



COMPREHENSIVE PLAN TASK FORCE OF 2022

Town of Southwest Harbor
OCTOBER 12, 2022 5:00 PM
RECOMMENDATIONS TO THE SELECT BOARD
(Updated Document of Final Meeting 10/12/22)

The Comprehensive Plan Task Force was asked to review and update the existing Southwest Harbor 2010 Comprehensive Plan in three focus areas: 1) Stormwater Run-off and Infiltration, 2) Coastal Erosion, and 3) Workforce & Affordable Housing.

This document represents the final report to the Select Board by the members of the Comprehensive Plan Task Force. This document is based on research, interviews, discussions, and constructive deliberations that took place July through October of 2022.

This document and a collection of digital references for each of the three assigned focus areas will be available on the town website.

Thank you for the opportunity to serve the community by offering information and guidance that contribute to the health, safety, and well-being of all.

The Comprehensive Plan Task Force

Anne Napier, Chair
Lydia Goetze, Vice Chair
Ken Rozsahegyi, Secretary
Lee Worcester, Member
Nancy Weingarten, Member
John Williams, Member

With thanks to: Carolyn Ball, Advisor

STORMWATER RUN-OFF and INFILTRATION

2010 Comprehensive Plan Policies:

- 1) Minimize damage from floods or stormwater run-off.
- 2) Minimize pollution discharges from the municipal sewage treatment plant.
- 3) Expand stormwater management systems to reduce flooding and eliminate stormwater infiltration from the sewer treatment plant
- 4) Coordinate land use strategies and stormwater management with planning efforts related to the state highway, town roads and coastal erosion.
- 5) Construction projects regardless of size or scale shall include the consideration of water flows in and around structures and the landscape during storm events.
- 6) The Town should explore opportunities to share services with neighboring towns to increase available expertise and economize on costs.

STORMWATER RECOMMENDATIONS:

STORMWATER RUNOFF

- 1) Amend LUO such that the CEO reviews stormwater run-off management for construction projects not covered by Planning Board review.
- 2) Identify locations where across road trench drains would channel water to detention areas of outfalls to protect roadbed integrity.
- 3) Maintain an inventory of reported trouble spots for stormwater run-off and ponding.
- 4) If visual evidence of foaming or oil is present in stormwater run-off, sample and test for chemical and biological contaminants.
- 5) Increase public awareness of sea level rise and storm surge flooding dangers. Make FEMA maps readily available for public inspection and include a link to FEMA maps on the town web site.

INFILTRATION

- 6) Amend the LUO to ensure that, in the case of new construction and development, storm water runoff will not enter the sewer system.
- 7) Recommend that the SWH Water Sewer District survey the sewer system (scoping the pipes) for infiltration of stormwater and remediate as and when possible.

- 8) Inventory private sump pump configurations for monitoring, testing and remediation if required, using random inspections.
- 9) Where possible maintain project plans in readiness for when funding becomes available.

NEW SHARED SERVICES RECOMMENDATIONS

- 1) Explore with other towns the possibility of the following shared functions: such as code enforcement officer, planner, grant writer, and bid manager.

COASTAL EROSION

(An amendment to Marine Resources section)

2010 Comprehensive Plan Policies:

1. State Growth Management Goal #1: Promote the maintenance, development, and revitalization of the state's ports and harbors for fishing, transportation, and recreation.
2. Maintain and improve harbor management and facilities.
3. To protect, maintain, and possibly improve public access to the community's harbor for all appropriate uses.

RECOMMENDATIONS

1. Proceed with development at the Manset property, to prevent erosion above Highest Annual Tide Line and to conform with state recommendations for adaptation to projected storm surge and sea level rise. This development should include all appropriate commercial and recreational uses.
2. Make FEMA and NOAA coastal flooding, storm surge, and sea level rise information readily available to residents, with particular effort to inform shorefront and other affected residents.
3. Examine Shore Road for effects of coastal erosion and take measures as needed to prevent further erosion of the town road.
4. Work with the Maine DOT and Acadia National Park to understand their plans for preventing coastal erosion and flooding of State Highway 102 at Seawall and near the Adams Bridge on State Route 102A.
5. Monitor the Lower Town Dock for the effects of king tides and storm surge; maintain the pier and adapt as needed.

