finding to expire, that does not invalidate the locally adopted plan or any of the recommendations that the plan carries. Further, it does not invalidate any zoning ordinances adopted consistent with the comprehensive plan.

### **Major Themes of the 2010 Comprehensive Plan**

In the process of completing the 2010 Plan, five issues or topics emerged as key areas around which that comprehensive plan was oriented. Those five themes include:

- Yarmouth Village
- Diversity of the Population
- Historic Character
- Route One
- Rural Character and Open Space

The 2010 Plan acknowledged that each of these five topics are important by themselves, represented Yarmouth values, and deserved attention. The 2010 Plan also recognized that the five topics are not mutually exclusive and are interrelated. The 2010 Plan addressed each topic separately but indicated that the related policies and strategies for action needed to be viewed holistically – “as an integrated package rather than a series of isolated, independent pieces.” The heart of the 2010 Plan focuses on these topics, but still included the required inventory chapters as an appendix.

The 2010 Plan’s Future Land Use Plan shows graphically how the Town’s land use policies apply to the land area of Yarmouth and where growth should and should not be accommodated over the next decade. The Future Land Use Plan identifies growth areas, limited growth areas, and non-growth areas (see attached). The designation of these areas was guided by ten core concepts (which could be considered the vision for the 2010 Plan):

1. Yarmouth has a well-defined, historic pattern of development with a compact, walkable village center surrounded by relatively dense older residential neighborhoods and a rural/coastal hinterland. While development on the fringe of the Village over the past thirty years has somewhat compromised this historic development pattern, future development must be guided and encouraged to emulate the historic pattern.
2. The focus of the Town’s development regulations should include the appearance and form of new development as well as its use and impacts on the community. Where practical, the Town should move toward a Form-Based Codes approach that focuses on the design and placement of the building on the site with less emphasis on the specific use of the property.
3. Yarmouth has traditionally offered a diversity of housing opportunities that resulted in a somewhat diverse population in terms of age and income. That diversity has been threatened by escalating real estate values and the recent pattern of residential development. Creating the opportunity for the development of a wide range of housing types and sizes is essential if Yarmouth is going to remain a community with a somewhat diverse population.
4. Returning to the historic pattern of development and providing a diversity of housing opportunities will require that the Town allow higher density/intensity of use in some areas especially within the Village area and area currently zoned MDR. This area must continue to be a vibrant, pedestrian friendly, visually attractive, mixed-use area. The Village Center must include both residential and non-residential uses. New development must reinforce the character of the Village, visually, economically, and culturally.
5. The Village Residential areas adjacent to the Village Center must be maintained as high quality, walkable neighborhoods. Infill development, redevelopment, and use of existing properties that maintain and reinforce the Village character and the historic density of development should be encouraged.

6. The areas immediately outside of the Village Residential area that experienced “lower density” suburban style residential development should be reclaimed as part of the Village. Within these moderate density areas, more dense development should be allowed as long as it maintains and reinforces the Village character. Areas west of the Village area which are currently zoned for low density development but in which public sewer service has been provided should be encouraged to utilize the Open Space Residential Development Ordinance, retaining the “rural character and landscape” of these areas, preserving open space, providing affordable housing, and public access to conservation lands. Other outlying areas on the mainland including the coastal areas east of I-295 should continue to be designated for low density development. Incentives should be provided to encourage developments that maintain the coastal/rural character of the landscape and preserve open space.
7. The Route One corridor has emerged as the economic center of the community. The character of the corridor varies significantly from one end to the other, and the land use pattern is sprawling in contrast to the Village. These differences must be recognized in the Town’s land use regulations. The Town should carefully manage development within the corridor to ensure that it is visually attractive, is a benefit to the community, and integrates into the fabric of the Village and adjacent residential neighborhoods.
8. The islands should be designated for low and very low density residential use. The Town’s regulations should recognize the unique character and issues associated with the islands and ensure that any development maintains the waterfront character and environmental integrity of these areas.
9. Yarmouth is rooted in its marine heritage. Elements of the marine economy remain active in the community. Areas for marine use must be designated and protected from encroachment from other uses that do not require a waterfront location.
10. Yarmouth is a coastal and riverine community. What happens on the land impacts water quality and the marine environment. Therefore the Town’s development regulations should balance the development potential of the community with the need to protect the community’s water resources.

### **Implementation of 2010 Comprehensive Plan**

When the 2010 Plan was adopted, the Comprehensive Plan Implementation Committee (CPIC) was established to oversee and report on progress implementing the plan. One of the major initiatives out of the 2010 Plan was the adoption of the Character Based Development Code (CBDC) for Route One in 2013 and for the Village Center in 2018. In 2018, CPIC retired as a large majority of the 2010 strategies had been implemented at that time. Although CPIC had been the lead entity to assure that implementation steps were advanced each year, CPIC noted at the time of their dissolution, that many town boards and committees were acting on the remaining strategies and those that were not addressed could be incorporated into the next comprehensive plan.

In 2018, CPIC identified the remaining strategies as:

- Village Residential Zoning
- Inclusionary Housing
- Mobile Home Park Overlay
- Regional Affordable Housing Plan
- Historic Preservation
- Use of Open Space Residential Development standards
- Rural Character Zoning
- Green Infrastructure Plan (i.e. Open Space Plan)
- Interconnected Network of Roads
- Commuter Rail
- Impact Fees
- LEED Policies (Municipal and Private)

Of the items on the list, the following were completed or in progress:

*“Our Latchstring Always Out”*

- An Open Space Plan was adopted by the Town Council in 2019 following the work of the Open Space Task Force and the Parks and Land Committee.
- The Historic Resources Steering Committee completed a reconnaissance level architectural survey of historic resources in the Village in 2018, worked to develop a demolition delay ordinance which was adopted by the Council in 2018, and advanced a historic preservation advisory ordinance and complimentary and advisory plans and documents. The Advisory Ordinance was adopted in 2021, and the Historic Preservation Committee was formed in 2022.
- The Town Council created an Affordable Housing Committee which issued recommendations to address housing affordability in Yarmouth in January 2022. The Committee is currently advancing an inclusionary zoning ordinance.
- Finally, the topic of impact fees has been discussed with the Town Council on a number of occasions, although an ordinance has not been adopted. The 2019 Open Space Plan also calls for the development of impact fees.

