

## **CHAPTER 5: THE PLAN: ISSUES AND RECOMMENDATIONS**

The Issues below have been identified during the fact gathering and analysis process detailed in the Appendices for each topic. They are followed by Recommendations for how to resolve each issue. These recommendations are suggestions that can only be acted upon by those individuals and bodies authorized to do so by Town by-laws, regulations and ordinances. Each issue is related to the appropriate state growth management goal and policies, as required by the Maine State Planning Office.

### **Chapter 5.2 ECONOMY Issues and Recommendations**

#### **State Growth Management Goal #3**

Promote an economic climate that increases job opportunities and overall economic well-being.

**Issue #1: Perceived quality of place, defined as a small, walkable, working community with good family oriented services such as the library, school and community center is an asset (and could be a draw to expand the tax base and the school aged population).**

**Policy:** Promote SWH as a livable community and encourage in-migration from under-represented populations.

#### **Recommendations:**

1. Allow for and encourage affordable housing stock development.
2. Promote walkability of community through development of sidewalk and bicycle ways infrastructure.
3. Maintain the appearance of the Town's approaches (gateways) through appropriate buffering and development standards.

**Issue #2: Acadia National Park is a unique economic resource.**

**Policy:** Coordinate and cooperate with Park planners and managers to protect land use interests and support appropriate economic development, especially near Park boundaries and in Park view sheds.

#### **Recommendation:**

1. Develop public forums with stakeholders to review development topics and concerns including LUO changes.

**Issue #3: Southwest Harbor's traditional role as a service center for Tremont and outer Island towns is eroding.**

**Policy:** Cooperate with other Island towns and regionally to support economic development opportunities.

**Recommendation:**

1. Identify critical local services – existing, threatened and needed -- and gauge/engage deliberate community and regional support.

**Issue #4: Tensions between different types of land use and related changes to the Land Use Ordinance (LUO) may inadvertently raise impediments to business activity – existing and developing.**

**Policy:** Take care to fully understand the impact of LUO development/changes and management actions on economic development and the tax base.

**Recommendations:**

1. Contract a professional planner and Hancock County Planning Commission as needed to assist with LUO development.

2. Employ information outreach and input from staff, volunteer committees and citizens to review LUO changes and management practices.

**Issue #5: Community support for planned economic development is difficult to achieve.**

**Policy:** Support public infrastructure and public services improvements to complement the private sector economy.

**Recommendations:**

1. Explore the options including Tax Increment Financing (TIF), Community Development Block Grants (CDBG), Small Harbor Improvement Grants (SHIP), Federal Stimulus Funds (especially those supporting green practices and development), etc.

2. Develop a strong Capital Improvement Plan (CIP) and promote citizen understanding and support through public meetings.

**Issue #6: Although there are limited ways in which the Town can encourage economic development, the opportunity to be self-employed and run a business based at home is an important aspect of the economy of SWH.**

**Policy:** Support appropriate economic development, reflecting SWH's history and regional identity, and develop an economic plan to take advantage of changing economic trends and opportunities.

### **Recommendations:**

1. Work with local businesses (including the self-employed), the Chamber of Commerce, existing merchant associations/non-profits and other interested parties to learn how the Town can be a partner and support new business development and expansion.
2. Home occupations: Continue the exceptions in the LUO for the seasonal sale of firewood and agricultural products (all zones), and for lobstering and other commercial fishing in the Residential Shoreland zone as specified (one boat less than 40 ft and employing not more than 2 persons including the owner).
3. Work with providers of broadband access as needed to insure town-wide coverage.
4. Continue municipal support of the local public library as an information services resource.
5. Encourage the local Chamber of Commerce to have an active presence at the new gateway transportation center in Trenton when it is completed.

## **Chapter 5.3 HOUSING Issues & Recommendations**

### **State Growth Management Goal #4: Encourage and promote affordable, decent housing opportunities for all Maine citizens.**

**Issue #7: Income data and real estate sales data (before 2008) show that 80% of year-round residents of Hancock County do not earn enough to be able to afford to buy median-priced houses in this town,** in part because of the relatively expensive seasonal homes and rentals that have increased property values. This leads to a lack of affordable housing for our workforce and for families raising children. Also, boat builders and boat maintenance services complain of the difficulty in finding enough qualified workers within commuting distance of SW Harbor. Local rents and homes are too expensive for the wages earned by the average marine services worker. There is a need for affordable workforce housing for these workers. Other employers who will increasingly need a qualified local labor pool include hospitals and clinics and other healthcare facilities.

