

1. LAND USE GOAL

To encourage orderly growth and development in appropriate areas of Eastbrook, while protecting the Town's character, making efficient use of public services and preventing development sprawl.

2. PURPOSE

The purpose of this section is:

- a. to identify and understand the uses of land throughout the town in terms of amounts and locations of land devoted to various land uses;
- b. to identify and understand the changes in the town's land use patterns and how they might affect future land use patterns;
- c. to identify areas which pose natural hazards to development.

3. HISTORIC LAND USE

After its settlement in the early 1800's, Eastbrook's growth was based primarily on agriculture and forestry. As early as 1904, with the construction of the Molasses Pond House, the natural resources of the town attracted visitors interested in fishing and hunting. This tradition continued with the development of numerous summer camps, primarily located around the town's three ponds. A large percentage of the land remained in woodland and farms, despite an increase in the number of residences.

The past ten years have seen primarily residential growth. It is impossible to accurately tally recent construction, since the Planning Board has only kept records of building permits issued since 1988. According to the First Selectman, whose estimates the Committee considers far more accurate than the census, 16 new year-round residential units were constructed between 1980 and 1990. In addition, an unknown number of seasonal residences were built. In the past ten years, a total of 23 new lots were created through three approved subdivisions. Not all of these lots have been sold and built upon.

Although there has been some commercial growth in the past ten years, virtually all new businesses have been operated out of residents' homes. Therefore, they do not represent a trend toward a different land use pattern in Eastbrook.

Similarly, some of the commercial farms have expanded their farmed area. However, most of the growth has consisted of planting new Christmas tree orchards on parcels already owned by farmers. Conversion of land to active farming has not been a major trend in Eastbrook.

The most dynamic changes in land use in Eastbrook have revolved around Diamond Occidental's leased land around Molasses Pond. In 1989, Diamond put up for sale 90 lots it had previously leased to camp owners. Approximately 75% of these lots have been sold to former lessees. In addition, Diamond Occidental has indicated that it may remove some of their land from Tree Growth.

4. EXISTING LAND USES

a. Inventory

1. Land Use Records

Although Eastbrook's land use records are by no means complete, based on aerial photographs, windshield surveys, and Committee members' knowledge, it is possible to obtain a general overview of the land use of the town, and to generate an approximate land use map. Existing land use areas and locations in Eastbrook are mapped on Map ___: Existing Land Use. Figure K.1 shows approximate acreage of various types of land use. Previous sections of this plan, including Housing, Agricultural and Forest Resources, and Recreation also deal with specific issues of land use in more detail.

2. Undeveloped Land

Over 50% of the Town of Eastbrook is covered with commercial forest property which falls under the Tree Growth Tax Law. This land belongs to three owners: Diamond Occidental, Champion International, and Wayne French. An additional 17% is made of pond surfaces and the Lyle Frost Wildlife Management Area. The remaining land, approximately 8000 acres, is privately owned. Much of this privately owned land is also undeveloped. Some is farmed (see Section II.J: Forest and Agricultural Resources) or kept as woodlots.

3. Developed Land

Most of the development in Eastbrook is single-family residential; there are approximately 150 year-round and 270 seasonal residences. There are no multifamily units in the town. There is one small store and around twenty home-based businesses, such as contractors, loggers and a bed and breakfast reservation service.

**FIGURE K.1
EASTBROOK LAND OWNERSHIP BY USE
APPROXIMATE NUMBER OF ACRES**

	Acreage	Percentage
Lyle Frost WMA (including Scammon Pond surface)	1818	7.9
Pond Surface (excluding Scammon)	2180	9.5
Tree Growth Tax Parcels	11,940	51.8
Other	7102	30.8
Total	23,040	100.0
Source: Eastbrook Tax Records		

b. Planning Implications: Existing Land Use Patterns

The vast majority of Eastbrook, as shown above, is covered in woods, ponds, and blueberry fields. Compared to many towns, only a small portion is developed, and nearly all of that development is either seasonal homes or single family housing. These conditions combine to create the rural character of the town.

According to the Opinion Survey, it is very important to the residents of Eastbrook that the town preserve the current land use patterns which contribute to the rural character of the community. The Land Use Plan (Section VII) has been developed with this goal in mind. It is important that this Land Use Plan be implemented through ordinance revisions and that it be updated every five years.

5. NATURAL AREAS POSING PHYSICAL RESTRICTIONS TO DEVELOPMENT

a. Inventory: Natural Areas Posing Physical Restrictions to Development

There are several types of areas which occur naturally which pose physical restrictions to development. In these areas, development may be endangered by natural hazards, such as floods, or may damage the environment. Physical restrictions to development include poor soils, steep slopes and flood hazard zones. These areas are shown on Map #13: Physically Restricted Land.

1. Soils Unsuitable for Septic Systems

Since there are no centralized wastewater treatment facilities in Eastbrook, most residences utilize septic systems. Some kinds of soils are appropriate for septic systems; others are not. Septic systems in unsuitable soils are likely to fail, possibly contaminating ground or surface waters. For this reason, the plumbing code specifies soil requirements for new septic systems.

A medium intensity soils survey of Eastbrook's soils was completed by the Soil Conservation Service in 1966. This information is considered accurate to the nearest only fourteen acres. Therefore while adequate for general community planning purposes, it is not suitable for the planning and designing of specific developments.

For general community planning purposes, the information provided by the Soil Conservation Service's medium intensity soils survey was analyzed to determine those soils which present the least constraints/limitations on future growth and development. To accomplish this analysis, soils were ranked for development suitability by the Hancock County Soil Conservation Service according to limitations such as high water tables, shallow depths to bedrock, poor drainage, low strength, frequent flooding, and steep slopes. Figure K.3 lists all soils in Eastbrook, profiling their suitability for development. Hydric soils, which are typically wetlands or floodplains, are mostly unsuitable for residential housing, and have also been indicated on Figure K.3. Maps of the county soil survey are available either at the Hancock County Soil Conservation Service or from the Selectmen or Planning Board of the Town of Eastbrook.

Map #13: Physically Restricted Land shows areas with soils unsuitable for septic systems, according to the Maine State Plumbing Code. It shows that most of Eastbrook is suitable for septic systems.

2. Steep Slopes

In addition to these areas already discussed, one primary environmental limitation to development is topography; more specifically, the slope of land. In general most land use activities encounter serious problems and significant additional construction and maintenance costs when located on slopes greater than fifteen percent (15%). The Maine State Plumbing Code prohibits new septic systems on slopes greater than fifteen percent.

There are several small areas in Eastbrook with slopes of greater than fifteen percent; these have been included on Map #13: Physically Restricted Land as having a physical restriction to development. Although construction in these areas may be possible, devising appropriate wastewater disposal and erosion control would pose significant challenges to the developer.

3. Floodplains

Floodplains are especially unsuitable for development because they can reasonably be expected to be covered at some time by floodwater. The enormous public costs involved in flood damage and flood control nationwide resulted in the establishment of a national Flood Insurance Program which helps the victims of floods to rebuild their homes and businesses and which reduces the

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future risk of flood losses. The Town of Eastbrook voted in 1990 to participate in the Flood Insurance Program; however, due to technicalities, the town was suspended from the Program. Eastbrook fully expects to rejoin the NFIP in 1991. Under this Program, the Town will adopt an ordinance which sets forth construction standards for development in Flood Hazard Zones.