Yarmouth has much to be proud of in regards to the implementation of the 2010 Plan. Attached to this memo is an overview of the implementation plan and a high-level indication of the status of each action item.

Attachments:

1. Excerpts from Title 30-A MRS Section 4326
2. Consistency Finding
3. 2010 Comprehensive Plan Future Land Use Plan
4. Implementation Plan Matrix

## **REQUIRED ELEMENTS OF A COMPREHENSIVE PLAN**

### **Excerpts of Title 30-A MRS Section 4326**

#### **Growth management program elements**

A growth management program must include at least a comprehensive plan and an implementation program.

**Inventory and analysis.** A comprehensive plan must include an inventory and analysis section addressing state goals and issues of regional or local significance that the municipality considers important. The analysis must include 10-year projections of local and regional growth in population and residential, commercial and industrial activity; the projected need for public facilities; and the vulnerability of and potential impacts on natural resources.

The inventory and analysis section must include, but is not limited to:

- A. Economic and demographic data
- B. Significant water resources such as lakes, aquifers, estuaries, rivers and coastal areas and their vulnerability to degradation
- C. Significant or critical natural resources, such as wetlands, wildlife and fisheries habitats, significant plant habitats, coastal islands, sand dunes, scenic areas, shorelands, heritage coastal areas, and unique natural areas
- D. Marine-related resources and facilities such as ports, harbors, commercial moorings, commercial docking facilities and related parking, and shell fishing and worming areas
- E. Commercial forestry and agricultural land
- F. Existing recreation, park and open space areas and significant points of public access to shorelands within a municipality or multi-municipal region
- G. Existing transportation systems, including the capacity of existing and proposed major thoroughfares, secondary routes, pedestrian ways and parking facilities
- H. Residential housing stock, including affordable housing, policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets and policies that provide for accessory dwelling units
- H-1. Housing that meets the needs of older residents, including housing that is rehabilitated, adapted or newly constructed to help older adults age in place
- I. Historical and archeological resources including, at the discretion of the municipality or multi-municipal region, stone walls, stone impoundments and timber bridges of historical significance;
- J. Land use information describing current and projected development patterns; and
- K. An assessment of capital facilities and public services necessary to support growth and development and to protect the environment and health, safety and welfare of the public and the costs of those facilities and services.

**2. Policy development.** A comprehensive plan must include a policy development section that relates the findings contained in the inventory and analysis section to the state goals. The policies must:

- A. Promote the state goals under this subchapter (See Below)
- B. Address any conflicts between state goals under this subchapter
- C. Address any conflicts between regional and local issues; and
- D. Address the State's coastal policies if any part of the municipality or multi-municipal region is a coastal area.

**3. Implementation strategy.** A comprehensive plan must include an implementation strategy section that contains a timetable for the implementation program, including land use ordinances. The strategies and timetable must guide the subsequent adoption of policies, programs and land use ordinances and periodic review of the comprehensive plan.

**3-A. Guidelines for policy development and implementation strategies.** In developing its strategies and subsequent policies, programs and land use ordinances, each municipality shall employ the following guidelines:

- A. Identify and designate geographic areas in the municipality as growth areas and rural areas.
  - (1) Within growth areas, each municipality shall:
    - (a) Establish development standards
    - (b) Establish timely permitting procedures
    - (c) Ensure that needed public services are available; and
    - (d) Prevent inappropriate development in natural hazard areas, including flood plains and areas of high erosion.
  - (2) Within rural areas, each municipality shall adopt land use policies and ordinances to discourage incompatible development.
  - (3) A municipality may also designate as a transitional area any portion of land area that does not meet the definition of either a growth area or a rural area.
- B. Develop a capital investment plan for financing the replacement and expansion of public facilities and services required to meet projected growth and development
- D. Ensure that its land use policies and ordinances are consistent with applicable state law regarding critical natural resources.
- E. Ensure the preservation of access to coastal waters necessary for commercial fishing, commercial mooring, docking and related parking facilities. Each coastal area may identify and designate one or more critical waterfront areas and implement policies to ensure protection of those areas or otherwise discourage new development that is incompatible with uses related to the marine resources industry;
- F. Ensure the protection of agricultural and forest resources. Each municipality shall discourage new development that is incompatible with uses related to the agricultural and forest industries



### STATE GOALS: Title 30-A MRS Section 4312 (3)

**State goals.** The Legislature hereby establishes a set of state goals to provide overall direction and consistency to the planning and regulatory actions of all state and municipal agencies affecting natural resource management, land use and development. The Legislature declares that, in order to promote and protect the health, safety and welfare of the citizens of the State, it is in the best interests of the State to achieve the following goals:

- A. To encourage orderly growth and development in appropriate areas of each community and region while protecting the State's rural character, making efficient use of public services and preventing development sprawl;
- B. To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development;
- C. To promote an economic climate which increases job opportunities and overall economic well-being;
- D. To encourage and promote affordable, decent housing opportunities for all Maine citizens;
- E. To protect the quality and manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers and coastal areas;
- F. To protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas and unique natural areas;
- G. To protect the State's marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public;
- H. To safeguard the State's agricultural and forest resources from development which threatens those resources
- I. To preserve the State's historic and archeological resources;
- J. To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters;
- K. To encourage municipalities to develop policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets; and
- L. To encourage municipalities to develop policies that accommodate older adults with aging in place and that encourage the creation of age-friendly communities;
- M. To encourage municipalities to develop policies that provide for accessory dwelling units.
- N. To plan for the effects of the rise in sea level on buildings, transportation infrastructure, sewage treatment facilities and other relevant state, regional, municipal or privately held infrastructure, property or resources.