**Policy 1:** Encourage and promote adequate workforce housing to support the community's and region's economic development.

**Policy 2:** Ensure that land use controls encourage the development of quality affordable housing, including rental housing.

**Policy 3:** Seek to achieve at least 10% of all housing built or placed during the next decade be affordable.

**Policy 4:** Encourage and support the efforts of MDI Housing Authority and Island Housing Trust in addressing affordable and workforce housing needs.

**Recommendations:**

1. Design and enact amendments to the Land Use, Subdivision and Road Ordinances to allow increased density, smaller lot sizes and narrower setbacks and road widths where appropriate in growth areas in Zones A and B.
2. Create density bonuses to make housing less expensive to develop.
3. Develop clear language for the LUO that would encourage more affordable housing of various types including cluster development housing.
4. Work with the Island Housing Trust and HCPC to explore local and regional (MDI) approaches to create and maintain the affordability of workforce housing for SWH workers.
5. Develop language for the LUO that clarifies standards for mobile home parks pursuant to 30-A MRSA §4358(3)(M). (State minimum)

**Issue #8. Although SWH currently has enough housing for elders, our population is projected to age significantly during the planning period, and there is a projected shortage of assisted living and adult day care facilities in the coming decade.** In addition, many of the services currently available for elders (transportation, emergency services, home care) depend on family members and volunteers who are themselves getting older and/or are working full-time outside the home. Many people are unaware of the various services available and how to access them.

**Policy 5:** Ensure that elders who need assistance can continue to live in the community or nearby family and friends.

**Recommendations:**

1. Continue municipal support for volunteer agencies providing essential services.
2. Work with volunteer agencies to make information about their services readily available locally.
3. Continue municipal support for MDI Housing Authority.
4. Support the work of the Island Housing Trust.

## **Chapter 5.4 HISTORIC and ARCHAEOLOGICAL RESOURCES**

**State Growth Management Goal #9: Preserve the state's historic and archaeological resources.**

**Policy:** Protect where practicable the significant historic and archaeological resources in the community.

**Recommendations:**

1. Consider trying to list the original section of the Public Library on the National Register. The MDI Historical Society, and possibly the SWH Historical Society, could assist in pursuing this goal.
2. For sites with identified potential for historical and archeological resources, through local land use ordinances require subdivision or non-residential developers to look for and identify any historical and archaeological resources and to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing, and/or extent of excavation. (State minimum)
3. Through local land use ordinances, require the planning board (or other designated review authority) to incorporate maps and information provided by the Maine Historic Preservation Commission into their review process. (State minimum)

## **Chapter 5.5 WATER RESOURCES Issues and Recommendations**

**State Growth Management Goal #5:**

**Protect the quality and manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers, and coastal areas.**

**Issue #9. SWH should consider exercising more control over its municipal water supply.** The public water supply comes from a lake (shared with Acadia National Park and the town of Mt. Desert) with a launching ramp near the water intake pipe and with minimal regulation of swimming, boating, or pets in the water.

**Policies:**

1. Protect current and potential drinking water sources.
2. Protect significant surface water resources from pollution and improve water quality where needed.
3. Cooperate with neighboring communities and ANP to protect water resources.

**Recommendations:**

1. Improve signage and enforcement at Long Pond to prohibit swimming by people or pets and to guard against gas spillage from motors near the intake.

2. Improve access to information about preventing the spread of invasive species with signs at the launching site and information in the town office, library and on the TV.
3. Continue to update the floodplain management ordinance as needed to be consistent with state and federal standards. (State minimum)

**Issue #10. Ground water is susceptible to pollution from storm run-off, septage, pesticides, herbicides, and fertilizers, disposal of chemicals and hazardous wastes, etc.** About a quarter of the town's residents get their drinking water from wells and half have on-site septic tanks; wells are vulnerable to pollution.

**Policy:** Protect current and potential drinking water sources.

**Recommendations:**

1. Examine the effectiveness of density controls in the LUO to prevent well contamination by septage.
2. Identify and protect the recharge areas for our groundwater.
3. Work with state, regional, local entities as needed to determine, if possible, the extent of the groundwater aquifers used by wells in town. (Most of these wells are in fractured bedrock.)
4. Protect the sustainability of our aquifers by regulating large-scale ground water extraction.
5. Evaluate local ordinances to ensure that development standards and regulations protect groundwater aquifers and recharge areas.