The Flood Hazard Areas identified under the National Flood Insurance Program are shown on Map #13: Physically Restricted Land as having a physical restriction to development due to the risks associated with periodic flooding. The maps show the area of 100 year flood, known as "A Zones." Although the maps are considered by the town to be inaccurate, they should be used until a remapping takes place.

4. Ridgelines and Hilltops

A review of topographical maps shows that Eastbrook has many hilltops and ridgelines. Development on these features poses several challenges. First, these sites may be difficult for emergency vehicles to reach if they are in a remote location. Second, soils are frequently shallow making it difficult to install a septic system or well. Third, ridgeline development often disrupts scenic views. This means that development on ridgelines should be subject to detailed review guidelines.

An emerging issue facing Eastbrook is large-scale wind generation facilities. These are uses that can only be located in areas where there is a regular supply of wind. This is usually on hilltops and ridgelines. Areas with high wind generation potential are shown at: <http://www.hpcme.org/eastbrook/index.htm>.

Due to noise, shadow flicker, and visual impacts, large-scale wind generation facilities are best located away from residential areas. The exact distance should be based in part on how far sound travels. This will involve a sound assessment prepared by qualified professionals. Locations should also be based on visual impacts. It is important that facilities are located in a manner that minimizes disruptions of scenic views of statewide or local importance.

b. Planning Implications: Natural Areas Posing a Hazard to Development

Because of the difficulty of building and maintaining appropriate wastewater treatment systems in areas with poor soils, development should be discouraged in areas with soils unsuitable for septic systems. If any development is allowed in these areas, it should be carefully regulated, with careful attention given to accelerated surface water runoff and erosion.

The Town should be sure to acquire digitized soil suitability maps once they have been prepared by the Hancock County ~~Regional~~ Planning Commission and use them as general references, recognizing their limitations, for planning purposes.

Because of the potential for loss of life and property during floods and the enormous costs

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involved in cleanup and rebuilding after floods, further **development in** floodplains should be avoided and only compatible, non-intensive uses permitted. Existing development and incompatible land use activities in flood areas should not be allowed to expand or should be amortized for their eventual elimination to the maximum extent feasible.

Although development may be feasible in some areas designated by the "Natural Areas Posing a Hazard to Development" map, this map should be used for general planning purposes. Eastbrook should not plan for its growth area to be concentrated in poor soils, steep slopes or floodplains. Due to their noise, shadow flicker, and other impacts large-scale wind generators are not a suitable use in growth areas. They should be confined to rural areas where there is little likelihood of residential development.

However, since development decisions are made on a site by site basis, since specific regulations exist for development in these areas and since the available maps are inaccurate, the Land Use Plan does not prohibit all development in all of these areas.

76. REGIONAL PLANNING IMPLICATIONS FOR LAND USE

Because land use activities affect the environment in surrounding towns as well, the State of Maine has imposed several land use regulations on all municipalities. State regulations on shorelands, septic suitability, water quality, lot sizes, wetlands, floodplains, and protection of endangered species all must be considered in the land use policies of a municipality.

The primary regional land use issue in Eastbrook is water quality in its ponds. In the Water Resources section (Section IIG), a watershed management program is proposed. This program would control the runoff of pollutants, particularly phosphorus, from towns development within sensitive ponds' watersheds. Because parts of these watersheds lie in other towns, neighboring towns should be encouraged to adopt the same standards to protect the quality of Eastbrook's ponds.

Another regional land use issue is large-scale wind energy development. This is likely to occur primarily in the adjoining unorganized territories. The town may want to coordinate its review of any large-scale wind energy project that crosses town boundaries with the state agencies responsible for development review in the unorganized territories. If there is a project that also locates in an adjoining organized town, the Eastbrook planning board would probably want to coordinate its review with the planning board in the adjoining town.

87. EXISTING LAND USE RESTRICTIONS**a. Eastbrook Land Use Guidance Ordinance**

Revised in 1990, this ordinance establishes three shoreland zones in Eastbrook. These zones are shown on Map #12: Existing Zoning. Those three shoreland zones are: Resource Protection, Shoreland Residential, and Rural Residential. The ordinance proscribes lot sizes, use, and development standards for those zones.

The Resource Protection District consists of all mapped wetlands, slopes over 25%, floodplains, and the Wildlife Management Area. The Shoreland Residential Area consists of all shorefront (250 foot width, excluding wetlands, with the exception of one patch of streamfront/wetland). ~~The rest of the town is zoned Rural Residential.~~

Nearly all structures and development are forbidden in the Resource Protection District. Most uses, structures, and development requirements are the same for Shoreland and Rural districts with two primary exceptions first, many uses in Shoreland areas require special Planning Board permission, and second, shoreland lots must be 80,000 square feet while Rural lots may be 40,000 square feet.

The inland zones are the:

1. Groundwater Protection Overlay District: it includes the town's identified sand and gravel aquifers and all land with 500 feet of their mapped boundaries.
2. Forest Resources Protection District: it covers any land registered under the Tree Growth Law at the time of adoption of the ordinance.
3. Village Center/Historic Preservation District: it includes all land not expressly zoned in the other zoning classifications that lies within an area 500 feet from both sides of Route 200 from the Grange Hall property to Mill Stream (for details see the zoning map).
4. Roadside Rural Residential District: this zone consists of all land within 500 feet of Route 200 that is not within the other zones
- 4-5. Rural Residential District: this zone includes all other land that is not specifically designated in one of the other zones.

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b. Eastbrook Subdivision Ordinance

Revised in 1990, this ordinance established guidelines for the subdivision of parcels of land.

c. Eastbrook Flood Plain Management Ordinance

Adopted in 1990, this ordinance serves to limit development in flood hazard areas. This ordinance satisfies state requirements for Flood Plain Ordinances. However, as mentioned above, the town must re-adopt an Ordinance in 1991 to rejoin the National Flood Insurance Program. Due to inadequate mapping and designation of flood plains, however, the effect of the ordinance is limited. The federal government will map the floodplains in Eastbrook in more detail according to a federal schedule.

d. Planning Imprecations: Existing Land Use Restrictions

Since this plan was drafted in 1990, the town of Eastbrook has made substantial revisions to its land use ordinances. Overall, they are adequate to manage growth in town. One specific deficiency is wind energy facilities. There are no provisions for either small wind energy systems (those for primarily single-family residential use) or large-scale commercial projects.

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The ordinances need to have provisions for the various types of wind energy systems. The recommendations on specific standards are addressed in the Growth Management Policies Land Use Plan sections of this plan. While Eastbrook's ordinances are adequate for present needs, they would not serve to guide the town in periods of rapid growth. The Land Use and Subdivision Ordinances, specifically, do not currently reflect the concerns for the location and type of growth discussed throughout this comprehensive plan. The town should consider their revision consistent with the recommendations of the Land Use Plan, Section VII.

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8. LAND USE RECOMMENDATIONS

a. Land Use Management Policies

Given the limitations on future growth and development posed by environmental constraints found to occur in Eastbrook,

"This is the policy of the Town of Eastbrook to adopt and periodically update an official Land Use Map which designates areas for future growth and development, areas where the rural character of the community will be protected and enhanced, and which protects vulnerable natural resources from the adverse impact of development, as part of the Town's adopted Comprehensive Plan."

"To adopt and enforce Land Use Regulations which direct future growth and development in areas identified as suitable and appropriate for such growth, and restrict future growth and development in areas where such activities have the potential of adversely affecting identified vulnerable natural resources, as recommended In the Town's adopted Comprehensive Plan."

b. Land Use Growth Management Actions To implement the Policies stated above, it is recommended that the Town of Eastbrook:

1. Prepare and maintain an official Land Use Map designating the recommended Growth and Rural Areas contained in the Section of the Comprehensive Plan.
2. Update its Zoning and Subdivision Ordinances to implement the dimensional, design, locational, and performance recommendations contained in the Proposed Land Use Plan and address the needs of wind energy facilities.