G. Ensure that the municipality's land use policies and ordinances encourage the siting and construction of affordable housing within the community and comply with the requirements of section 4358 pertaining to individual mobile home and mobile home park siting and design requirements. The municipality shall seek to achieve a level of at least 10% of new residential development, based on a 5-year historical average of residential development in the municipality, that meets the definition of affordable housing. A municipality is encouraged to seek creative approaches to assist in the development of affordable housing, including, but not limited to:

- (1) Cluster housing
- (2) Reduced minimum lot and frontage sizes
- (3) Increased residential densities
- (4) Use of municipally owned land
- (5) Establishment of policies that:
  - (a) Assess community needs and environmental effects of municipal regulations
  - (b) Lessen the effect of excessive parking requirements for buildings in downtowns and on main streets; and
  - (c) Provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets; and
- (6) Provisions for accessory dwelling units.

H. Ensure that the value of historical and archeological resources is recognized and that protection is afforded to those resources that merit it;

I. Encourage the availability of and access to traditional outdoor recreation opportunities, including, without limitation, hunting, boating, fishing and hiking, and encourage the creation of greenbelts, public parks, trails and conservation easements. Each municipality shall identify and encourage the protection of undeveloped shoreland and other areas identified in the local planning process as meriting that protection.

K. Encourage policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

L. Ensure that land use policies encourage aging in place and appropriate housing options for older residents and address issues of special concern to older adults, including transportation to and accessibility and availability of needed services; and

M. Encourage policies that provide for accessory dwelling units.



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

PAUL R. LEPAGE  
GOVERNOR

22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB  
COMMISSIONER

Nathaniel Tupper, Town Manager  
Town of Yarmouth  
200 Main Street  
Yarmouth, ME 04096

December 8, 2015

Dear Mr. Tupper,

The Department of Agriculture, Conservation & Forestry thanks the Town of Yarmouth for submitting amendments to its 2010 Comprehensive Plan for our review for consistency with the Growth Management Act. The amendments, consisting of the Yarmouth Complete Streets Policy, were adopted by the Town Council and added to the plan as an appendix on November 19, 2015.

We've completed our review and I'm happy to report that we find the 2010 Yarmouth Comprehensive Plan, amended 11/19/2015, to be **consistent** with the Maine Growth Management Act.

Assuming subsequent revisions do not alter the plan's consistency, this finding will remain valid until 10/18/2023 - twelve years from the date of our original consistency finding for Yarmouth's 2010 Comprehensive Plan.

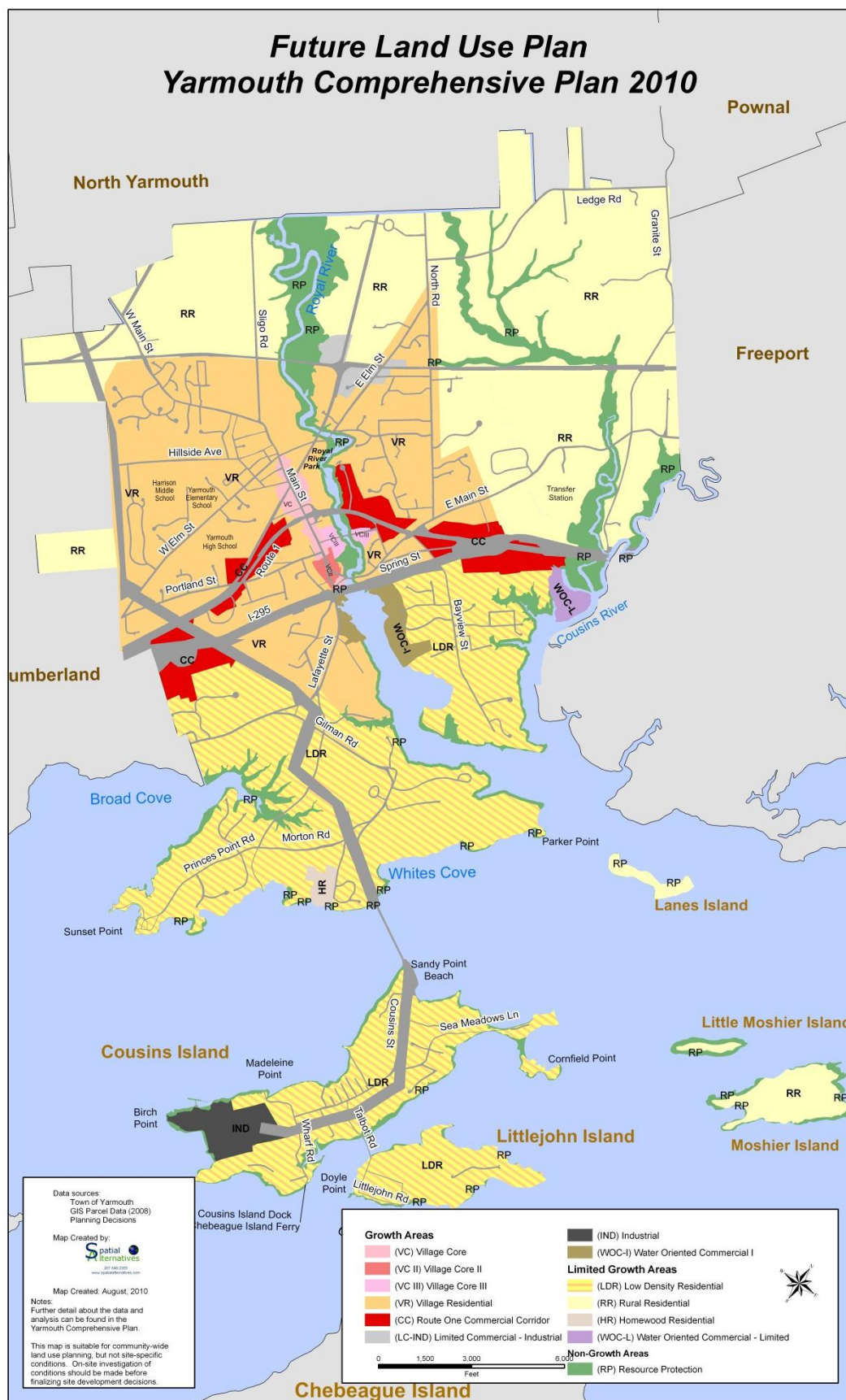
Please don't hesitate to contact me if you have any questions, or if I can be of any assistance.