**Issue #11. Storm water run-off creates erosion and flooding problems for many residents and pollutes our harbor and streams.**

**Policy:** Minimize pollution discharges from the municipal sewage treatment plant. Minimize damage from floods or storm water run-off. To cooperate with neighboring communities and Acadia National Park to protect water resources.

**Recommendations:**

1. Identify and remove storm water infiltration into the sewer system.
2. Review storm water management standards in the subdivision, zoning and road ordinances to enhance the CEO's enforcement capacity and make sure local ordinances are consistent with State laws and rules.
3. Consider amending local land use ordinances, as applicable, to incorporate low impact development standards. (State minimum)
4. Monitor town and state road construction practices to enhance storm water management and minimize storm water run-off.

5. Enter into a cooperative agreement with ANP to monitor water quality in Marshall Brook (including the former test wells) and with ANP and Tremont to monitor water quality in Bass Harbor Marsh.
6. Work with ANP to secure funding and increase the size of the culvert where Marshall Brook goes under the Seal Cove Road to prevent flooding and to enhance fish passage.
7. Work with the maritime industry to identify toxic chemicals used in boat construction, servicing and maintenance, their potential dispersal in the environment, and educate all users (residents as well as commercial/industrial users) about affordable ways to limit pollution.

## **Chapter 5.6 CRITICAL NATURAL RESOURCES Issues and Recommendations**

### **State Growth Management Goal # 6:**

**Protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas, and unique natural areas.**

### **State Coastal Management Policy # 6**

**Protect and manage critical habitats and natural areas of state and national significance, and to maintain the scenic beauty and character of the coast, even in areas where development occurs.**

**Issue #12. Although most of the critical habitat areas in town are protected in Acadia National Park or by shoreland zoning, a few areas remain vulnerable to development and/or pollution.** Critical habitat includes places and conditions where "at risk" species and those important to the ecology of the Gulf of Maine live, feed and/or breed. The Federal government, through Acadia National Park, protects (and in the view of some, restricts) half of Southwest Harbor (and about half of the entire Mt. Desert Island), and the proximity and ubiquity of the Park affects residents' view of additional protection efforts.

### **Policies:**

1. Conserve critical natural resource areas in the community.
2. Coordinate with neighboring communities, Acadia NP, regional and state agencies to protect shared critical resources.

### **Recommendations:**

1. Incorporate "Beginning with Habitat" maps into the planning review process under the Land Use and Subdivision Ordinances and require developers to take appropriate

measures to protect critical natural resources. Particular attention should be paid to high value habitats, priority species habitats, and wetland areas.

2. Enter a cooperative agreement with ANP to monitor and protect water quality in Marshall Brook and (with Tremont as well) in the Bass Harbor Marsh. (see Water Resources)
3. Work to eliminate remaining overboard sewage/septic discharges to improve clam flats and shorebird feeding areas.
4. Adopt and enforce natural resource protection practices and standards for construction and maintenance of public and private roads.
5. Evaluate the importance of extending the Critical Resource Protection areas to include a forested wetland area west of Seawall Road and a deer wintering area on the western slope of Freeman Ridge, in addition to Seawall Pond (recently enacted). See Future Land Use Plan.
6. Make information available to residents and visitors about local, state and federal regulations that apply to local critical natural resources.
7. Continue to amend local shoreland zone standards as needed to meet state guidelines. (State minimum)
8. Where appropriate, designate critical natural resources as Critical Resource Areas in the Future Land Use Plan. (State minimum)
9. Direct the Planning Board to develop reasonable LUO standards to require subdivision or non-residential property developers to look for and identify critical natural resources that may be on site and to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing, and/or extent of excavation. (State minimum)

**Issue #13. Scenic views of the harbor, along the shore and from the mountains of ANP are an important attractive feature of SWH.** Changes in land use can have a negative impact on views.

**Policies:**

1. Protect natural area and scenic vistas that are considered important to the town through land use controls and working with groups such as the Conservation Commission and local land trusts. (1996 plan)
2. Pursue public/private partnerships to protect natural resources, including views.