SECTION III: GROWTH MANAGEMENT POLICIES & IMPLEMENTATION STRATEGIES

A. INTRODUCTION

This section synthesizes the recommendations developed in the various Inventory and Analysis sub-sections. The policies in this section are intended to provide the Town of Eastbrook with coordinated framework for local public policy from which to address the problems, opportunities, and needs identified in this Plan.

The various Growth Management Policies are followed by recommended activities to be initiated and completed by the Town of Eastbrook to ensure the stated policies are implemented. These strategies contain specific activities, identify the parties responsible for carrying them out, and assign a time frame for starting and completing the activity, and estimated costs and sources of funding for each activity. It must be noted that the estimated costs are subject to further refinement and require approval by voters at a town meeting, prior to any major expenditures are made.

B. LOCAL GROWTH MANAGEMENT PLANNING POLICY AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

"To monitor actively the size, characteristics and distribution of its population and incorporate such information into all relevant public policy decisions, including the remaining policies contained in the Comprehensive Plan and the Plan's periodic update."

In order to implement its local Growth Management Policy, Eastbrook will take the following actions:

1. All available population estimates and population characteristics from federal, state and regional agencies, will be collected, maintained in appropriate files, and made available for day to day policy and planning decisions and used for future revisions of this plan.

Start Date:	1991
Completion Date:	On going
Responsibility:	Comprehensive Planning Committee
Estimated Cost:	\$100 per year
Sources of Funding:	Local Funds

2. The number of seasonal residents of Eastbrook, particularly on the shorefront property, will be counted in order to estimate their impact on the town's road, services and natural resources.

Start Date:	1992
Completion Date:	1992
Responsibility:	Comprehensive Planning Committee

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Estimated Cost: \$500
Sources of Funding: State Implementation Grant / Local Matching Funds

C. LOCAL ECONOMIC DEVELOPMENT PLANNING POLICY AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

"To support actively and participate in appropriate State and Regional Economic and Business programs which enhance the Town's economic well being and increase job opportunities for local residents."

In order to implement its Economic Development Planning Policy, Eastbrook will take the following actions:

1. The town will actively participate in regional economic development efforts which benefit the town's economy, yet do not negatively affect its environment and rural character.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen I Comprehensive Planning Committee
Estimated Cost: \$0
Sources of Funding: N.A.

2. Create opportunities for appropriate economic growth through Land Use Ordinances which encourage commercial growth which is compatible with the rural lifestyle of Eastbrook will be developed.

Start Date: 1992
Completion Date: 1992
Responsibility: Planning Board / Comprehensive Planning Committee / Consultant
Estimated Cost: \$12,500 (sum includes all ordinance work)
Sources of Funding: State Implementation Grant 1 Local Matching Funds

D. LOCAL HOUSING POLICIES AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

"To encourage the construction and maintenance of decent and affordable housing for all of its citizens."

"To support Federal, State, Regional, and Local programs, both public and private, directed at providing decent and affordable housing opportunities for its low to moderate income residents."

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"Not to discriminate against manufactured housing, mobile home parks, elderly housing, or low income housing projects within its jurisdiction."

In order to implement its Local Housing Policies, Eastbrook will take the following actions:

1. The Planning Board will designate environmentally and aesthetically appropriate areas within the town for the location of mobile home parks and prepare and enact a Mobile Home Park Ordinance as required by State law.
2. FL DRAFT SECTION III: GROWTH MANAGEMENT POLICIES & IMPLEMENTATION STRATEGIES

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board I Comprehensive Planning Committee / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant 1 Local Matching Funds

2. Encourage affordable housing opportunities by allowing one acre lots in accordance with the recommendations proposed in the Land Use Plan.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board I Comprehensive Planning Committee / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant I Local Matching Funds

3. Apply for a second CDBG housing rehabilitation grant.

Start Date: 1991
Completion Date: 1993
Responsibility: Selectmen 1 Community Development Committee 1 Consultant
Estimated Cost: \$500 for application
Sources of Funding: Local Funds for application,
80% State CDB Grant, 20% Local Matching Funds for project.

4. Reduce the environmental impact of waterfront homes by preparing and enacting the land use controls recommended in the Water Resources section of this plan.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board / Comprehensive Planning Committee / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant / Local Matching Funds

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E. LOCAL TRANSPORTATION POLICIES AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

To prepare and maintain a long range Town Road Maintenance and Improvement Program."

"To maintain, expand and improve its road system in accordance with its adopted long range Road Maintenance and Improvement Program."

In order to implement its Local Transportation Policies, Eastbrook will take the following actions:

1. Include in the Town's Capital Improvement Program the following projects, in order of priority:

- a) Repave sections of the Sugar Hill Road and Webb Pond Road.

Start Date: 1991
Completion Date: 1993
Responsibility: Selectmen
Estimated Cost: \$50,000
Sources of Funding: State Aid I Local Funds

- b) Replace the George's Brook double culvert at a cost of \$6,000.

Start Date: 1994
Completion Date: 1996
Responsibility: Selectmen
Estimated Cost: \$6,000
Sources of Funding: State Aid / Local Funds

- c) Replace the Scammons Pond Outlet Bridge at a cost of \$100,000.

Start Date: 1993
Completion Date: 1994
Responsibility: Selectmen
Estimated Cost: \$100,000
Sources of Funding: State Aid I Local Funds

- d) Completely reconstruct approximately two miles of the Sugar Hill Road at a cost of around \$450,000.

Start Date: 1996
Completion Date: 2000
Responsibility: Selectmen
Estimated Cost: \$450,000
Sources of Funding: State Aid I Local Funds

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- e) Pave the last mile of the Macomber Mill Road at a cost of \$45,000.

Start Date: 2000
Completion Date: 2001
Responsibility: Selectmen
Estimated Cost: \$45,000
Sources of Funding: State Aid I Local Funds

2. Continue to work with Franklin and Waltham to assure proper maintenance of Route 200 by corresponding with the Department of Transportation. Strongly encourage the MDOT to move forward with plans to replace the Alder Brook Bridge;

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen
Estimated Cost: \$0
Sources of Funding: N.A.

3. Adjust maintenance plans, staffing, and finance to compensate for decreasing MDOT revenue contributions. According to recent estimates, the town will need to raise an additional \$19,448 per year beginning in 1993 to continue the current level of maintenance.

Start Date: 1992
Completion Date: On going
Responsibility: Selectmen
Estimated Cost: \$20,000 per year beginning in 1993
Sources of Funding: Taxation

4. Continue to post Eastbrook's roads in the Spring to prohibit excessively heavy loads.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen
Estimated Cost: \$0
Sources of Funding: N.A.

F. LOCAL PUBLIC FACILITIES AND SERVICE POLICIES AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

"To plan for, finance, and maintain an efficient system of public facilities and services to accommodate current and projected needs through the development, adaptation and implementation of a capital improvement program."

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"To require that future large scale developments be financed through impact fees, their proportional share of the cost of any increased public facilities and services directly attributable to their developments."

In order to implement the above Policies, Eastbrook will take the following actions:

1. The Board of Selectmen will create a committee in May 1991 to conduct a feasibility study of waste management options, including possibilities for regional cooperation and recycling and the permitting of a new landfill for the town, and to report its findings by October 1992 in order to finalize plans by the January 1992 deadline.