Sincere best wishes,

Phil Carey  
Senior Planner  
Municipal Planning Assistance Program

cc (via email): Elizabeth Hertz, Director, Municipal Planning Assistance Program  
Rebecca Schaffner, Greater Portland Council of Governments

FIGURE 2-2 FUTURE LAND USE MAP



<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
Policy Reference	Summary	Primary	Support	Time to Implement	Status
<b>The Village</b>					
Ch1-C.1.1	Policy: Municipal Uses in Village	Town Manager	Planning Board	Short	No action.
Ch1-C.1.2	Zoning: Non-residential in Village	Planning Director	Planning Board	Short	Village Center Character-Based Development Code adopted 4-12-18
Ch1-C.1.3	Zoning: Non-conforming use in Village	Planning Director	Planning Board	Short	Village Center Character-Based Development Code adopted 4-12-18
Ch1-C.1.4	Marketing Strategy for Village	Economic Development Director	EDAB	Medium	Market analysis completed February 2016, which guides EDAB's work. Update to market analysis on the horizon.
Ch1-C.1.5	Zoning: Renovation Code	Planning Director	Planning Board	Short	No progress
Ch1-C.1.6	Zoning: Infill Commercial in Village I & II	Planning Director	Planning Board	Short	Village Center Character-Based Development Code adopted 4-12-18
Ch1-C.2.1	FBC in Village I & II	Planning Director	Planning Board	Medium	Village Center Character-Based Development Code adopted 4-12-18
Ch1-C.2.2	Design Standards in Village I & II	Planning Director	Historical Society	Short	Village Center Character-Based Development Code adopted 4-12-18
Ch1-C.3.1	Advisory Review Process (Historic, Village)	Planning Director	Historical Society	Short	Historic Preservation Advisory Ordinance adopted in August 2021
Ch1-C.4.1	Zoning: New Village Residential (VR)	Planning Director	Planning Board	Short	Pursued with the Town Council in 2018; Nothing was adopted
Ch1-C.4.2	Zoning: Revise MDR Development Standards	Planning Director	Planning Board	Short	Pursued with the Town Council in 2018; Nothing was adopted
Ch1-C.5.1	Pedestrian and Bicycle Plan	Planning Director	BPSC	Long	Complete Streets Policy Adopted in 2015; Complete Streets Advisory Committee created in 2019; Bike and Pedestrian Advisory Committee chartered by town in 2020
Ch1-C.5.2	Zoning: Pedestrian Friendly Development Standards	Planning Director	Planning Board	Short	Village Center Character-Based Development Code adopted 4-12-18
Ch1-C.6.1	Village Center Parking Study	Planning Director / Economic Development Director	BPSC	Medium	Parking Study completed

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch1-C.6.2	Village Center Parking Improvements	Planning Director / Economic Development Director	Town Engineer	Medium	Ongoing implementation of the Parking Study recommendations and Main Street Streetscape Improvement Plan
Ch1-C.6.3	Zoning: Reduced Parking Standards (Village)	Planning Director	Planning Board	Short	Maximum parking provisions adopted; Waiver provisions adopted to allow additional parking subject to waiver criteria
<b>Diversity of Population</b>					
Ch1-D.1.1	Support Affordable Housing Advocates	Town Manager	YAHl (now Yarmouth Senior Housing Inc YSH)	Ongoing	Ongoing support of Yarmouth Senior Housing, YCAN, and YCS. Bartlett Woods received a contract zone and affordable housing TIF. Creation of the Affordable Housing Committee in
Ch1-D.2.1	Create Affordable Housing Fund	Town Manager	YAHl	Short	Town Council did establish a Housing Assistance Fund, but has not regularly funded it. STAY program (Senior Tax Assistance Yarmouth) established in Oct 2016.
Ch1-D.2.2	Seek Funding for Affordable Housing	YAHl		Ongoing	Ongoing
Ch1-D.2.3	Encourage Tax Credit and TIF Programs	Town Manager / Economic Development Director	YAHl	Medium	Through the Affordable Housing TIF, the Bartlett Wood project became eligible for significant low interest financing in reliance on state and federal tax credits, while also netting out \$0 local property tax expense. Ad-hoc conversations ongoing, including adding housing as a purpose of the Economic Development
Ch1-D.3.1	Zoning: New Village Residential (VR)	Planning Director	Planning Board	Short	Pursued with the Town Council in 2018; Nothing was adopted
Ch1-D.3.2	Zoning: MDR into New Village Residential (VR)	Planning Director	Planning Board	Short	Pursued with the Town Council in 2018; Nothing was adopted
Ch1-D.4.1	Contract Zoning: New Affordable Housing	Town Manager	Town Council	Ongoing	Existing ordinances and policies do allow and encourage affordable housing through OSRD and contract zoning. Contract zoning helped with Bartlett Woods project. Town Council has not used contract zoning since 2020.
Ch1-D.4.2	Assist/Support New Affordable Housing	Town Manager	Town Council	Ongoing	See Ch1-D.1.1 and 2.3 regarding Bartlett Woods. Also OSRD and contract zone. Affordable Housing Committee is actively working on these topics.
Ch1-D.4.3	Zoning: Inclusionary Housing	Planning Director	Planning Board	Short	Affordable Housing Committee proposed ordinance in 2022



