

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

**August 22, 2023**

**7:00 PM, Town Hall Community Room, 200 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. Public Comment (5 minutes)**
- II. Review Meeting Summary from June 27 (5 minutes)**
- III. Fall Engagement (40 minutes)**
  - a. Review Schedule for Events**
  - b. Discussion on Community Conversations Format**
- IV. Discussion on Feedback Received To Date (40 minutes)**
  - a. Inventory Chapter Feedback**
  - b. Online (Survey and Mapping Exercise) Feedback**
  - c. Pop Up Feedback**
  - d. Subcommittee Reviews**
- V. Committee Supported Outreach (10 minutes)**
  - a. Social Media Promotion**
  - b. Flyering**
- VI. Adjournment**



To: Comprehensive Plan Steering Committee  
From: Erin Zwirko, Director of Planning & Development  
Re: Background for August 28, 2023, Steering Committee Meeting  
Date: August 15, 2023

Please see the following notes to help you review and be prepared for the August 28, 2023, Steering Committee meeting.

I am pleased to announce that the two vacancies on the Steering Committee have been filled by the Town Council. Please join me in welcoming Tred McIntire and Kevin Hartnett to the Steering Committee! Also, please welcome Kate Burch from North Star Planning as having a larger project management role. Kate has been involved in the comprehensive plan since the start, although in a “behind the scenes” role. We’re lucky to have her stepping up!

#### **Public Comment**

Another Committee that I work with has requested that public comment be moved to the top of the agenda so that attendees do not need to wait for the very end of a two-hour meeting to provide comments. I thought that the Steering Committee might appreciate this adjustment as well.

#### **Review Meeting Summary from June 2023**

Attached is the June meeting summary from the Steering Committee’s previous meeting for the Committee to review and approve. Please let me know if you have any revisions to the meeting summary.

#### **Fall Engagement**

Please save the dates for the next three months:

- September 11: Community Conversation with Housing Focus
- September 18: Community Conversation with Economy Focus
- October 2: Community Conversation with Open Space and Natural Resources Focus
- October 10: Climate Action Plan Workshop on Goals, Strategies, and Actions
- November 13: Future Land Use Workshop

Each of these events will be held 6-8 PM. While these events were initially planned for the Log Cabin, we received feedback from Steering Committee members that a different location should really be sought out (one with less “formality”, ample parking, and space for table discussions). As a result, we have secured the multipurpose room at

**ERIN ZWIRKO, AICP, LEED AP | DIRECTOR OF PLANNING & DEVELOPMENT**  
207-846-2401 | [ezwirko@yarmouth.me.us](mailto:ezwirko@yarmouth.me.us) | [yarmouth.me.us](http://yarmouth.me.us)  
200 Main Street, Yarmouth, ME 04096

Patriot Insurance, 701 Route 1, for these five events. Thanks to Shawn Quirk, Yarmouth's TV and media manager, who will bring his own equipment on the road with us to record each event for community members to watch at a later date.

A postcard announcing these events will be mailed to Yarmouth postal customers.

At the August meeting, we will discuss the format for the three community conversations. We will discuss the Future Land Use Forum at a later meeting, and while we are advertising jointly with the Climate Action Plan event, the Climate Action Task Force and Meddy Smith, Sustainability Coordinator, are planning that event in conjunction with GPCOG.

In general, the format is proposed as follows:

- Each event will start with a brief presentation by our subject-matter expert (about 15 minutes), followed by some Q&A.
- Attendees will then split into tables for guided conversations about each topic.
- For the table conversations, 3-4 prompts will be shared to spur discussion.
- As part of the wrap up, each table will "report out" so that everyone in the room hears from all attendees.
- Following the event, we will make the recording available alongside Menti "boards" where people who were unable to attend can participate.

At the August Steering Committee meeting, the Committee will be asked to provide their input on the format and how to prompt the table conversations. There is room for each of the three Community Conversations to be tailored to the specific topics (i.e., discussion based versus activity based). The goal is to have community members talking with each other on these important topics and providing clear feedback for us to use moving into the Future Land Use Forum.

We will need Committee members to volunteer as greeters, table guides, and scribes. Town staff, North Star Planning staff, and the subject matter experts will "float" between tables to provide any targeted assistance. Please let me know if you would like to be assigned a role at any of the three Community Conversations.

### **Discussion on Feedback Received to Date**

The previous agenda item may flow into this discussion, as it is relevant to the content to be discussed at the community conversations. So far, the Steering Committee, staff, and North Star Planning have received feedback from the following:

- Data Highlights Forum (shared and discussed at June Steering Committee meeting);
- Inventory Chapters;
- Online Feedback Received via the Survey, the Mapping Exercise, and the general PlanYarmouth.com online form;
- Pop up Activities; and
- Subcommittee reviews.

Kate will report on preliminary information from the PlanYarmouth website and Julie will report on the Pop up Activities. Committee members who have attended pop ups can also provide their thoughts on the feedback received. Attached to this memo are subcommittee notes received to date.

The goal here is to have a free-flowing conversation on trends (positive or negative), insights, and concerns, as well as how this information should relate to the presentation and discussion at the Community Conversations.

## **Committee Supported Outreach**

As we approach the community conversation series and the Future Land Use Forum later this fall, we need support from the Steering Committee in spreading the word about the workshops. Although each postal customer will receive a postcard announcing the dates, a personal invitation from a friend or family member may convince someone to attend. We encourage you to share the information with your networks. We will share flyers and social media images that can be used by Committee members.