Start Date: 1991
Completion Date: 1992
Responsibility: Selectmen I Solid Waste Committee
Estimated Cost: \$500
Sources of Funding: Local Funds

2. Incorporate the Fire Department's needs in the town's Capital Improvement Program including:

- a) Addition to the Fire House;

Start Date: 1991
Completion Date: 1993
Responsibility: Selectmen I Fire Chief
Estimated Cost: \$30,000
Sources of Funding: Department Fund Raisers / Local Funds

- b) Finance a new fire fighting truck or portable pump;

Start Date: 1991
Completion Date: 1993
Responsibility: Selectmen / Fire Chief
Estimated Cost: \$100,000 (truck) or \$25,000 (pump)
Sources of Funding: Department Fund Raisers I Local Funds

3. Include a road maintenance plan in the Town's Capital Improvement Program in order to:

- a) Plan for the construction of a Salt and Sand Storage Shed;

Start Date: 1994
Completion Date: 1996
Responsibility: Selectmen
Estimated Cost: \$50,000
Sources of Funding: 35% State Funds, 65% Local Funds

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- b) Prioritize other road and bridge repair projects.

Start Date: 1991
Completion Date: 1992
Responsibility: Selectmen
Estimated Cost: See Section II.D: Transportation
Sources of Funding: Local Funds

4. Continue to support the Library as a structure of historic importance and apply for a Community Development Block Grant for its rehabilitation.

Start Date: 1991
Completion Date: 1993
Responsibility: Selectmen I Community Development Committee / Consultant
Estimated Cost: \$50,000. See D.3 for application funding.
Sources of Funding: 80% State CDBG, 20% Local Matching Funds

5. Apply for state Community Development Block Grant to complete the landscaping of and to pave the parking area at the new Municipal Building and Community Center.

Start Date: 1991
Completion Date: 1993
Responsibility: Selectmen I Community Development Committee I Consultant
Estimated Cost: \$100,000. See D.3 for application funding.
Sources of Funding: 80% State CDBG, 20% Local Matching Funds

6. Apply for Community Development Block Grant to restore the Mill School as an historic building, for possible use as a museum.

Start Date: 1991
Completion Date: 1993
Responsibility: Selectmen I Community Development Committee I Consultant
Estimated Cost: \$50,000. See D.3 for application funding.
Sources of Funding: 80% State CDBG, 20% Local Matching Funds

7. The Board of Selectmen will encourage the County Sheriff and State Police to provide improved control of speed limits and use of recreational vehicles on public roads. The Selectmen will also coordinate a public relations and education campaign to accomplish this purpose.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen
Estimated Cost: \$0
Sources of Funding: N.A.

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8. The Wardens of the Department of Inland Fish and Wildlife will be asked to enforce restrictions on jet skis and motorboats within 200 feet of the shore, on ponds in Eastbrook.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen
Estimated Cost: \$0
Sources of Funding: N.A.

9. The Board of Selectmen will develop recommendations for town meeting action, regarding the purchase of a computer system for the Town Office and Staffing Municipal Offices.

Start Date: 1992
Completion Date: 1992 Town Meeting
Responsibility: Selectmen
Estimated Cost: \$0
Sources of Funding: N.A.

10. Move the Annual Town Meeting date and fiscal year to coincide with the State fiscal year.

Start Date: 1992
Completion Date: On going
Responsibility: Selectmen / Town Meeting
Estimated Cost: \$0
Sources of Funding: N.A.

G. LOCAL OUTDOOR RECREATION POLICY AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

To make available a wide range of outdoor recreational opportunities for all of its citizens, including access to public waters."

In order to implement its local outdoor Recreation Policy, Eastbrook will take the following actions:

1. The Selectmen will appoint a Recreation Committee in 1991 to develop an Eastbrook Recreation Plan by 1992 to address the feasibility of:
 - a. Constructing a community recreation and picnic area with access to Abrams Pond;
 - b. Preparing a map showing existing snowmobile trails and a plan to develop new trails;
 - c. Developing an annual town festival;

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The Plan should include estimated costs, proposed funding sources and a schedule for the completion of these activities.

Start Date: 1991
Completion Date: 1992
Responsibility: Selectmen / Recreation Committee
Estimated Cost: \$100
Sources of Funding: Local Funds

2. Continue to participate in regional recreational initiatives and programs such as the Girl Scouts, Brownies, and 4-H.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen I Recreation Committee
Estimated Cost: \$500 annually
Sources of Funding: Local Funds

3. Continue to support the use of the new community center for publicly sponsored youth and adult activities.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen
Estimated Cost: \$0
Sources of Funding: N.A.

4. Apply for a Community Development Block Grant to build a parking area and bathroom facilities for the boat ramp on Molasses Pond.

Start Date: 1991
Completion Date: 1993
Responsibility: Selectmen / Community Development Committee I Consultant
Estimated Cost: \$ 100,000. See D.3 for application funding.
Sources of Funding: 80% State CDBG, 20% Local Funds

H. LOCAL WATER RESOURCES POLICIES AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

"To protect from adverse impact the significant identified water resources within its jurisdiction."

"To adopt and enforce land use regulations protecting its significant water resources from

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adverse impact."

In order to implement its Local Water Resources Policies, Eastbrook will take the following actions:

1. In light of the particular concern about water quality of Eastbrook`s ponds, develop a watershed protection plan to be incorporated into the Land Use Guidance Ordinance.

a) In order to protect the ponds from excessive sediment, require all future applicants for shoreland zoning permits and subdivision approval to submit erosion control plans as part of their permit application.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board / Comprehensive Planning Committee / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant / Local Matching Funds

b) Use existing information and, in consultation with the DEP, develop a phosphorus control plan for each watershed by:

c) Establishing the pounds per acre acceptable phosphorus loading for each watershed.

- 1) Requiring in the Land Use Guidance Ordinance that no development be permitted which will contribute more than the allowed number of pounds per acre.
- 2) Through the Land Use Guidance Ordinance, require, when necessary, that developers place money in escrow with which the town may hire consultants to help evaluate such proposals and the phosphorus control plans.
- 3) Establish an enforcement and volunteer monitoring program to insure that phosphorus loading criteria are met.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board / Comprehensive Planning Committee / DEP / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant / Local Matching Funds

d) To the extent feasible, pursue regional cooperation for protection of the ponds located at least partially within Eastbrook's boundaries.

Start Date: 1991
Completion Date: On going
Responsibility: Planning Board / Comprehensive Planning Committee
Estimated Cost: \$0

EASTBROOK POLICIES AND IMPLEMENTATION STRATEGIES: August 5, 2010 draft

Sources of Funding: N.A.

2. Encourage the State to further analyze the water quality of and phosphorus levels in Eastbrook's ponds. As this information becomes available, the phosphorus control program for the studied watershed should be reevaluated.

Start Date: 1992
Completion Date: On going
Responsibility: Selectmen / DEP
Estimated Cost: \$0
Sources of Funding: N.A.

3. In response to the particular concern about failing septic systems in shorefront properties: a) Send a questionnaire to shoreland home owners in 1992 in order to:

- 1) Distribute information about the Small Communities Program of the DEP to help replace failing septic systems;
- 2) Survey households to better determine how many people are residing near the shore year-round and seasonally;
- 3) Educate shoreland homeowners about measures they can take to protect water quality; and
- 4) Inform homeowners about state restrictions governing conversions from seasonal to year-round housing.