<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
Policy Reference	Summary	Primary	Support	Time to Implement	Status
Ch1-D.5.1	Zoning: Mobile Home Park Overlay	Planning Director	Planning Board	Short	No action yet
Ch1-D.6.1	Regional Affordable Housing Plan	Town Manager	Planning Director	Long	GPCOG is starting to explore ways to help towns work regionally on housing opportunities.
Ch1-D.7.1	Assistance and Social Services	Town Council	Town Manager	Ongoing	Policies and programs advanced and supported by Yarmouth Aging in Place, YCAN, the Library, and YCS. Ongoing action.
<b>Historic Properties</b>					
Ch1-E.1.1	Identify Historic Sites, Buildings, Structures	Historical Society	Planning Director	Medium	Three Local Historic Districts were adopted with the Historic Preservation Advisory Ordinance in 2021
Ch1-E.1.2	Adopt List of Historic Sites, Buildings, Structures	Town Council	Historical Society	Medium	Three Local Historic Districts were adopted with the Historic Preservation Advisory Ordinance in 2021
Ch1-E.2.1	Catalog of Design Elements of Historic Structures	Planning Director	Historical Society	Long	Design Manual is currently being completed by Historic Preservation Committee.
Ch1-E.2.2	Advisory Review Process (Historic, Town-Wide)	Planning Director	Historical Society	Medium	Historic Preservation Advisory Ordinance adopted in August 2021
Ch1-E.2.3	Develop Educational Materials	Historical Society	Planning Director	Short	Historic Preservation Committee tasked with.
Ch1-E.2.4	Encourage Use of Tax Credits for Renovation	Planning Director	Historical Society	Medium	No action.
Ch1-E.3.1	Zoning: Demolition Delay (Historic)	Planning Director	Historical Society	Short	Demolition Delay Provision adopted 4-12-18;
<b>Route One</b>					
Ch1-F.1.1	Route One Vision Implementation Committee	Planning Director/Town Engineer	Gateways Committee	Medium	CBDC creates vision for corridor. NoPo Route One Complete Streets Project completed in 2014. CSAC implements. Gateways Committee disbanded.
Ch1-F.1.2	Route One Comprehensive Plan	Planning Director	Planning Board/Gateways Committee	Medium	CBDC creates vision for corridor. NoPo Route One Complete Streets Project completed in 2014. CSAC implements. Gateways Committee disbanded.

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch1-F.1.3	Zoning: Route One Ordinance Changes	Planning Director	Planning Board	Short	CBDC adopted for Route 1
Ch1-F.1.4	Update "Route One Corridor Design Standards"	Planning Director	Planning Board/Gateways Committee	Medium	Character-Based Development Code replaces Route One design standards
Ch1-F.1.5	Develop Capital Investment Strategy	Town Manager	Gateways Committee	Medium	Yearly CIP development; Ongoing process as funding allows
<b>Rural Character and Open Space</b>					
Ch1-G.1.1	Zoning: Amend Open Space Residential Development ordinance	Planning Director	Planning Board	Short	No action
Ch1-G.1.2	Subdivision: Preserve Rural Character	Planning Director	Planning Board	Short	Private Streets/Subdivision Ordinance revised
Ch1-G.1.3	Subdivision: Preserve Scenic/Rural Vistas	Planning Director	Planning Board	Short	No action
Ch1-G.2.1	Green Infrastructure Plan (GIF)	Planning Director/Conservation Planner	Parks and Lands/Green Infrastructure	Short	Open Space Plan adopted in 2019.
Ch1-G.3.1	Acquire open space and secure easements	Town Manager	Town Council	Ongoing	Ongoing, although not actively funded. Received open space properties through recent subdivisions
Ch1-G.4.1	Land Management Plans for Town Properties	Conservation Planner	Parks and Lands	Medium	Ongoing
<b>Future Land Use Plan</b>					
Ch2-D.1 – D.8	Policy: Evaluate and amend as necessary	Planning Director	Planning Board	Medium	No action
Ch2-E.1 – E.4	Policy: Evaluate and amend as necessary	Planning Director	Planning Board	Medium	No action



<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
Policy Reference	Summary	Primary	Support	Time to Implement	Status
Ch2-F.1	Policy: Evaluate and amend as necessary	Planning Director	Planning Board	Medium	No action
<b>Transportation</b>					
Ch3-A.1.1	Identify Alternate Commuter Routes	Town Engineer	PACTS	Medium	No action. Ongoing support of Breez Bus.
Ch3-A.1.2	Support Exit 15 Improvements	Town Engineer	Town Council	Ongoing	Exit 15 bridge replacement is advancing. Extension of BCMP across the bridge to Tyler Technologies.
Ch3-A.1.3	Support Exit 17 Improvements	Town Engineer	Town Council	Ongoing	Traffic signal project completed in 2018. Bridge is being replaced; bike and ped improvements through area by extending the BCMP.
Ch3-A.1.4	Site Plan: Route One Access and Connectivity	Planning Director	Planning Board	Medium	CBDC creates vision for corridor. NoPo Route One Complete Streets Project completed in 2014. CSAC implements.
Ch3-A.1.5	Zoning: Route One Access Management	Planning Director	Town Engineer/Planning Board	Short	CDBC encourages access management; take advantage of opportunities as presented
Ch3-A.1.6	Zoning: Interconnected Street Network	Planning Director	Planning Board	Short	Subdivision Ordinance requires interconnected street network
Ch3-A.1.7	Explore Road Network Improvements	Town Engineer	DPW	Ongoing	Potential for interconnections are proposed and recommended where possible in PB reviews and through Complete Streets lens. A Complete Streets Policy was adopted by the Town Council in 2015. The Complete Streets Advisory Committee (CSAC) has role.
Ch3-A.2.1	Develop, Fund Pedestrian and Bicycle	Planning Director	BPSC	Medium	Ongoing action
Ch3-A.2.2	Policy: ADA compliant Public Facilities	Town Engineer	Town Council	Short	As capital work is developed, facilities upgraded to meet ADA requirements.
Ch3-A.2.3	Zoning: Pedestrian and Bicycle Facilities	Planning Director	BPSC	Short	Covered in the CBDC. BPC is working on updates to ordinance
Ch3-A.2.4	Policy: Bicycle Facilities at Town/School Facilities	Planning Director	BPSC	Short	Under direction of YCS many bike racks have been located at various town properties and schools, including library and Sandy Point Beach. Bike racks installed at Breeze locations.