Special thanks to Sophie and Neena (and the Yarmouth Public Schools staff and faculty) for helping us and the Climate Action Task Force in reaching younger community members. Town Staff also have a good relationship with the NYA Head of School and are working on access to the NYA community.

## **Other Notes**

Julie has been hard at work coordinating the companion events with support from Steering Committee members, and we have scheduled a number of them:

- Ongoing: Town Scavenger Hunt through September 25
- August 31: Yarmouth Trivia Night at Brickyard Hollow at 5:30 PM with the Historic Preservation Committee and the Yarmouth History Center
- September 23: Natural Resources Tour at Riverfront Woods with Parks and Lands Committee and YCARE
- October 20: Work from Home Meet Up with EDAB

Julie is also coordinating a Visualizing Density Walking Tour with the Affordable Housing Committee. We are still trying to figure out whether a walking tour, DIY walking tour, or a recorded walking tour is the best format. A coordination meeting is being planned.

A few others are still in the mix that still need to be coordinated.

I am attaching correspondence received as outlined below.

List of Abbreviations (Please feel free to add to this list as you come across abbreviations):

<https://docs.google.com/spreadsheets/d/1XNrocha-2zFR0ZVpAKwVFdjVEyy9rQXc2OZ94a5B330/edit?usp=sharing>

## **Attachments:**

1. June 27, 2023 meeting summary
2. Subcommittee Notes
  - a. Economy Subcommittee 7-19-23
  - b. Housing Subcommittee 7-20-23
  - c. Transportation Subcommittee 7-24-23
3. Correspondence Received
  - a. S. Prescott 7-19-23
  - b. C. Force 7-28-23
  - c. E. Ashley 8-12-23

Yarmouth Comprehensive Plan Steering Committee (CPSC)

June 27, 2023

7:00 PM

Meeting Summary

Name	Attendance
John Auble	Y
Daniel Backman	Y
Crispin Bokota Bolese	N
Emily Bryson	Y
Judy Colby-George	Y
Hildy Ginsberg, Co-Chair	Y
Miriam Markowitz	Y
Tim McGonagle	N
Karin Orenstein	Y
Neena Panosso	Y
Todd Rich	N
Bill Richards, Co-Chair	Y
Lynne Seeley	Y
Sophie Wentzell	Y
Jamie Whittemore	N
Sarah Witte	N
Erin Zwirko, Planning Director	N
Scott LaFlamme, Economic Development Director	Y
Julie Dubovsky, Assistant Planner	Y
Ben Smith, North Star Planning	Y
Logan Capone, North Star Planning	Y

**I. Review Meeting Summary from May**

The Committee unanimously approved the meeting summary from May 25, 2023.

**II. Debrief Data Highlights Public Forum**

**a. Discuss major themes and takeaways**

Members felt the event went well, that the Menti exercises were very illuminating, as was the attendees' surprise over the existing Growth Area map. It was noted that many of the comments and dots on the maps conflict with each other, and are representative of the easy binaries to fall into. While these may be conversation starters, the challenge will be communicating these summarizing points without exacerbating the tensions of binaries like conservation vs. development.

It was suggested that the slide deck be added to the website, as well as bullet points summarizing the feedback from the public to show a balance of views. Data integrity was also discussed, and committee members suggested using consistent timeframes for comparisons and adding a note in the plan about the data constraints, including impact of COVID and the complexity of

estimates/projections. Noting that "all models are wrong and some are useful," it was also suggested that this section noted that data projections should be checked and adjusted as needed.

Ben and Logan shared the high-level themes appearing from the data gleaned so far that are shaping the listening session topics, and noted that Camoin's draft market study also answers some questions pertaining to housing and economic estimates. A summary of the feedback received at the Data Highlights public forum was attached to the meeting materials.

**b. Discuss subcommittee next steps**

The subcommittees will meet again mid-summer to review the feedback from the Data Highlights forum and identify trends emerging in their topic areas. Members agreed that outreach may need to be done to the Resident Advisory Committees or other stakeholder groups if it appears that data or balanced viewpoints are still missing from the draft inventory chapters. Resident Advisory Committees are also reviewing their respective chapters and providing feedback by August 21st.

Subcommittees were reconfigured due to some steering committee membership changes:

Housing: Daniel, Lynne and Tim

Marine Resources: Todd, Judy and Neena

Recreation & Natural Resources (*merged*): Emily, Hildy, Sophie and Sarah

Transportation: John, Bill and Sarah

Population & Demographics: Sarah

Historic & Archeological Resources: Miriam

Agriculture, Forestry & Land Use (*merged*): Jamie, Lynne, Judy, and Bill

Public Facilities & Services: Jamie and Bill

Economy: Lynne, Hildy, and Tim

Engagement (*new*): Lynne, Emily, Hildy, Judy, Neena, Sophie and John

**III. Summer and Fall Engagement**

**a. Discuss topics for fall listening sessions**

Ben and Logan provided an overview of the three topics coming together for the listening sessions:

- Housing with an added focus on transportation
- Economy with an added focus on fiscal capacity (taxes), Housing and transportation;
- Combined focus on Climate Change and Sustainability, Natural Resources and Open Space

The order of the sessions should tell a story and lead to the Future Land Use session, and the culmination of these integrating into a "sense of place."