Start Date: 1992
Completion Date: 1992
Responsibility: Planning Bd. / Comprehensive Planning Comm. / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant 1 Local Matching Funds

- b) The Selectmen will request that the Local Plumbing Inspector inspect all shorefront septic systems.

Start Date: 1993
Completion Date: 1993
Responsibility: Selectmen / Local Plumbing Inspector
Estimated Cost: \$100 (for dye tablets)
Sources of Funding: Local Funds

4. The Board of Selectmen will resolve the issue of water levels in Molasses Pond through correspondence with the Department of Environmental Protection and through the monitoring of progress on this issue.

Start Date: 1991
Completion Date: 1992
Responsibility: Selectmen

EASTBROOK POLICIES AND IMPLEMENTATION STRATEGIES: August 5, 2010 draft

Estimated Cost: \$0
Sources of Funding: N.A.

5. Through the Land Use Ordinance, restrict the storage of hazardous waste within the Town.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board / Comprehensive Planning Committee / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant / Local Matching Funds

6. Through the Land Use Guidance Ordinance, restrict land uses near the three aquifers described in this section to protect groundwater as specified in the Proposed Land Use Plan.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board / Comprehensive Planning Committee / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant I Local Matching Funds

I. LOCAL CRITICAL NATURAL RESOURCES POLICIES AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

To protect from adverse impact the identified significant critical natural areas within its municipal boundaries."

"To adopt and enforce land use regulations protecting identified significant critical natural resources from loss or adverse impact."

In order to implement these policies, Eastbrook will take the following actions:

1. Encourage the identification, mapping, and registry of any and all sites which may be eligible for the State Critical Areas and/or Natural Heritage Programs, and encourage the continued inventory of fish and wildlife resources by the Department of Inland Fisheries and Wildlife.

Start Date: 1991
Completion Date: On going
Responsibility: Planning Board I Comprehensive Planning Committee / Dept. of Inland Fisheries & Wildlife
Estimated Cost: \$0
Sources of Funding: N.A.

EASTBROOK POLICIES AND IMPLEMENTATION STRATEGIES: August 5, 2010 draft

- 2. Prohibit further incompatible development in significant critical areas through Resource Protection Zoning as outlined in the Proposed Land Use Plan.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board / Comprehensive Planning Committee I Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant / Local Matching Funds

- 3. Encourage public and private educational activities which enhance the understanding of and the aesthetic appreciation of Eastbrook's identified critical natural resources. These activities might include school or community field trips or interpretive panels by the school or garden club.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen I School Board
Estimated Cost: \$200 for printing and materials
Sources of Funding: Local Funds

4. Assure that land use regulations pertaining to large-scale wind generation protect adjacent wildlife and critical natural resources by requiring that all applicants identify such features and recommend mitigating measures.

Start Date: 2010

Completion Date: 2010

Responsibility: Planning Board

Estimated Cost: as part of Hancock County Planning Commission contract

Sources of Funding: town

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J. AGRICULTURAL AND FOREST RESOURCES POLICIES AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

To preserve and protect its rural character by actively encouraging the preservation, protection, and conservation of identified farmland and highly productive forest land."

"To adopt and enforce land use regulations encouraging protection of identified significant farmland and highly productive forest land."

In order to fulfill the purpose of the above Policies, Eastbrook will take the following actions:

EASTBROOK POLICIES AND IMPLEMENTATION STRATEGIES: August 5, 2010 draft

1. Encourage owners of productive woodland and agricultural land to participate in the Tree Growth and Farm and Open Space Tax Law Programs by notifying owners with 50 or more acres of such lands about these programs.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen / Comprehensive Planning Committee
Estimated Cost: \$25 for letter and postage
Sources of Funding: Local Funds

2. Encourage appropriate forestry and agricultural activities in respective resource protection and shoreland zones, especially with regard to pesticide use, erosion control and phosphorus loading, by making information available in the town offices.

Start Date: 1991
Completion Date: On going
Responsibility: Selectmen / Comprehensive Planning Committee
Estimated Cost: \$ 100 for printing
Sources of Funding: Local Funds

3. Revise the Subdivision Ordinance to require that up to 10% of the area in new subdivisions be maintained as open space for recreational and aesthetic purposes.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Bd. / Comprehensive Planning Comm. / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant / Local Matching Funds

4. Revise the Land Use Guidance Ordinance to zone all Tree Growth Tax parcels as Forest Resource Protection Areas as recommended in the Proposed Land Use Plan.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Bd. / Comprehensive Planning Comm. / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant / Local Matching Funds

IC. LOCAL HISTORIC AND ARCHEOLOGICAL RESOURCES POLICIES

It is the policy of the Town of Eastbrook:

"To promote the identification and subsequent protection of significant historic and archeological resources through voluntary registration and protection programs."

EASTBROOK POLICIES AND IMPLEMENTATION STRATEGIES: August 5, 2010 draft

"To adopt and enforce land use regulations that protect identified significant historic and archeological resources from incompatible development."

In order implement to these policies, Eastbrook will:

1. Encourage the further mapping and quantitative and qualitative analysis of Eastbrook's historic and archaeologic resources through the efforts of the Garden Club and Historical Society.

Start Date: 1991
Completion Date: On going
Responsibility: Comprehensive Planning Committee / Garden Club Historical Society
Estimated Cost: \$500
Sources of Funding: Local Funds

2. Encourage public and private educational activities which enhance the understanding of and the aesthetic appreciation of the Town's identified historic and archaeological resources;

Start Date: 1991
Completion Date: On going
Responsibility: Comprehensive Planning Committee
Estimated Cost: \$0
Sources of Funding: N.A.

3. Encourage the registry, maintenance, and protection of all privately owned historic resources.

Start Date: 1991
Completion Date: On going
Responsibility: Comprehensive Planning Committee ! Historical Society
Estimated Cost: \$0
Sources of Funding: N.A.

4. Continue to maintain the Library building to retain its historic significance, and to prevent further deterioration of its structure.

SEE F.4.

5. Explore and apply for grants to restore the Mill School.
SEE F.6.

6. Continue to maintain the public cemeteries.

Start Date: 1991
Completion Date: On going

EASTBROOK POLICIES AND IMPLEMENTATION STRATEGIES: August 5, 2010 draft

Responsibility: Selectmen
Estimated Cost: \$200 per year
Sources of Funding: Local Funds

L. LOCAL LAND USE POLICIES AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

"To adopt and periodically update an official Land Use Map which designates areas for future growth and development, areas where the rural character of the community will be protected and enhanced, and which protects vulnerable natural resources from the adverse impact of development, as part of the Town's adopted Comprehensive Plan."

"To adopt and enforce Land Use Regulations which direct future growth and development in areas identified as suitable and appropriate for such growth, and restrict future growth and development in areas where such activities have the potential of adversely affecting identified vulnerable natural resources, as recommended in the Town's adopted Comprehensive Plan."

In order to implement its Local Land Use Policies, Eastbrook will take the following actions:

1. Prepare and maintain an official Land Use Map designating the recommended Growth and Rural Areas contained in this Section of the Comprehensive Plan.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant I Local Matching Funds

2. The Town will revise its Zoning and Subdivision Ordinances to implement the dimensional, design, locational, and performance recommendations contained in the Proposed Land Use Plan.