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch3-A.3.1	Explore Fixed-Route Service with METRO	Town Manager/Planning Director	Planning Board/BPSC	Long	Three Breez stops in Yarmouth; shelter installed at Town Hall in 2021; other shelters installed in 2023
Ch3-A.3.2	Actively Participate in Commuter Rail Discussion	Planning Director/Town Manager	Planning Board/Town Council	Ongoing	Passively monitoring discussions.
Ch3-A.3.3	PACTS/MDOT Commuter Parking Lots	Planning Director/Town Engineer	Planning Board	Medium	No action.
Ch3-A.3.4	Intermodal Facility	Planning Director	Planning Board	Long	No action
Ch3-A.4.1	Explore Impact Fees for Transportation	Town Manager	Town Council	Long	Limited exploration of Impact Fees. TDM plans routinely required as part of development reviews.
Ch3-A.4.2	Regional Impact Fee to Offset Local Improvements	Town Manager	Town Council	Long	No impact fees assessed.
<b>Recreation</b>					
Ch3-B.1.1	Continue Implementing "2000 Athletic Fields Plan"	YCS	Sports and Rec	Ongoing	YCS and School Department is active
Ch3-B.1.2	Town & School Playground Needs Assessment	YCS	Sports and Rec	Medium	New playgrounds at many schools
Ch3-B.1.3	Expand NYA & Town/School Partnership re: Fields	YCS	Sports and Rec	Long	Ongoing partnership locally and regionally
Ch3-B.1.4	Royal River Corridor Study	Planning Director	Planning Board/Parks and Lands	Ongoing	Open Space Plan adopted in 2019.
<b>Historic and Archaeological</b>					
Ch3-C.1.1	Zoning: Identify Historic/Archeological Resources	Planning Director	Historical Society	Medium	Three Local Historic Districts were adopted with the Historic Preservation Advisory Ordinance in 2021

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch3-C.1.2	Zoning: Consider Protection of Historic/Archeological	Planning Director	Planning Board	Medium	Three Local Historic Districts were adopted with the Historic Preservation Advisory Ordinance in 2021
<b>Municipal and School Facilities</b>					
Ch3-D.1.1	Assess Fire Department Facility Needs	Fire Chief	Town Council	Medium	New public safety building opened in 2021
Ch3-D.1.2	Public Works Department Facilities Plan	Director of Public Works	Town Council	Medium	Improvements to Public Works garage have been made and enjoyed for the past few years as Phase I of PW facility improvements. The rest of the facility - Phase II - will need to be replaced at some future date. New transfer station opened in 2022
Ch3-D.2.1	Encourage Cellular Service Upgrades	EDAC	Town Engineer	Long	Cellular tower installation on YWD tanks
Ch3-D.2.2	Zoning: Review Communication Facilities regulation	Planning Director	Town Engineer	Short	No action.
Ch3-D.2.3	Explore Community-wide WIFI Network	Town Manager	EDAC	Medium	Broadband Committee is reviewing
<b>Sewer</b>					
Ch3-E.1.1	CIP: Sewer System Upgrades	Town Engineer	Town Council	Ongoing	Upgrades are proposed in annual CIP and assessment of sewer connection fees.
Ch3-E.1.2	Sewer System Master Plan	Town Engineer	Town Council	Medium	Ongoing
Ch3-E.2.1	CIP: Annual Payment for Septic Pumping	Town Manager	Town Engineer	Ongoing	Program has been abandoned per Council action
Ch3-E.2.2	CIP: Septic System Assistance Program	Town Manager	Town Engineer	Ongoing	Program has been abandoned per Council action
<b>Marine Resources</b>					

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch3-F.1.1	Fisheries and Shellfish Habitat Action Plan	Planning Director/Conservation Planner	Harbor and Waterfront	Medium	No action. Not funded.
Ch3-F.1.2	Piers, Docks, Wharves Regulations	Harbor and Waterfront	Planning Director	Medium	Shoreland Zoning updated consistent with Chapter 1000; Allows CEO to approve routine docks and floats.
Ch3-F.1.3	Close/Replace Overboard Discharge Systems	Harbor and Waterfront	Town Engineer	Medium	TE keeps copies of DEP applications for renewal. MDEP keeps a list and map of active and inactive OBD's.
Ch3-F.1.4	Alternative Stormwater Management Techniques	Town Engineer	Planning Director	Medium	Site Plan and Subdivision applications are reviewed for stormwater pollution prevention and is part of Town's NPDES Stormwater General Permit for MS4's. Town encourages developers to embrace the use of Low Impact Development (LID) in their design protocol.
Ch3-F.1.5	Zoning: DEP Stormwater BMP's/Shoreland Zoning	Town Engineer	Planning Director	Medium	Town passed Stormwater Discharge ordinance in 2008 and Post Construction Management ordinance in 2009. Additional requirements coming in 2023 and 2024
Ch3-F.2.1	Diverse Harbor/Water Dependent Uses	Planning Director	Harbor and Waterfront	Long	Reconnecting the Waterfront suggested zoning amendments. No specific action.
Ch3-F.2.2	Zoning: WOC districts	Planning Director	Planning Board	Short	No action.
Ch3-F.2.3	Commercial Fishing Operations	Harbor and Waterfront	Town Council	Long	Ongoing discussions
Ch3-F.2.4	Pollution Abatement & Depuration Management Plan	Town Engineer	Harbor and Waterfront	Short	Ongoing effort. Baseline testing for nutrient loading in effluent is occurring as part of NPDES license renewal.
Ch3-F.3.1	Pursue Maintenance Dredging of Rivers/Mooring Areas	Town Engineer	Harbor and Waterfront	Short	Dredging work completed by ACOE fall and winter of 2014/2015
Ch3-F.3.2	ACOE/DEP Environmental Impacts of Dredging	Town Engineer	Harbor and Waterfront	Short	Dredging work completed by ACOE fall and winter of 2014/2015
Ch3-F.3.3	CIP: Dredging Reserve Account	Town Manager	Town Council	Ongoing	Town periodically contributed to dredge reserve account from the annual appropriation.