CPSC members noted that it was important not to pit these topics against each other, but rather to show at each session how they're integrated. Noting that the CPIC tied into intense feelings around these topics, it was suggested that they be framed as questions stemming from the draft inventory chapters to make them relevant and relatable to the general public. The pros and cons of whether to include "character" was also discussed, since feelings are subjective. There was a

general consensus on the topics, including YCAT as a partner in the 3rd session, and agreement to change the title from "listening sessions" to a "forum" or "community conversation."

#### **b. Overview of summer popups and companion events**

Julie provided an overview of the companion events in development and created 3 virtual sign-ups for shifts at the summer pop-ups, putting up flyers throughout town, and to help with planning the companion events.

Flyering: <https://www.signupgenius.com/go/10C084CA4A92EA4FFCE9-comp1>

Planning Companion Events: <https://www.signupgenius.com/go/10C084CA4A92EA4FFCE9-comp2>

Summer Pop-Ups: <https://www.signupgenius.com/go/10C084CA4A92EA4FFCE9-comp>

The goals of the companion events are to:

- highlight the findings from the CP inventory chapters;
- highlight and support the resident advisory committees' projects/initiatives;
- highlight/advertise other departments' already planned programs/events;
- engage people more in town civics/programs and the comp plan; and,
- cross pollinate and empower current volunteers.

A new public engagement subcommittee was also formed to assist in strategizing outreach and engagement throughout the comp planning process, and to bolster the persistent engagement by NSP. A goal of the subcommittee is to reach the broader community with creative direct and indirect opportunities for engagement. Some strategies discussed include providing babysitting or holding an event at a playground so parents can participate, and working with the schools so that youth can earn community service credits. Neena and Sophie agreed to help focus on school-age population engagement.

#### **IV. Summer Meetings**

##### **a. July 25th Meeting**

Since there are no critical July agenda items, and light participation in July is anticipated, the CPSC determined that July 25th would be a social meeting. Bill and Hildy offered to host and a location will be determined based on capacity and availability.

##### **b. Joint Meetings with EDAB and CEES/YCAT**

Scott is following up with EDAB on the August meeting and with the Climate Action Taskforce.

#### **V. Public Comment**

None received. No members of the public were in attendance.

#### **VI. Adjournment**

**Sub-Committee – Economy**  
**July 19, 2023 Meeting Notes**

Present: Lynne Seeley, Tim McGonagle, Hildy Ginsberg

**Questions we considered included:**

1. What sectors of our economy in Yarmouth need to be highlighted / focused on?
2. What is missing that should be included?
3. How can our subcommittee help shape the conversation for planning the fall topic-based forums?
4. How do we encourage certain groups and individuals in Yarmouth to participate more fully, thereby getting more informed opinions involved in the process?

**Summary:**

It felt as though three major areas of our economy were critical to focus on. Those included the Arts, the Waterfront, and the Economic Development work already active through EDAB.

Along those lines, what may be missing in its fullest capacity is a focus on the arts, the working waterfront, retail and other small businesses that are essential to daily life, and a focus on family experiences such as entertainment / sports / activity venues. Examples of these include:

- Arts – work with the Yarmouth Arts Alliance to identify areas of potential growth, incorporating school music and arts boosters somehow to highlight that already existing vibrancy in our community
- Working Waterfront – between Sea Meadow Marine Foundation that purchased Even Keel Marina, the Yarmouth Boat Yard area, and more... work with Harborfront Committee to highlight areas of potential growth
- Retail / Small Businesses – invite Scott LaFlamme to work closely with our subcommittee to get a handle on opportunities and potential barriers to business growth and change in Yarmouth, spend some time picking local brains to identify what daily services are missing in Yarmouth that are essential (such as UPS shipping, office supplies/printing, the pending move of veterinary services out of Yarmouth, clothing/shoes retail), perhaps plan a focus group with EDAB?
- Family Experiences – work with Chamber, highlight importance of keeping Clam Fest going strong for economy and also for family-focused fun, cross-over work with Recreation subcommittee to identify potential entertainment opportunities like bowling (just one example) to keep families in town for experiences together and sports like skate park/splash pad/etc.

Committee members agreed to personally reach out to four groups to see about involvement, either at their own existing meetings, or joining us for one of our meetings:

Chamber of Commerce – Tim

Rotary – Lynne

Lions – Lynne

EDAB (Scott) – Hildy

**Outstanding Question:**

When will subcommittees be able to help plan fall topic-based forums with North Star Planning?  
Will this be at August CPSC meeting?

## Erin Zwirko

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**From:** Daniel Backman  
**Sent:** Monday, July 24, 2023 5:01 PM  
**To:** Erin Zwirko; Juliana Dubovsky  
**Cc:** Tim McGonagle; Lynne Seeley  
**Subject:** CPSC Housing Subcommittee Meeting Notes

Erin and Julie,

The CPSC Housing Subcommittee (Tim, Lynne and myself) met last Thursday 7/20.