Start Date: 1991
Completion Date: 1992
Responsibility: Planning Board I Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant I Local Matching Funds

M. LOCAL FISCAL CAPACITY POLICIES AND IMPLEMENTATION STRATEGIES

It is the policy of the Town of Eastbrook:

"To develop and enhance its capacity to provide the most efficient and cost effective financing and

EASTBROOK POLICIES AND IMPLEMENTATION STRATEGIES: August 5, 2010 draft

operation of existing and future public facilities and services."

"To prepare, maintain, and annually update a 5 year Capital Improvement Program."

In order to implement Local Fiscal Capacity Policies, Eastbrook will take the following actions:

1. Develop a five year Capital Improvement Plan prioritizing the projects listed in the Proposed Capital Investment Plan.

Start Date: 1991
Completion Date: 1992
Responsibility: Selectmen / Other Elected and Appointed Officials
Estimated Cost: \$0
Sources of Funding: N.A.

2. Develop and adopt an ordinance for assessing impact fees on developers consistent with State law and the Town's Capital Improvement Program.

Start Date: 1991
Completion Date: 1992
Responsibility: Comprehensive Planning Committee / Planning Board / Consultant
Estimated Cost: See C.2
Sources of Funding: State Implementation Grant / Local Matching Funds

3. Draft a Tax Increment Financing agreement with any large-scale wind generator developer provided the proposed development is consistent with the comprehensive plan and it reflects the fiscal interests of the town.

Start Date: 2010
Completion Date: 2010
Responsibility: Select board and town attorney
Estimated Cost: attorney's fees
Sources of funding: general appropriation

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SECTION VI: LAND USE PLAN

A. INTRODUCTION

The Community Planning Goals upon which the Land Use Plan described in this Section is predicated are:

1. Preservation of the Town's rural character;
2. Prevention of development sprawl and strip development;
3. Provision of affordable housing opportunities for all residents;
4. Provision of standards for wind energy facilities that minimize adverse environmental impacts
- ~~4.5.~~ Encouragement of home occupations and small businesses appropriate to the character of the Town;
- ~~5.6.~~ Protection of the Town's identified Critical Natural and Historic Resources; and
- ~~6.7.~~ Encouragement of the evolution of a Village Center at Eastbrook Corner.

The planning process followed to develop the proposed Land Use Plan was as follows:

- STEP 1. Calculation of the amount of growth likely to occur in Eastbrook during the next ten years and the amount of land required to support such growth;
- STEP 2. identification of those lands in Eastbrook which are unsuitable for future growth and development;
- STEP 3. Designation of Growth and Rural Areas as required by the State Law; and
- STEP 4. Recommendation of strategies by which to encourage growth in the designated Growth Area and to discourage inappropriate development in Rural Areas.

B. PROJECTED FUTURE GROWTH AND LAND NEEDED TO ACCOMMODATE

In planning where and how growth should occur, a reasonable estimate of the amount of growth expected is required. Figure VII.1 shows Eastbrook's past, current and projected population levels, number of households, number of housing units, and household sizes.

It is estimated that the amount of land needed to accommodate Eastbrook's anticipated growth during the next 10 years is 10 acres. This acreage was calculated by first determining the number of new housing units required to house the projected year 2000 population level, then multiplying the number of required new units by the appropriate lot size. The following calculation alternatives were used to determine the number of new housing units needed:

CALCULATION ALTERNATIVES:

1. Subtracting the number of housing units estimated to exist in Eastbrook in 1990 from the number of housing units projected for Eastbrook for the year 2000.

111 2000 projected year-round housing units
101 1990 estimated year-round housing units 10 year-round housing units needed

2. Dividing the difference between Eastbrook's projected year 2000 population and the Town's estimated 1990 population by the projected year 2000 average household size.

329 2000 projected year-round population
392 1990 estimated year-round population 27 persons

27 divided by 2.62 equals 10.30 required units.

3. Divide the difference between the actual number of year-round housing units in 1980 and the projected number of year-round units for the year 2000 by 20 years and then multiply by 10 years to get the number of units needed during the next 10 years.

111 2000 projected year-round housing units
91 1980 actual year-round housing units
 20 units

20 divided by 20 years equals 1 unit per year
 1 multiplied by 10 years equals 10 year-round housing units

In summary, Eastbrook's population is expected to increase by twenty seven (27) persons in the ten (10) year period between 1990 and the year 2000, or 2.7 persons per year. Given a projected year 2000 household size of 2.62 person, 10.3 new housing units will be required to accommodate *these new* residents. *Assuming one (1) acre per housing unit, 10.3 acres of land will have to be developed to accommodate these new housing units.*

FIGURE V8.1 EASTBROOK'S GROWTH STATISTICS	
1980 Population	252 persons
1990 Estimated Population	302 persons
2000 Projected Population	329 persons
1980 Households	85 households
1990 Estimated Households	107 households
2000 Projected Households	124 households

1980 Average Household Size	3.08 persons
1990 Estimated Average Household Size	2.82 persons
2000 Projected Average Household Size	2.62 persons
1980 Year-Round Units	91 units
1990 Estimated Year-Round Housing Units	101 units
2000 Projected Year-Round Housing Units	111 units

C. LANDS IDENTIFIED AS UNSUITABLE FOR DEVELOPMENT

Lands considered unsuitable for future growth and development in the Town of Eastbrook include the following areas:

1. Slopes over 15%;
2. Flood Plains;
3. Soils rated as unsuitable for sub-surface sewage disposal;
4. Freshwater wetlands;
5. Sand and gravel aquifers;
6. Deer wintering areas;
7. Bald eagle nesting sites;
8. Public lands;
9. Conservation easements; and
10. Parcels under the Tree Growth Tax Law.

The above areas were mapped and their relative size, distribution, and location are shown on the following maps which occur at the end of this section (see also: <http://www.hpcme.org/eastbrook/index.htm>):

1. PHYSICALLY RESTRICTED LANDS;
2. ENVIRONMENTALLY SENSITIVE LANDS;
3. LANDS SUITABLE FOR LARGE-SCALE WIND GENERATION FACILITIES; and
- 2-4. SOCIO-ECONOMICALLY RESTRICTED LANDS.

A composite of the three maps listed above, entitled LAND UNSUITABLE FOR DEVELOPMENT, was prepared and is also included at the end of this Section.

D. DESIGNATED GROWTH AREA

Eastbrook's designated Growth Area is that area considered the most desirable and capable of

handling the growth and development projected to occur during the 10 year period.

The criteria used to determine the locations of the Town's designated Growth Area were:

1. The suitability of the land for development;
2. The status of adjacent land and any adjacent Critical Natural Resources.
3. The degree to which the proposed Growth Area would complement existing Public Facilities and current land use patterns; and
4. A sufficient acreage to accommodate the amount of growth projected to occur.

Based on the above criteria the area around Eastbrook Corner was selected as the Town's future Growth Area. The selected Growth Area is described as being that area bounded by a line 500 feet on the westerly side of and running parallel to Route 200 beginning at a point directly across from the southern property line of the Grange Hall to the Mill Stream, a line 500 feet on the easterly side of and parallel to Route 200/Sugar Hill Road from the southern property line of the Grange Hall, to the Mill Stream, at the outlet of the Scammons Pond. This area is approximately 50 acres in size and is considered capable of accommodating the existing land uses, the needed additional 10 housing units, as well as possible future compatible commercial uses.

E. DESIGNATED RURAL AREA

All other lands within the Town are designated as Rural Areas and are further classified into the following rural sub-areas:

1. FOREST RESOURCES MANAGEMENT

Any parcel currently registered under the Tree Growth Tax Law was included in the Forest Resources Management Area. In this Sub-Area a minimum lot size of 10 acres is proposed. This Area includes over 50% of the Town's total area. The purpose of this classification is to protect the forest resources which are important to the Town's economy and rural character.