WORKFORCE and AFFORDABLE HOUSING

2010 Comprehensive Plan Policies:

1. Encourage and promote adequate workforce housing to support the community's and region's economic development.
2. Ensure that land use controls encourage the development of quality affordable housing, including rental housing.
3. Seek to achieve at least 10% of all housing built or placed during the next decade be affordable.
4. Encourage and support the efforts of MDI Housing Authority and Island Housing Trust in addressing affordable and workforce housing needs.

*Note: **Workforce Housing** here refers to Rentals or Home Ownership opportunities for middle income households that implies that the rental fee or the mortgage cost is not more than 30% of the occupant's gross monthly household income. Because the cost of housing on the coast is significantly higher than inland, **Workforce Housing** here refers to housing for households with 100 - 150% of the area household median income. **Affordable Housing** as defined by the Maine State Housing Authority limits Rentals to occupants earning 80% or less of the area household median income, and Home Ownership to occupants earning 120% or less of area household median income. In this document, both Workforce and Affordable Housing refer to year-round housing, unless specifically designated as housing for seasonal workers. In 2020 the Maine state median income was \$76,600.*

RECOMMENDATIONS

Key: A proceed immediately, B within the next year, C within the next two years

- A 1.** Review and reaffirm the implementation of the Recommendations in the 2010 Comprehensive Plan. They can be summarized as: Allow for and encourage workforce and affordable housing development.
- A 2.** Inventory and publicize data about year-round housing ownership and rentals, and seasonal ownership and rentals with an emphasis on documenting short-term rentals offered for 1 week or less that are not in the owner's residence.
- A 3.** Seek to achieve at least 10% of all year-round housing be under affordability covenants for households with 150% or less of area median household income.
- A 4.** Identify new GROWTH AREAS where workforce and affordable housing can be incentivized. Having such growth areas in the comp plan may be a pre-requisite for some state or federal funding.

- A 5.** Work with the Tax Assessors and IHT (the Island Housing Trust) to develop tax or other incentives to create more covenanted year-round housing for renters and owners.
- a. Ensure that long-term covenants limiting the resale price of housing are considered during the property tax assessment process.
 - b. Consider a limited tax abatement or return payment for owners who create new year-round rental housing with a workforce or affordable housing covenant that limits rental costs. This would include new rentals in accessory dwelling units. A longer-term covenant could have increased incentives.
 - c. Create incentives for landowners to create new year-round workforce housing ownership opportunities with covenants.
- A 6.** Inventory possible sites for workforce housing (rental or owned) where public water and sewer are accessible or could readily be extended.
- A 7.** Consider the acquisition of the property adjacent to Chris' Pond, and possibly develop the residential lot into workforce rental housing under covenant.
- A 8.** Work with the SWH Housing Authority to acquire some of its buildable land for covenanted year-round workforce/affordable rental housing.
- A 9.** Start a reserve fund for a bridge loan or grant for MDI year-round workers to be used for purchase of a covenanted property (perhaps using guidelines developed in cooperation with IHT). Target fund balance should be at least \$75,000 in the current market. The Town could partner with IHT to solicit donations to get the fund started.
- A 10.** The Planning Board shall monitor the enforcement of the new state housing law (L.D. 2003 enacted 2022) and any amendments that may be proposed or passed, with special emphasis on how this law will affect requirements and funding opportunities for towns of Southwest Harbor's size. If necessary, they (with the CEO's assistance) shall propose any LUO changes deemed necessary or desirable.
- A 11.** The Planning Board shall review the LUO to consider what changes are needed to act on all these recommendations. The Board shall also clarify the LUO requirements with respect to duplex dwelling units and increased lot coverage for commercial uses that include multifamily rental units, and any other matters that become evident during the work.
- B 12.** Amend the LUO to encourage the Town and the SWH Water Sewer District to incentivize the growth of year-round workforce/affordable housing by adding connectivity to public water and sewer where practical.
- B/C 13.** After information about year-round and short-term rentals is available, the Planning Board and Select Board shall review the data and consider whether to register and/or restrict short-term vacation rentals.

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