Here are our meeting notes:

- Housing Forum also needs to include Population & Demographics and Zoning in addition to Transportation. Transportation is not a major driving of housing issues in Yarmouth, but traffic and parking will be a concern of many citizens.
- Issues of economic and ethnic diversity seemed to be one of the biggest concerns regarding housing from attendees of the June forum
- How can changes to Zoning incentivize development in growth priority areas and disincentivize development in outlying, non priority areas.
- MDR minimum lot size is the key restriction to creating new housing
- How do we talk about highest and best use for underutilized parcels, especially along Route 1?
- What sort of public investment (streetscape, plantings, lighting, signage) on Route 1 might stimulate growth or redevelopment?
- Explore housing typologies that add density while feeling “right” for Yarmouth.
- Showing people the density we already have, and the different typologies that create that density is critical. Contract zones on Bates St and Portland St are great examples. Walking tour is a really good idea.
- Fire sprinkler requirements for new construction as a barrier to development due to potential costs, permitting challenges, bureaucracy. Additional challenges in rural areas without water service.
- Examine how parking requirements affect what type of housing gets built and where
- Can new, denser development be built while sustaining the desire of residents for a community feeling and large lots

## Erin Zwirko

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**From:** John Auble  
**Sent:** Monday, July 24, 2023 2:32 PM  
**To:** Juliana Dubovsky; Erin Zwirko; Bill Richards; Sarah Witte; Hildy Ginsberg  
**Subject:** Transportation sub-cmte meeting

Hi All,

Bill, Sarah and I met under the bridge this afternoon and we came up with a summary of a few major issues we think might be the start of the trans focus.

Bill and Sarah haven't seen these notes so I expect them to amend as they see fit but I wanted the first dump out there.

1. Ped/Bike Safety. We found 3 topics of interest here.

a. cross-walks. We have many more crosswalks than before and they use different systems. For example, some have lights and some don't. We talked about:

i. not going crazy with flashing lights.

ii. looking at other physical deterrents such as raised crosswalks that force cars to slow down. This is typically a problem for public works maint but worth considering.

iii. Can we reduce the heavy rush hour pushes that funnel traffic from the west through main st.

iv. There are some corridors like North road where speeding is still a problem related to child safety at the park and general peds/bikes.

v. Bike/scooter/skateboards are now all e-versions which means they go at high speeds and create safety hazards. These e-versions are also helping to grow the riding community. We see a need to manage the riding behavior of our bike/ped community proactively so everyone co-exists. This might be new registrations for fast rides, or restrictions on sidewalk riding, etc. This is sort of a follow-on to the success we've had expanding our trails/sidewalks. We see a need to manage our success over the next 10 years.

2. The Railroad corridor. This is the major resource/opportunity for enhancing transportation and recreation and something should happen in the time frame of our next 10 year period. We see it as a missed opportunity if we have still not changed anything regarding the use of this corridor through Yarmouth ten years from now.

3. Yarmouth is making sound investments in mass transit - mainly the breez. We need to keep this up and continue to look to where the demand is and to avoid pollyannaish pipedreams of what might materialize vs what we already have for demand.

Sincerely,  
John

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John Auble  
email: [aublejohn@gmail.com](mailto:aublejohn@gmail.com)  
mobile: 617.640.7897

## Erin Zwirko

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**From:** Susan Prescott  
**Sent:** Wednesday, July 19, 2023 10:01 AM  
**To:** Erin Zwirko; bsmith@northstar-planning.com  
**Cc:** Jackie Schumacher; Linda Grant; Josh Tompkins  
**Subject:** Comp plan inventory

Hi Erin and Ben,

I've been reading the inventory pages as part of the review by the Tree Advisory Committee. In doing so I read the section on Latchstring Park. As Chair of the Latchstring Park Task Force I would like you to please update the text for the park. We're incredibly proud of our fundraising effort and grateful to the hundreds of contributors to this renovation and we would like the description of that effort to be accurate.

Please let me know if you have any questions. Thank you for all your work on the new comprehensive plan.

Best,  
Susan Prescott

In the Recreation section of the Inventory pages, p. 6 Latchstring Park

This should be updated to say:

Latchstring Park Located on the corner of West Elm and Main Streets in the Village, it is a small park, a quarter acre in size. Latchstring Park is currently an underutilized pocket park located in the hub of the upper village. The Latchstring Park Task Force, through a broad community effort, has successfully raised the funds necessary for a complete renovation of the park. Construction is to be completed Spring 2024.

## Erin Zwirko

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**From:** Christine Force  
**Sent:** Friday, July 28, 2023 7:37 PM  
**To:** Erin Zwirko  
**Subject:** Royal River and Sewage outflows

Hi Erin,  
I hope that you are well and having a great summer.

I meant to share this concern with you sooner. Last week I invited a friend to join me in a Royal River walk from Bridge Street to Elm Street. As we were walking along the river trail we noticed very pungent sewer odors near both sewage pumphouses.

As I look at our wonderful new brand and exciting comprehensive plan I hope that there is a plan to address these sewage outfalls along the river. We need to create a healthy environment along the river which will make folks eager to return! Thank you.

Best wishes,

Christine Force

Rather than critiquing or commenting on the text of the Inventory Chapter 6 on Housing, I am going to make a supplemental suggestion. It seems clear to me that the affordable housing issue cannot be fully addressed short of a package or bundle of disparate measures, including a strong element of subsidization, sources to be determined. Looking at one of the sticks in the bundle, zoning, I suggest the creation of an Affordable Housing Overlay District (AHD), as a new Special District under Ch. 703, the Character Based Development Code. This would function much like our Shoreland Overlay District, which implements the requirements of the Maine State Mandatory Shoreland Zoning Act.

It would leave the existing zoning throughout Town in place, with certain identified areas or parcels being placed in the AHD. These parcels/areas need not be contiguous, but would be established by rating them for suitability based upon certain criteria or factors, which could include, e.g., existing infrastructure, Town ownership (a potential source of indirect subsidization), potential for conversion of existing structures, availability of public transportation, nearness to schools, shopping, parks and recreational amenities, etc. These desirable residential attributes should have an emphasis on pedestrian access and connections, existing and future.