2. ROADSIDE RURAL RESIDENTIAL

All land with frontage on a public road was included in the Roadside Rural Residential Area. In this Area a minimum lot size of 2 acres with a minimum 200 foot road frontage is proposed. Future development is proposed to be back at least 100 feet from the road and a vegetative buffer between the road and the building will be required. Existing one-acre lots would be grandfathered. The purpose of this area is to preserve the rural roadways and vistas which contribute to Eastbrook's rural character. In addition, it should contribute to safety by reducing the number of driveways onto public roads.

3. RURAL RESIDENTIAL

This area would include the remainder of the land in town. The present minimum lot size of one acre and existing setbacks would be kept. The purpose of this area is to allow landowners maximum flexibility while keeping development off major roads.

F. PROPOSED VILLAGE CENTER/GROWTH AREA IMPLEMENTATION STRATEGY

Although the Comprehensive Planning Committee feels that projected growth for the next ten years does not warrant the designation of a specific growth area, it is a goal for the community to encourage the evolution of a Village Center at Eastbrook Corner.

Within this designated growth area, there would be a minimum lot size of 1 acre. Present setbacks and road frontage requirements would be maintained. Future subdivisions, for other than immediate family members, would be limited to a maximum lot size of one acre. This Growth Area would be designated as a Village Center/Historic Preservation District. Two of the buildings in this area are on the National Register of Historic Places and several others are of historic significance to the town. All new development within this area would have to be reviewed by an Architectural Review Board in accordance with standards to be developed by such Board.

The Planning Board will designate two areas within or nearby this Growth Area where Manufactured Housing Parks would be allowed, in accordance with the Manufactured Housing Law (Title 30-A, Section 4358). Manufactured Housing Parks would be prohibited elsewhere in town, although single lot manufactured housing would be allowed.

~~Although home occupations will be allowed throughout town, appropriate s~~Small businesses will be encouraged only in the Village Center. The Planning Board will draw up specific descriptions of what type of businesses will be allowed. The Committee envisions that small stores, laundromats, barber shops and offices would be allowed in this area if they had fewer than 10 employees and less than 2000 square feet of floor area.

Home occupations would be allowed in all zones (in both growth and rural areas) except the shoreland Resource Protection zone. The plan recommends that standards for home occupations allow up to two employees who live off-premises in addition to household members. The zoning standards would require buffering of outdoor materials and equipment storage areas.

G. PROPOSED RURAL AREA IMPLEMENTATION STRATEGY

The remainder of the town, not designated as the Village Center, would be designated as the Town's Rural Area. In the interest of protecting the rural character of the town while allowing maximum flexibility, the Rural Area is divided into ~~three~~four sub-areas.

1. FOREST RESOURCES PROTECTION AREA

Any parcel currently registered under the Tree Growth Tax Law would be included in the Forest Resources Protection Area. In this area, the Committee recommends a minimum lot size of ten (10) acres, should the owners choose to come out of tree growth and develop these lands. This Area will include over fifty percent (50%) of the town's total area. The purpose of these regulations is to protect the forest resources which are important to Eastbrook's economy and rural character.

2. ROADSIDE RURAL RESIDENTIAL AREA

Any land with frontage on a public road would be included in this area. In the Roadside Rural Residential Area, there would be a minimum lot size of two acres with 200 foot road frontage for new development. Buildings would be set back at least 100 feet from the road. Proposed developments with forested frontage would be required to retain a 50 foot vegetative screen between the road and proposed buildings. Existing one-acre lots would be grandfathered. The purpose of this area is to preserve the rural roadways and vistas which contribute to Eastbrooks' rural character. In addition, it should preserve road safety by reducing the frequency of driveways onto public roads.

3. RURAL RESIDENTIAL AREA

This area would include the remainder of the land in town. The present minimum lot size of one acre and existing setbacks would be kept. The purpose of this area is to allow landowners maximum flexibility while keeping development off major roads.

4. LARGE-SCALE WIND ENERGY FACILITY AREA

These facilities would be permitted in all rural areas outside of the shoreland subject to strict standards. The plan recommends the town's land use ordinances include provisions for the following:

- a. setbacks that assure that no tower falls onto an adjoining property, road; or right-of-way
- b. natural resource protection measures;
- c. erosion control;
- d. noise control measures;
- e. measures to minimize adverse impacts on scenic views;
- f. coordination of local permitting with Maine DEP review standards; and
- g. certification of design safety standards.

To simplify the implementation of these and related standards, the plan recommends that the town enact a stand-alone wind energy facility ordinance. The current land use ordinance would require minor revisions to assure that wind energy standards are cross-referenced. The zoning map would be revised to show where the large scale facilities would be permitted. There would be clear definitions of the various types of wind energy facilities. These would distinguish between small wind energy systems (SWES) and larger systems.

The SWES, which are primarily for private residential use, would be allowed in all zones where residences are allowed. The plan recommends that the standards for SWES assure that they are located in a manner that assures they have no undue adverse impact on adjoining properties. In addition to adequate setbacks, this will also involve assuring they meet noise, shadow flicker, and operational safety standards.

H. PROPOSED RESOURCE PROTECTION STRATEGY

In order to protect identified significant areas and vulnerable natural resources which occur throughout

town, the Committee recommends special regulations for the following areas. These areas are intended to overlay and take precedent over the proposed Growth or Rural Areas.

1. RESOURCE PROTECTION ZONE

The designated Resource Protection Areas and regulations required by the mandatory State Shoreland Zoning Law will be maintained. The small portion of the quarter-mile circle around one of the identified eagles` nest, not currently zoned as Resource Protection, will be added to this area, as well as additional freshwater wetlands which are not included on the present Zoning Map.

2. SHORELAND RESIDENTIAL ZONE

The existing Shoreland Residential Zones will be maintained with a minimum lot size of two acres and 100 feet waterfront setback.

3. GROUNDWATER PROTECTION ZONE

A Groundwater Protection Zone is recommended for lands within 500 feet of the Town's mapped sand and gravel aquifers. New development in these areas will be required to prove to the Planning Board that they will not negatively impact Groundwater Resources as a condition of receiving a permit. Standards for the documentation and expert testimony required to meet this burden of proof will be developed and will be incorporated into the Town's Zoning and Subdivision Ordinances.

I. ADDITIONAL GROWTH MANAGEMENT RECOMMENDATIONS

In addition to designating proposed growth and rural areas and making specific recommendations regarding minimum lot size, setback and frontage requirement, the following recommendations are made to help define and differentiate Growth and Rural Areas:

1. Require all new subdivisions to be of limited size (less than ten (10) lots) and require a minimum ten percent (10%) common open space reservation;
2. Require that undevelopable and sensitive areas be excluded from minimum lot size calculations; and
3. Reducing the number of curb cuts in all new subdivisions to no more than one (1) if the road frontage is eight hundred (800) feet or less and no more than two (2) if the road frontage is greater than eight hundred (800) feet.
4. Require specific environmental impact assessments as exhibits in the subdivision and site plan review process.
5. Require a maximum lot size of one (1) acre in the designated growth area.

J. CONSISTENCY WITH STATE GROWTH AREA REQUIREMENTS

The following is a review of the State's requirements for designating growth areas and a discussion of

how Eastbrook's designated Village Center is consistent with these requirements:

State Requirement #1: Growth areas must be limited to land areas within which public facilities and services are efficiently provided or can be efficiently provided during the planning period.