**Recommendations:**

1. Work with Maine Coast Heritage Trust and other groups to 1) develop criteria for identifying and prioritizing important scenic views and areas and 2) learn about and



develop procedures to accept conservation easements and other measures to assure their identification and protection. (1996 plan)

2. Investigate incorporating design standards into the permit review process for subdivisions and for building in any zone or parcel adjacent to or visible from the harbor.
3. Maintain the current land use controls, such as structure sideline setbacks and height limits to protect views of the water and harbor. (1996 plan)
4. Maintain public access to public views through necessary cutting and maintenance of public rights of way (such as North Causeway Lane, Lawler Lane).

**Issue #14. Dark skies are threatened by increased light pollution from human activities and buildings.** Dark skies at night and the ability to enjoy and observe the heavens is a natural resource important to the quality of life in our town and to the quality of visitor experience here and in ANP.

**Policy:** Coordinate with neighboring communities and groups to protect the night sky.

**Recommendations:**

1. Ensure that the Town sets a good example by shielding all lights on its buildings and piers.
2. Upgrade existing streetlights to shielded lights within 10 years.

## **Chapter 5.7 AGRICULTURE AND FORESTRY RESOURCES Issues and Recommendations**

**State Growth Management Goal # 8: Safeguard the State's agricultural and forest resources from development that threatens those resources.**

**Policy:** Support small-scale local farming and forestry where economically viable.

**Issues:**

Notwithstanding the existence of privately maintained small home gardens and woodlots, the policies under this section have little applicability in Southwest Harbor. There is very little prime agricultural soil in Southwest Harbor, and what little there is has already undergone development. There are some 450 plus acres that are currently registered under the state Tree Growth program. There is no commercial timber harvesting or agricultural protection, and neither farming nor forestry is economically viable beyond the small (landscaping) or household scale. Road-side stands, greenhouses, pick-your-own operations are permitted in our mixed-use zoning. The

occasional sale of firewood to campers or small amounts of agricultural produce in season are permitted as home occupations. With half the Town's acreage within the boundaries of Acadia National Park, there is little or no political will for expanding preserved lands. Issues of scenic preservation and storm water runoff are discussed elsewhere in this plan.

### **Recommendations:**

There are no local recommendations for this Plan under this topic. Applicable State minimum recommendations are:

1. Amend land use ordinances to require commercial or subdivision developments in *critical rural areas* to maintain areas with prime farm soils as open space to the greatest extent practicable. (State minimum)
2. Limit non-residential development in *critical rural areas* to natural resource-based businesses and services, nature tourism/outdoor recreation businesses, farmers' markets, and home occupations. (State minimum)
3. Continue to permit activities that support productive agriculture and forestry operations, such as roadside stands, greenhouses, and pick-your-own operations. (State minimum)
4. Consult with the Maine Forest Service District Forester or Soil and Water Conservation District as appropriate when developing any land use regulations pertaining to forestry or agricultural management practices. (State minimum)

## **Chapter 5.9 MARINE RESOURCES Issues and Recommendations**

**State Growth Management Goal # 7: Protect the State's marine resources industry, ports, and harbors from incompatible development, and to promote access to the shore for commercial fishermen and the public.**

**State Growth Management Goal #5: Protect the quality and manage the quantity of the State's water resources, including...coastal areas.**

**State Growth Management Goal # 6: Protect the State's other critical natural resources, including ...fisheries habitat, ... shorelands, scenic vistas, and unique natural areas.**

**State Coastal Management Policy # 1: Promote the maintenance, development, and revitalization of the State's ports and harbors for fishing, transportation, and recreation.**

**State Coastal Management Policy #2: Manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats... and to enhance the economic value of the State's renewable marine resources.**

**State Coastal Management Policy #6: Protect and manage critical habitats and natural areas of state and national significance, and to maintain the scenic beauty and character of the coast....**

**State Coastal Management policy # 8: Restore and maintain the quality of our fresh, marine, and estuarine waters to allow for the broadest possible diversity of public and private uses.**

**State Coastal Management Goal #5: Encourage and support cooperative state and municipal management of coastal resources.**

**Issue #15. The Manset Town Dock and launching ramp is a central access point for commercial fishing and boating activity, as well as for recreational boating. Adequate parking is necessary. The Town relies on using rented land adjacent to this dock for parking, float storage, etc.**

**Policy:** Support shoreline development that gives preference to water-dependent uses and promotes public access to the shore.

**Recommendation:** The town should make a concerted effort to acquire property in order to protect public access to this part of the shore for commercial fishermen, local boatyards, and the public.