It would be necessary to have a well defined process for determining whether a proposed project met the triggering requirements of affordable housing. I am confident that the Affordable Housing Committee and Planning Staff have considered many of the threshold attributes. If the proposed project met the ordinance requirements for initial eligibility, that would trigger the application of the Special District standards, which would supplant or replace the standards of the underlying district. Parallel ordinances such as Site Plan Review or Subdivision Review would remain applicable as with other CBDC Districts, but with possible special provisions unique to the AHD, as deemed advisable in the drafting process.

One measure which could be added to the AHD provisions could be a modification of the Town's building height limit, perhaps to 4 stories and 45-50 feet, predicated upon a stated minimum setback from any Thoroughfare or neighboring structures, with an assessment of impact upon streetscape, neighborhood character, buffering and treed screening, to minimize or totally prevent against any excessive visual impact. An example would be to compare the approved plans for 298 Main with the current plans for the residential units at the rear of the proposed Railroad Square development. In the latter case, those buildings to the rear are over 1,000 feet away from Main Street, and their apparent impact (if increased to four stories) would be minimal. However, 298 Main, sitting bold on Main and South Streets, would have a very material impact on the streetscape and neighborhood character if increased to four stories.

An example of a parcel which seems well suited to this approach, contingent upon pulling together some ancillary attributes, would be the parcel behind Brentwood Manor and behind the railroad track coming into Town from the South. This is currently before the Council with a request for a full zoning change to CD4, the Village Center character mixed use district, which if approved, would give no assurance that there would ever be housing on the site, let alone affordable housing. The attributes include:

- Set well back from Portland Street and neighboring residences, with forested buffers to all sides;
- Buffered from Route One by the railroad track and its treed peripheries;
- Having a possible direct vehicular access road through the MDOT maintenance lot to the Exit 15 Park and Ride Lot, with
- Corresponding direct access to both Route One and I-295, with
- Ancillary parking available at the Park and ride lot;
- Direct access to the BREEZ and possible future commuter rail;
- Walking and biking distance to the schools and the shopping amenities on route one, near the Beth Condon pathway (which could be extended further, even into a future housing development).

This is an example of a parcel which could take good advantage of an AHD overlay zone. It would stay in its current MDR zone unless and until an appropriate affordable housing project was proposed, which met the requirements of the AHD District, and if deemed eligible, the MDR zoning would be displaced by the CBDC and related standards and procedures. BUT ONLY IF IT WERE AFFORDABLE HOUSING, AS DEFINED BY THE ORDINANCE. Giving the neighboring residents assurance and certainty, giving certainty to a potential developer, enabling speedy review by the Planning Staff and Planning Board, working with familiar procedures and standards. No need to invent the wheel.

Thank you for your attention.  
 Edward Ashley  
 20 Spartina Point  
 Yarmouth, ME  
 207-846-4402  
[eashley@maine.rr.com](mailto:eashley@maine.rr.com)

## **TOWN TREE CANOPY**

The tree canopy in Yarmouth—including both public and private trees—has long been a valuable community asset and a key feature of the town's character.

### **History**

As early as 1834 the first elm trees were planted along East Main Street, and many more elm trees were planted in the village in 1868. Elms were the primary species depended on for the town shade canopy, which became a distinguishing feature of the village. Beginning in 1958, the effects of Dutch elm disease were evident and the first street elm was removed. Greater numbers of elms were removed between 1961 and 1971, when the famous Liberty Elm was taken down and 100 more mature elms were expected to be lost in that year alone. The town “put its hopes” in ash, linden, maple and locust trees to replace the elm canopy, but it has never been recreated. Fewer than 10 legacy elm trees remain in town. Notably, ash trees are now being attacked by the emerald ash borer.

### **Importance of the tree canopy**

The benefits of a town tree canopy are well known. For public health, trees produce oxygen, intercept airborne particulates, and reduce smog, enhancing our respiratory health. Access to trees promotes greater physical activity and reduces stress, improving our quality of life. To mitigate climate change, trees sequester carbon (CO<sub>2</sub>), reducing the overall concentration of greenhouse gases in the atmosphere. Tree windbreaks can reduce residential heating costs 10-15%; while shading and evaporative cooling from trees can cut residential air-conditioning costs 20-50%. Trees promote beneficial water quality and reduce storm water management costs. Trees are critical for wildlife, providing important habitats for numerous bird, insect and animal species. Communities and business districts with a healthy tree canopy attract new residents, industry, and commercial activity.

### **Current situation and trends**

The current inventory of public town trees, although outdated, lists 1700 tagged trees of various species. Some trees listed have been taken down, and about 100 new trees have been planted during the tenure of the current Community Services director. In 2023, 37 trees have been planted, and 25 removed. Efforts to protect and sustain the town tree canopy have been sporadic. Until recently, the town relied largely on volunteer efforts to monitor and maintain tree health. Under the direction of Community Services and the new town staff Tree Warden, management programs are currently in place to fight Dutch elm disease, brown tail moth and emerald ash borer. Additional pests and diseases now facing town trees include winter moth, woolly adelgid, beech leaf disease and oak wilt. Overall, the tree canopy is threatened by aging, neglect, road salt, the spread of invasive species and the effects of climate change. In addition, increasing development entailing new construction without adequate protection requirements and resources for enforcement puts the tree canopy at major risk.