The primary services offered by the town which would be affected by further development are road maintenance, fire emergency service and school bus service. Development within the proposed Village Center, being central to the Fire Station and near the school, should not increase the costs of these services.

State Requirement #2: Growth areas must be limited to land areas that are physically suitable for development or redevelopment.

The Village Area was selected from land identified as being suitable for development. All land unsuitable for development was excluded, as much as possible, from the Village Area. Any area considered unsuitable within the proposed Village Area will be zoned as Resource Protection.

State Requirement #3: Growth areas must include enough land area suitable for development or redevelopment to accommodate all growth and development planned to occur during the planning period, based on the plan's policies and implementation strategies.

Since the proposed Village Area includes over 50 acres, and since only ten (10) new units are projected, there is abundant room in this area to accommodate the predicted growth.

State Requirement #4: Growth areas must be limited to an amount of land area and a configuration that will encourage compact, efficient development patterns and discourage development sprawl and strip development along roads.

Although the proposed Village Area is larger than the amount of land needed to accommodate future growth, it should be noted that this area contains existing development, wetlands and inaccessible land. The configuration of this area discourages development sprawl.

State Requirement #5: Growth areas may not include an unreasonable proportion of the municipality's total land area - that is, growth areas must not include so much land area as to encourage development sprawl or to hinder the efficient provision of public services.

The proposed Village Area is a very small fraction of the Town's total land area.

K. CONSISTENCY WITH STATE RURAL AREA DESIGNATED REQUIREMENTS

The following is a review of the State's requirements for designating rural areas and a discussion of how Eastbrook's designated rural areas are consistent with these requirements:

State Requirement #1: Rural areas must include agricultural and forest lands important to the local or regional economy.

All of the Town's Tree Growth Tax Law parcels, amounting to more than 50% of the Town's area, are designated as Rural Area. Thus, in addition, all of the Town's major private blueberry fields and Christmas tree orchards are included in the Rural Area.

State Requirement #2: Rural areas must include land areas consisting of large areas of contiguous open space, farmland, or forestland. They must include land areas in which the predominant pattern of development is intended to consist of very low intensity development broadly dispersed within what would otherwise be rural landscape. They must also include land areas containing other rural resources that significantly contribute to the municipality's rural character.

The proposed Rural Area includes the Town's large corporate forestland tracts, as well as the Town's extensive freshwater wetland system. No development of freshwater wetlands is allowed and a 5 acre minimum lot size is proposed for the large Tree Growth Tax Law parcels. In addition, the State Game Management Area is included as a Resource Protection Zone within the Rural Area. No development is allowed in this area.

State Requirement #3: Rural Areas must include land areas in which the municipality can ensure that the level and type of development will be compatible with maintenance of rural character and will not constitute or encourage development sprawl or strip development along roads.

As indicated earlier, Eastbrook is not expected to experience any significant growth during the next 10 years. The current land use pattern in Eastbrook is one of linear residential development along public roads mixed with blueberry fields and forestland. To maintain this rural character and to prevent higher densities, incompatible uses, and strip development, the Town will:

- a. Limit future commercial development to the Village Center;
- b. Locate future manufactured housing parks within or adjacent to the Village Center;
- c. Require 2 acre minimum lots with 200 foot frontage on public roads outside the Village Center;
- d. Require 50 foot vegetative buffers along public roads; and
- e. Enact standards that assure that large-scale wind energy facilities will have a minimum environmental impact on the town.

State Requirement #4: Rural areas may include, but may not be limited to, land areas containing natural resources and scenic open spaces that are intended to protected.

The Rural Area proposed, contains the majority of the areas required to be zoned as Resource Protection under the State Mandatory Shoreland Zoning Law, (Title 38, MRSA, Sections 435-448) as well as areas and resources regulated under the Natural Resource Protection Act (Title 38, MRSA, Sections 480-A - 480-T).

State Requirement #5: Rural areas may not include land areas in which a significant portion of the municipality's future residential development is planned to occur. Nor may they include land areas in which the municipality plans the occurrence of large-scale or widespread residential development that would alter the municipality's rural character.

The Rural Areas proposed can easily accommodate the projected 10 housing units without altering the Town's rural character. Assuming that part of the projected growth will be attracted to and occur within the proposed Village Area, the remaining development in the Rural Area will not result in any significant alteration of the Town's rural character.

L. CONSISTENCY WITH LOCAL GOALS

The Comprehensive Plan Advisory Committee set forth several goals for Eastbrook's Comprehensive Plan which have *been* addressed in the process of developing the Land Use Plan. These goals include:

1. To preserve the rural character of the Town of Eastbrook;

This goal is addressed by several parts of the proposed Land Use Plan. First, it places restrictions on the development of Tree Growth Tax Law parcels, with the intent of keeping these areas in forestry management or, in the case of development, to give the town more control over them. Second, two acre zoning along public roads forces any new development along roads to be set back from the road and less visible to the traveling public.

2. To encourage working farms in the Town of Eastbrook:

This goal was difficult to reconcile with the Committee's desire to preserve the maximum freedom of choice for landowners since protecting farms implies restricting their development. In addition, the Committee in recognizing the importance of providing affordable housing opportunities noted, that requiring large lot sizes to discourage development on farms would have significantly raised the average cost of a lot in Eastbrook. It is felt that with the limited amount of growth predicted, development likely to occur on currently farmed parcels within the next 5 years will not significantly impact the active farms in the town. In fact, it may help them by allowing them to sell off unproductive land, the profits from which can help support the farming operation.

3. To continue to provide affordable housing for Eastbrook residents;

This goal has been addressed in several ways in the proposed Land Use Plan. First, one acre lots are allowed in most of the developable areas of town. Additionally, manufactured housing will be allowed on all single lots and two areas for manufactured housing parks will be designated pursuant to the Manufactured Housing Law of 1989 (Title 30-A, Section 4358).

4. To encourage home occupations and small businesses appropriate to the character of Eastbrook; and

To encourage appropriate home occupations and small businesses, the Planning Board will draw up appropriate performance standards and limit compatible, commercial development to the proposed Village Center.

5. To protect the Natural Resources of Eastbrook;

The proposed Land Use Plan provides for the protection of natural resources by locating the proposed

Village Area as much as possible away from sensitive resources. In addition, special Resource Protection Districts consistent with State Law will be enacted to further protect identified vulnerable natural resources.

LAND USE PLAN POLICIES AND IMPLEMENTATION STRATEGY

In order to implement the Land Use Plan outlined in this Section, it is recommended that the Town of Eastbrook take the following action:

1. Adopt the following policies:

- a. To adopt and periodically update an official Land Use Map which designates areas for future growth and development, areas where the rural character of the community will be protected and enhanced, and protects vulnerable natural resources from the adverse impact of development, as part of the Town's adopted Comprehensive Plan.'
- b. "To adopt and enforce Land Use Regulations that direct future growth and development in areas identified as suitable and appropriate for such growth, and restricts future growth and development in areas where such activities have the potential of adversely impacting identified vulnerable natural resources, as recommended in the Town's adopted Comprehensive Plan."

2. Take the following actions:

- a. The Town will prepare and maintain an official Land Use Map designating the recommended Growth and Rural Areas contained in this Section of the Comprehensive Plan.
- b. The Town will ~~update~~ revise its Zoning and Subdivision Ordinances to implement the dimensional, design, locational, and performance recommendations contained in this Section of the Comprehensive Plan.

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