**Issue #16. The needs of commercial fishermen, marine activities and recreational boaters are sometimes in conflict.** Harbor management needs to be proactive as harbor uses and needs change.

**Policies:**

1. Manage town docks and launching ramps to minimize conflict and enable access wherever possible.
2. Maintain and improve harbor management and facilities.

**Recommendations:**

1. The Harbormaster and the Harbor Committee should work to update and enforce the Harbor Ordinance.
2. The Harbormaster and Harbor Committee should recommend and implement a mooring plan to make efficient use of the harbor.

3. The Harbor Committee should review harbor user fees with the intent to use them to help pay for harbor management.

**Issue #17. Pedestrian access for boaters to the town center from the marina and the Manset shore needs improvement.**

**Policy:** To protect, maintain, and possibly improve public access to the community's harbor for all appropriate uses.

**Recommendations:**

1. Planned sidewalk improvements and road painting along Main Street should improve the safety of foot traffic to and from the marina.
2. The Town should investigate opportunities for alternative transportation for visitors who arrive by boat, especially from the Manset shore and the Lower Town Dock.

**Issue #18. Boat transport through the town center and to the Manset ramp can be problematic, especially during the busy summer season.** Many of the boat services in town are not on the shore and rely on the Manset launching ramp for water access.

**Policy:** Foster the water-dependent marine industries as one type of economic activity desired by town residents.

**Recommendations:**

1. As electric and communications wiring need upgrading or replacement on Mansell Lane, run lines on both side of the street or underground to eliminate cross-overs and facilitate boat transport.
2. Expand access to the Lower Town Dock launching ramp and pier by adjusting parking in the immediate area.

**Issue #19. The extent of land-based run-off pollution of coastal waters, if any, is unknown.** Possible pollution of coastal waters by septic and sewage discharges (both on-shore and from boats in the harbor), by toxic substances from the marine industry, and from storm water run-off can harm shellfish, lobsters and other fishing resources.

**Policies:**

1. Manage our coastal waters to preserve and improve the ecological health of the fisheries in our area.
2. Protect and, where warranted, improve marine habitat and water quality.

**Recommendations:**

1. Continue to improve storm water management to further reduce infiltration into the municipal sewer system.
2. The Town should work with local schools, COA , and ANP, as well as local residents and businesses, to test for specific pollutants, identify sources, and inform residents and businesses how to reduce any pollution.
3. Inform local marine businesses about and encourage them to participate in clean marina/boatyard programs.
4. Make information about pump-out facilities for boats in the harbor readily available to local residents and visiting boaters.
5. Better educate residents and businesses about hazardous household and garden chemicals to reduce use and improve proper disposal.
6. Work with local residents and businesses, the DEP and the DMR to determine what actions, if any, would improve local fishery habitats, and identify and work to eliminate sources of pollution.
7. Conduct a survey of Norwood Cove to detect sources of pollution. Inspect septic systems there and require that they meet the code. Work with property owners to mitigate sources of non-point pollution.

NOTE: The code enforcement officer, who has the necessary resources and training, enforces local shoreland zoning provisions. The town employs a harbormaster year-round. There are no regional harbor/bay management plans. Visual access to coastal waters is protected and is discussed in Appendix 9, Table 9.3. Both of the commercial fishing enterprises have received information about the current use taxation program, but neither has completed an application for consideration in the program.

## **Chapter 5.10 RECREATION Issues and Recommendations**

### **State Growth Management Goal #10**

**Promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters.**

**State Coastal Management Policy #7: Expand the opportunities for outdoor recreation, and to encourage appropriate coastal tourist activities and development.**

**Issue #20: Residents have repeatedly identified the need for bicycle ways, particularly along State Route 102 between Seal Cove Rd., through the middle of town, south to Manset Corner and continuing south to Tremont as well as along the entire length of Route 102A from the Manset Corner to the Park in Seawall. Many of our residents including our school-aged children enjoy bicycle riding for**

recreation as well as a means of transportation. Also, many summer visitors either bring their own bicycles or rent them from local businesses with the plan of enjoying the Park and the Island generally. While some lightly traveled local roads may be reasonably safe for bicyclers, and bicycling is popular in the Park on the carriage trails, the main thoroughfares in our town are too narrow to safely accommodate bicycling along with automobile traffic. The development of bicycle ways along the above identified roads would be an asset to the Town. In addition to making the roads safer for both cars and bicycles, bicycle ways would promote physical exercise, reduce traffic congestion from cars and be an attraction for tourism, the largest economic resource in Southwest Harbor and regionally.