In 2020, resident volunteers concerned about Yarmouth's trees formed an advocacy group and began monthly meetings. After a presentation to Town Council in 2022, it was unanimously adopted as the official Yarmouth Tree Advisory Committee. Working with Community Services and the Tree Warden, the YTAC is charged to promote the conservation and stewardship of trees on town lands, providing education and support to maintain tree health and proper tree care. In its first year it produced both a list of preferred tree species for new planting and a set of recommended practices for protecting trees on construction sites. Both documents were endorsed by the Planning Board but have not yet been codified by Town Council. The committee also reviews and comments on all Planning Board applications affecting trees. At the request of Town Council, it is now reviewing all Town ordinances to ensure they provide clear and complete guidance for tree conservation and protection.

## Erin Zwirko

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**From:** Lisa Small  
**Sent:** Monday, August 21, 2023 4:23 PM  
**To:** Erin Zwirko  
**Cc:** brian caprari  
**Subject:** Fwd: Please Read and Respond: Comprehensive Plan Language  
**Attachments:** Statement to add to Comp Plan if approved.docx; PLC Land Acquisition Strategy.docx

Dear Erin,

Attached are two documents containing suggested additions to the Comp Plan inventory chapters. Both documents have been approved by vote of the Parks and Lands Committee.

Thank you,

Lisa

----- Forwarded message -----

**From:** **brian caprari**  
**Date:** Fri, Aug 18, 2023 at 4:31 PM  
**Subject:** Please Read and Respond: Comprehensive Plan Language  
**To:** Lisa Small, [Vance Brown](mailto:Vance.Brown@yarmouth.me.us), [Joshua Royte](mailto:Joshua.Royte@yarmouth.me.us), Mary Thorp, [Joseph Noel](mailto:Joseph.Noel@yarmouth.me.us), [Karyn MacNeill](mailto:Karyn.MacNeill@yarmouth.me.us)  
<[kmacneill@yarmouth.me.us](mailto:kmacneill@yarmouth.me.us)>, [Zoe Wolf](mailto:Zoe.Wolf@yarmouth.me.us) <[zwolf@yarmouth.me.us](mailto:zwolf@yarmouth.me.us)>, Erik Donohoe <[edonohoe@yarmouth.me.us](mailto:edonohoe@yarmouth.me.us)>

Good Afternoon Parks and Lands,

Lisa and Mary met and worked on some additional language for the Comprehensive Plan under the Natural Resources section, as well as wanting to submit the land prioritization strategy produced by PLC in 2017.

If you can please review the two attached documents and comment that would be great. If appropriate I would ask that a vote happen by Monday morning. I did my best to run through the Yarmouth committee rules as quickly as I could to make sure we were not in violation by voting by email, but if anyone knows otherwise, let me know.

Brian

Statement to add to Comp Plan if approved

Within the Comp Plan, under the category of Natural Resources, there is a section “Undeveloped Habitat Blocks and Habitat Fragmentation” on page six. The Parks and Land committee suggests adding these sentences after the line that ends with ...”these undeveloped blocks”.

*This highlights the importance of greenways which are strips of undeveloped land (public or private) near population centers that are preserved for recreational use or environmental and habitat protection. Recognizing this need for connectivity is essential in maintaining and encouraging biodiversity in Yarmouth.*

## **Land Acquisition Strategy**

### Introduction

Strategic land acquisitions allow the Town of Yarmouth to implement several policies aimed at preserving the town's rural character, protecting natural and recreational resources, and spurring healthy economic growth and development. Yarmouth's Parks and Lands Committee developed a process to assess the relative value of potential acquisitions in order to prioritize investments and identify implementation strategies as opportunities arise. The prioritization process and acquisition strategies leverage the past thirty years of planning activities undertaken by the town. The 1988 Public Access and Recreation Plan, the 2007 Land Stewardship Plan, the 2009 Royal River Master Plan, and the 2010 Comprehensive Plan present a consistent vision of Yarmouth as a walkable community, with a variety of public open spaces that offer different types of outdoor experiences.

### Prioritization Strategy

The Parks and Lands Committee identified four significant criteria that are used in conjunction with current mapped data to assess the relative value of potential acquisitions. The significance – or relative value – of specific lands is assessed based upon community needs including access to open space for recreation, connectivity for humans and wildlife, and traditional access for hunting and fishing; cultural, historic, and natural resources; and alignment with the town's vision for future growth and economic development. The prioritization process uses a geographic information system to systematically measure and map features associated with community values to allow the town to determine priorities.

The following criteria represent high priority community needs, in no particular order:

- **Shoreline Access** - Land that provides access to water and the shore for a variety of recreational purposes, including access to mooring sites, parking, dinghy storage, small boat launching/carrying, walking, traditional fishing and fowling, and scenic views.
- **Natural Resource Protection** - Land or easements that enhance the protection of natural resources such as wildlife, clean water, and wetlands, and improve public access to Casco Bay, the Royal River, Cousins River, and neighboring towns.
- **Open Space Enhancement** - Land contiguous with existing town lands that enhance the functional or aesthetic value of our town and improve connections between neighborhoods and local service centers.
- **Connectivity** - Land, rights-of-way, or easements for sidewalks, walking trails, and bike paths that provide safe pedestrian and bicycle pathways throughout the town, especially where linkages are possible between existing town properties, neighborhoods, and public open spaces.

When intersected with current public sentiment and demographic trends, this framework provides guidance for selectively acquiring land and easements needed to establish, enhance, and connect valuable public open spaces while protecting important and vulnerable habitats. This approach will help encourage integrating the town's open spaces and trails with Yarmouth's Village, neighborhoods, schools, and businesses. The committee, in partnership with the Town Council, town boards, staff, community groups, and external partners, applies this

approach to support town-wide planning efforts and to evaluate acquisition scenarios based upon existing opportunities.