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch3-F.3.4	Shoreline Survey Royal & Cousins River (Regional)	Conservation Planner	Parks and Lands	Long	The Harbor was included in the TIF District area so that TIF revenues can be spent to enhance mooring and vessel support services in the harbor.
Ch3-F.3.5	Manage Mooring Space and Shore Support	Town Manager	Town Engineer	Long	Improvements at Town Landing in 2018; Future improvements at Madeleine Point are under consideration
Ch3-F.3.6	Adequate Mooring for Commercial Users	Town Manager	Town Engineer	Medium	Commercial moorings are prioritized whenever mooring spaces are allocated.
Ch3-F.3.7	Minimize Impact of Chebeague Island Ferry	Planning Director	Town Engineer	Ongoing	Complete
Ch3-F.4.1	Improved Parking/Access to Coast/Moorings	Town Engineer	Harbor and Waterfront/Parks and Lands	Medium	Improvements at Town Landing in 2018; Future improvements at Madeleine Point are under consideration
Ch3-F.4.2	Clean Marina/ Boatyard Program Participation	Town Engineer	Harbor and Waterfront	Medium	TE and wastewater department working closely w/marinas to review and approve new boat washing facilities to meet DEP requirements. Enabled marinas to discharge pretreated wash water to Town sewer system. A permit and licensing program is being developed for on-going monitoring.
Ch3-F.4.3	Current Use Taxation Information Program	Town Assessor	Harbor and Waterfront	Medium	No action
<b>Natural and Water Resources</b>					
Ch3-G.1.1	Zoning: Aquifer Recharge and Water	Planning Director	Parks and Lands Committee	Short	Inform discussion, and development review comments. No zoning adopted
Ch3-G.2.1	Limit Sewer Extension to Islands	Town Manager	Town Council	Ongoing	Ongoing action
Ch3-G.2.2	Zoning: Low Impact Development Standards	Planning Director	Planning Board	Short	CBDC adopted 4-12-18 includes some provisions for Route 1 and Village Character Districts; other zoning districts not addressed
Ch3-G.2.3	Public Education: Water Use Efficiency Programs	Town Engineer	YES	Ongoing	Ongoing
Ch3-G.2.4	Policy: Water Quality& Construction/Road Maintenance	Town Engineer	DPW	Short	Yarmouth continues to implement maintenance and construction practices that support our storm water requirements.

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch3-G.3.1	Shoreland Zoning: Ongoing Review for State Compliance	Planning Director	Parks and Lands	Short	Ongoing
Ch3-G.3.2	Identify Vernal Pools	Planning Director/Conservati on Planner	Parks and Lands	Short	Ongoing
Ch3-G.4.1	Regional Stormwater Collaborative	Town Engineer	ISWG	Ongoing	TE is actively involved with regional stormwater group (ISWG) in coordinating Town activities to remain in compliance with DEP stormwater permits.
Ch3-G.4.2	Zoning: Chapter 500 Stormwater Regulations	Town Engineer	ISWG	Short	Town ordinances updated in 2009 and 2010 so Town in compliance with DEP Ch 500; additional updates coming in 2023 and 2024
Ch3-G.4.3	Continue Implementing Stormwater Management Plan	Town Engineer	ISWG	Ongoing	TE requires stormwater plans of new developments and advises owners of existing developments how to minimize flooding impacts. TE is coordinating with FEMA's FIRM map updating. Town continues to implement Stormwater Management Plan required by MS4 General Permit Coverage.
Ch3-G.5.1	Maintain Compliance with State Shoreland Zoning	Planning Director	Planning Board	Ongoing	Ongoing
Ch3-G.5.2	Continue to Evaluate Scenic and Habitat Areas	Conservation Planner	Parks and Lands	Medium	Ongoing
Ch3-G.5.3	Greenway along Royal River	Planning Director/Conservati on Planner	Parks and Lands	Long	The Royal River Corridor Study is the document that guides this process. 2019 Open Space Plan reflects the community's most current demand for open space acquisition and development.
Ch3-G.5.4	Coastal Management Strategies and Sea Level	Planning Director	Conservation Planner	Long	As PLC develops property specific management plans, care should be taken to consider resilient, responsive, and sustainable strategies to adapt to climate fluctuations.

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch3-G.6.1	Continue Refining Beginning with Habitat Maps	Conservation Planner	Parks and Lands	Medium	Ongoing; YCS Parks Specialist assists with Land Stewardship duties
Ch3-G.6.2	Identify Key Habitat Areas	Conservation Planner	Parks and Lands	Medium	Ongoing; YCS Parks Specialist assists with Land Stewardship duties
Ch3-G.6.3	Zoning: Measures to Protect Habitat Areas	Planning Director	Parks and Lands	Short	Development projects and potential impacts are evaluated on a case-by-case basis.
Ch3-G.7.1	Consider Policies of Royal River Corridor Study	Planning Director	Planning Board	Ongoing	As opportunity arises
Ch3-G.7.2	Protect Large Inter-municipal Tracts of Land	Conservation Planner	Parks and Lands	Ongoing	Ongoing as opportunities present
Ch3-G.7.3	Participate in Casco Bay Initiatives	Conservation Planner	Parks and Lands	Ongoing	Ongoing
Ch3-G.7.4	Green Infrastructure Plan (GIF)	Planning Director/Conservation Planner	Parks and Lands	Medium	Open Space Plan adopted in 2019.
Ch3-G.8.1	Climate Action Plan (CAP)	Town Engineer	YES	Short	Renewed work on this since the adoption of a Climate Emergency Declaration in 2021; Climate Action Taskforce formed as part of CEES
Ch3-G.8.2	Promote Transit, Rideshare, Lots	BPAC	Planning Director	Medium	See discussion at Ch 5.B.5.1
Ch3-G.8.3	Policy: LEED for Municipal Facilities	Planning Director/Town Engineer	YES	Medium	No action to date.
Ch3-G.8.4	Encourage LEED in Private Construction	Planning Director/Town Engineer	YES	Medium	No action to date.
<b>Funding of Capital Improvements</b>					
Ch3-H.1.1	Annual Capital Improvement Plan	Town Manager	Planning Board/Town Council	Ongoing	Requirement of Town Charter and is vetted by Planning Board in late fall. Process continues annually.