#### Implementation Strategy

There are a number of approaches that the Town of Yarmouth can pursue to protect lands, secure access to lands and waters, and to execute actual land transfers. Examples include private land owner donations, acquisitions by fee and easement, and a variety of ordinance and planning tools. The Town of Yarmouth maintains a land acquisition fund to purchase properties, easements, and to provide matching funds for grants or multi-party agreements. It is important to continue investing in this fund to allow the Town to act on high priority acquisition opportunities.

August 21, 2023

p.1 Figure 91 (should be 9.1) - the photo illustrates an infestation of the invasive species Phragmites. This can turn the edge of a marsh into a monocultural site, displacing and leaving no growing room for native species.

Pp. 3-4 - Figure 9.2, Coastal Bluff Stability map, and text towards the end of the first carryover paragraph on page 4. It is generally known and understood that the mapping of unstable coastal bluffs in Yarmouth lacks dependable accuracy. An example is where the map shows stable bluffs to the west of the Snodgrass Bridge landing on Cousins island. A large fairly recent slide is highly visible on this supposedly 'stable' bluff. This necessitates detailed site review on project applications involving development on properties with coastal bluffs. A goal of the Comp Plan should be to accelerate Coast Bluff analysis, revisitation and mapping (it is not a static element), and to revisit ordinance requirements re setback from top of bank for new development or additions. Another aspect is a continuing flow of applications for bank stabilization projects, where the typical proposed remedy of installing rip-rap can have adverse environmental consequences. Cutting restrictions within the Shoreland Zone have been unevenly enforced in the past.

P.8 Figure 9.6, "image caption TBD". This is part of the site of the former Forest Paper Company, which spanned the Royal River at teh Third Falls. It is not clear what this photo is intended to convey or illustrate, and it could be deleted.

P.9 Figure 9.6???, map of Wildlife and Habitat in the Maquoit and Middle Bay Focus Area, of Statewide ecological significance, of which we are a part. The map graphically illustrates the importance of the Yarmouth coastal water frontage, which forms a complex addition to the coastline of the Bay. We are blessed with "an extraordinary array of diverse ecological habitats...(including)...salt hay salt marsh, intertidal mudflats, eelgrass beds, rare animals and other wildlife." There needs to be a section in this Chapter which articulates the unique nature and importance of these natural resources, and the recognition that with these blessings come important responsibilities, to the resources, the Bay, the Town, the State, and the Planet. We need to do better in our stewardship of these resources. The Inventory should identify areas where we are entitled to only a passing (or even less than passing) grade, and the Comp Plan should propose corrective measures, both on a town-wide and on a regional basis. A true picture of Existing Conditions will include not only the resources, but the extent and quality of our stewardship of those resources, past and present. I can give examples if called upon. The Comp Plan should make all this clear, and should assign appropriate responsibility and

accountability for implementing specific goals with specific timelines, to address our responsibilities.

Turning to our Open Space Guide, a product of the Parks and Lands Committee, edited through three additions, I will quote one educational section, to give texture and understandability to some of the points raised as to the value of one of our resources.

### **The Value of Salt Marshes**

**Food chain;** Salt marshes are more productive than most terrestrial ecosystems, even agricultural fields and crops, and provide food well beyond their boundaries. They serve as incubators for life at the base of the food chain, nurseries for young fish, and provide shelter and food for many fin and shellfish.

**Maintaining water quality:** Marsh vegetation slows the movement of water, which allows suspended organic matter and sediments (and attached contaminants) to settle among the grasses and become trapped, removing them from the water column which reduces the deposition of sediments into river bottoms.

**Shoreline protection:** Salt marsh soils or Peat aggregate when there is adequate sediment addition allowing it to keep up with sea level rise. It slows the movement of tidal, flood and boat wake water, protecting adjacent shoreline properties and ecosystems.

**Habitat:** Salt marshes provide habitat, food and a rest stop for a diverse community of many species, including wading birds and migratory waterfowl.

**Recreational and aesthetic values:** Marshes are incredibly scenic and provide popular places for birding, hunting, fishing, recreational paddling, quiet observation and environmental education. They are important open space transitions between uplands and deep-water habitats..

**Financial value:** Two-thirds of our commercial fish landings depend on coastal wetlands for nursery and breeding habitat, or on foods that breed there. Recreational activities also contribute significant economic value.

*(The above text is taken from the Yarmouth Open Space Guide, 3rd Ed., October 2013, page 27 sidebar column. The principal author of the quoted text is Yarmouth resident and Latchstring Award winner, Joshua Royte, naturalist and Senior Conservation Scientist, Maine, with The Nature Conservancy, who edited the text for this commentary,*

The Maine Sunday Telegram of August 13, 2023, in Section D (Maine/New England) featured a very informative first page headlined article, ***“Maine’s Marshes Worth Their Salt”***, written by Penelope Overton. The article makes another value of marshland clear. ***Salt marshes play an outsized role as carbon sinks, storing carbon and slowing global warming, while providing critical habitat.*** Professor Beverly Johnson, an earth and climate science professor at Bates College is engaged in research and monitoring/measuring the carbon storage capacity of marshes, saying that a healthy marsh is one of the most effective carbon sinks on the planet. Maine has 84 square miles of “blue carbon reservoirs”, and the Yarmouth salt marshes are an appreciable part of that total. These Maine assets store at least 1.7 million tons of carbon, equal to the annual carbon emissions of 1.25 million passenger cars. Maine is home to a quarter of New England and New York’s coastal blue carbon habitat. In addition to the values cited above, “a healthy marsh can also absorb and store up to 10 times as much carbon as a forest, making them an invaluable buffer against climate change.” Prof. Johnson cautions that “A struggling marsh- one cut off from the natural ebb and flow of the tide by a road, culvert, or irrigation ditch dug long ago...- can’t store as much carbon.” Yarmouth has examples of degrading conditions in our salt marshes, which leaves work to be done. We need to have a better understanding of the value of these assets so that they can be preserved and improved, and this should be a major action item under our new Comprehensive Plan. I highly recommend reading and re-reading this article. These matters have global importance as well as immediate relevance about our regional responsibilities as major citizens of Casco Bay. We can and should make significant contributions. The time is now, and “we want to do it quickly, but we want to do it right.”

P.14 Last paragraph, last sentence, re impervious surfaces, SUGGESTION: strengthen the Site Plan Review Ordinance to require pervious paving for driveways and parking lots.

P.17 2nd column, 2nd paragraph - SUGGESTION: the Town should maintain a database of all septic systems, with regularly scheduled inspections.

P.20-21 Zoning. The Inventory should make it clear that the RPD is its own district within the over-arching SOD, and is quite restrictive as to, e.g., cutting of vegetation or new development, whereas the SOD is more regulatory with standards governing such activity, with fewer absolute prohibitions.

The Stream Protection District (SPD) is also within the Shoreland Overlay District, as a district in its own right, offering protections parallel and identical to those of the RPD, which are incorporated by reference. It should be described here, and as an

action item, should be identified more clearly in Ch. 701, where it does not presently even appear in the Table of Contents. It is buried within Ch.701, Art. IV. R.(Shoreland Overlay District Standards) 7. (SOD Standards), which is a non sequitur, having been inserted haphazardly before the actual listing and text of SOD standards begins. This can lead to confusion and a lack of understanding of the reach of the ordinance; the SPD should have its own section heading as with every other zoning district. The text describing it need not change, nor the incorporation of RPD standards and rules, that is fine, it just needs better recognition. It is its own zoning district, not an overlay, as required by the Mandatory Shoreland Zoning Act, and while within the SOD, is not subservient to the SOD. “Stream” is a defined term. This change in the ordinance should be undertaken immediately as a long overdue housekeeping item, and need not make it into the Comp Plan, although review of our zoning ordinances for errors, omissions and inconsistencies (of which there are many) is a worthy Comp Plan action item.

In the second column on page 20, the last two paragraphs should be revised to add the Stream Protection District right after the reference to the Resource Protection District. On p. 21, column 1, first full paragraph, about 3/5 of the way down, the reference to “land within 75 feet of the normal high-water line of streams (**the SPD**),...” should have the insert shown in bold. Finally, the last sentence in the paragraph about precedence of conflicting provisions as between SOD and either RPD or SPD is confusing. Add the SPD reference after the RPD reference, and say that in the event of conflict, the more restrictive provisions of the RPD and SPD will take precedence over any apparently conflicting provisions of the SOD.

P.23, column 1, 3rd paragraph, there is a mistaken reference to the Damariscotta River.

The last paragraph, carrying over to column 2, refers to the recently established Cousins River preserve, and says it is “for recreation”. That is a misstatement, it is for ever so much more than that, recreational use should come in at the bottom of the list, it is primarily for conservation of habitat and eco-systems.

As between the Natural Resources and the Recreation chapters, there is a disturbing tendency to present binary choices, that it is this or that (I would add the Marine Resources chapter to this comment as well), and they should not be pigeonholed in this fashion. Our resources play multiple and diverse roles, often, but not always, overlapping. Many of our preserves affirmatively ban active recreation in the language of their conservation easements, e.g., Fels-Groves Farm Preserve. There should be differentiation between active and passive recreation, and in some cases, the resource should be left alone, with habitat and conservation values trumping recreational access. It is not all about us, the human species. I can enjoy the scenic vista of the northern section of Fels-Groves, between Gilman Road and Whitcomb’s Creek and the Royal River without actually walking upon it, and by appreciating its value as habitat, and its

contributions to clean air and water. We should instill the spirit of stewardship into our Comp Plan.

P.23 Regional Coordination. More should be made of this, it is important, and more attention should be paid to it. The 2010 Comprehensive Plan has some good sounding language about regional coordination, but one has to question the degree of implementation. Our resources do not respect municipal boundaries, they are blissfully unaware of same, and our efforts at stewardship cannot be fully realized without regional thinking and action. This paragraph could refer to the role of the Royal River Conservation Trust, which itself has grown through the merger of several smaller regional land trusts, the potential for public/private partnerships in conservation, and the need to get more of our population engaged in conservation in their everyday lives, with more hands on participation in active conservation measures, beginning in their own back yards. Through increased public education and incentives, we could, for example, encourage ecologically responsible lawn installation and maintenance practices, avoiding liquid fertilizers and pesticides, with direct and immediate benefit to the health of Casco Bay and our rivers. As individuals we can have direct and immediate impact upon our tree canopy, our freshwater resources, our air quality, and our quality of life. Enhanced and diverse regional cooperation and engagement, as well as in-Town and individual efforts should be a prime goal of our Comp Plan.

Thank you for your attention,

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