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch3-H.2.1	Seek Grants for Capital Investments	Town Manager	Various	Ongoing	Grants sought as opportunities arise.
Ch3-H.2.2	TIF for Capital Improvements	Town Manager/Economic Development Director	Town Council	Medium	TIF funds being used for Exit 17 and Main St overpass projects, Village Marketing Plan, Main Street sidewalks and sewer/drain improvements.
Ch3-H.2.3	Zoning: Impact Fees for Capital Improvements	Town Manager	Planning Board/Town Council	Short	No action taken.
Ch3-H.2.4	Coordinate Municipal Road, Sewer, Water Infrastructure Projects	Town Engineer	Director of Public Works	Ongoing	TE and PW review annual road maintenance schedule and planned private developments to minimize utility conflicts and to coordinate sewer and drainwork where possible (affordable) before road surfaces are paved.
<b>Community and Economic Development</b>					
Ch3-I.1.1	Re-establish Economic Development Advisory Committee	Town Manager/Economic Development Director		Short	Economic Development Director hired January 2015. Economic Development Advisory Board established May 2015.
Ch3-I.1.2	Develop Local "Creative Economy"	Town Manager	Planning Director	Long	Ongoing support of YAA and other organizations
Ch3-I.1.3	Explore Green Technology Cluster	Town Manager	Planning Director	Medium	No action taken.
Ch3-I.1.4	Zoning: Commercial Use	Planning Director	Planning Board	Short	CBDC adopted 4-12-18
Ch3-I.1.5	Zoning: Mixed Use	Planning Director	Planning Board	Short	CBDC adopted 4-12-18
Ch3-I.1.6	Wyman Station Property Valuation and Investments	Town Manager	Assessor	Ongoing	Relationship building work with NextEra continues, along with info sharing; EDAB is developing reuse analysis
Ch3-I.1.7	Form-Based Codes	Planning Director	Planning Board	Short	CBDC adopted 4-12-18
Ch3-I.1.8	Tax Increment Financing (TIF) to Encourage Growth and Investment	Economic Development Director/Town Manager	EDAB/Town Council	Ongoing	Except for Bartlett Woods project, TIF revenues are not used as financial incentive for business investment, but those revenues are available and used for public infrastructure investments that support business growth and success. Local development corporation established in 2021
<b>Regional Coordination Strategy</b>					



<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch5-1.1	Shared Municipal Services and Facilities	Town Manager	Town Council	Long	Work is on-going and continuous, including Assessing, Code Enforcement, Emergency Dispatch, Animal Control, Waste Management, Transit Services, highway capacity, police, fire, EMS and others.
Ch5-2.1	Royal & Cousins River Watershed Management Programs	Parks and Lands	Planning Director	Long	2019 Open Space Plan reflects this goal
Ch5-2.2	Regional Stormwater Collaborative	Town Engineer	ISWG	Ongoing	See Ch3-G.4.1
Ch5-3.1	Regional Affordable Housing Plan	Town Manager	YAHl	Long	See Ch1-D.6.1
Ch5-4.1	Commuter Traffic Management and Infrastructure	Planning Director/Town Engineer	Town Council	Long	Ongoing
Ch5-4.2	Support Exit 15 Improvements	Town Engineer	Town Council	Ongoing	See Ch3-A.1.2
Ch5-4.3	Support Exit 17 Improvements	Town Engineer	Town Council	Ongoing	See Ch3-A.1.3
Ch5-5.1	Explore Extension of METRO	Town Manager/Economic Development Director	BPSC	Short	Ongoing
Ch5-5.2	Participate in Commuter Rail Studies	Planning Director/Town Manager	Planning Board/Town Council	Ongoing	See Ch3-A.3.2
Ch5-6.1	Minimize Impact of Cousins Island Ferry	Planning Director	Town Engineer	Medium	Ongoing
Ch5-7.1	Reduce marine pollution	Planning Director/Conservation	Harbor and Waterfront	Long	Ongoing
Ch5-7.2	Shoreline Survey Royal & Cousins River (Regional)	Conservation Planner	Parks and Lands	Long	See Ch3-F.3.4

<b>2010 Comprehensive Plan Implementation Table</b> <b>Reviewed and Condensed January 2023 in Preparation of the Comprehensive Plan Update</b>					
<b>Policy Reference</b>	<b>Summary</b>	<b>Primary</b>	<b>Support</b>	<b>Time to Implement</b>	<b>Status</b>
Ch5-7.3	With Freeport, Manage Cousins River	Planning Director/Conservation Planner	Planning Board/Parks and Lands	Ongoing	Ongoing
Ch5-7.4	Casco Bay Pollution Abatement	Conservation Planner	Parks and Lands	Ongoing	Ongoing
Ch5-8.1	Regional Economic Development Efforts	Economic Development Director/Town Manager	EDAB	Ongoing	Ongoing
Ch5-9.1	Regional Land Use Planning Efforts	Planning Director	Planning Board	Ongoing	Ongoing
Ch5-9.2	Impact of Regional Development	Planning Director	Planning Board	Medium	Ongoing
Ch5-10.1	Regional Community Recreation Facilities	YCS	Sports and Rec	Ongoing	Ongoing

[illegible]