**Policy:** Work with the State to develop bicycle ways along State Routes 102 and 102A.

**Recommendations:** The Selectmen, within the next year should:

1. Review the MDI Tomorrow Bikeway Plan and update its findings and recommendations.
2. Add the development of bicycle ways along Routes 102 and 102A to the State's development plans and work to see them implemented along with upcoming road maintenance and upgrades.
3. Coordinate with MDOT to leverage State funds and construction plans that complement bicycle way construction.

**Issue #21: Green spaces in and around the center of town contribute to an attractive appearance and enhance the quality of life appreciated by so many of Southwest Harbor's residents and visitors.** The Veteran's Memorial Park and the Rhoades Butterfly Garden plus the school's ball field and playgrounds are assets to the community and should be preserved and maintained. With half the town's land located within the borders of Acadia National Park, which includes many opportunities to hike, picnic and enjoy the natural environment, there is no demonstrated interest for expanding open space. However the green spaces in town are used by the school and families with children and enhance visitors' enjoyment and experience.

**Policy:** Support the maintenance of and access to green spaces in and around the center of town and the Conservation Commission's efforts to preserve healthy trees in the town center.

**Recommendations:**

1. The Public Works Department should continue to cooperate with and support volunteer efforts to maintain and preserve green spaces and tree planting in the town center where appropriate.
2. Adequately fund the Town's Tree Fund.

**Issue #22: The only freshwater boating access within Southwest Harbor is located at the southern end of Long Pond, which is also the town's public water**

**supply.** The pond is a popular place to fish and canoe, and residents wish to preserve the privilege while protecting water quality. Land around the pond is owned mostly by Acadia National Park and the town of Mt. Desert. Local freshwater swimming is possible at Echo Lake in Acadia NP.

**Policy:** Continue to maintain public access to Long Pond, our only major water body, for boating and fishing, and to Echo Lake for swimming.

**Recommendations:**

1. Maintain parking and boat launch access.
2. Post notices regarding prohibited water uses, particularly around the pumping station and enforce compliance.
3. Cooperate with the Park to maintain water access.
4. Work with Acadia NP as needed to maintain foot and bicycle access to the Echo Lake swimming area (via Lurvey Spring Road) as well as by car from Route 102.

**Issue #23: Ocean access is increasingly a recreational priority as well as a priority for commercial fishermen.** While Southwest Harbor has three public town docks and has made support of the fishing and boatbuilding/recreational boating industries a top priority, the docks are crowded and heavily used. With two boat launches, only one of which is accessible for large boats and with recreational water uses growing, expanded launch access is desirable. Expanded parking is also needed along with expanded dinghy tie up. There is a long waiting list for moorings in the harbor. The recommendations under this issue are also relevant to the Marine Resources section.

**Policy:** Enhance access to the ocean for all users.

**Recommendations:**

1. Acquire land adjacent to the Manset Town Dock to improve ocean access.
2. Consider making launching space suitable for smaller boats such as kayaks to relieve traffic at the larger launch site.
3. Expand parking for vehicles and trailers (can be off-site).

NOTE: Because Acadia NP, with its hiking trails, swimming area, open space and recreational land, comprises half the town, needs for additional open or recreational space and facilities are minimal. Harbor House (a private, non-profit organization) works to identify recreational needs such as playgrounds and playing fields for residents of all ages and works with the community to meet capital needs as identified.

## **CHAPTER 5. 11. PUBLIC FACILITIES AND SERVICES Issues and Recommendations**

### **State Growth Management Goal #2**

Plan for, finance, and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.

**State Coastal Management Policy # 8:** Restore and maintain the quality of our fresh, marine and estuarine waters to allow for the broadest possible diversity of public and private uses. (Issue #27)

**Issue #24: Continuing improvements in water quality standards may require water filtration plant upgrades and modernization of practices.** Development of the public water system in Southwest Harbor has been and will be driven by increasingly stringent EPA standards. The town owns the public water system and is currently complying with a consent agreement that will bring the water quality into compliance with the 2003 EPA more stringent limits for HAA's and THM's which are by-products of the water treatment process. Southwest Harbor's surface water source, Long Pond, is in a different watershed than the Town and enjoys the protection of being surrounded mostly by Acadia National Park and thus is protected from development.

**Policy:** Stay informed of changing water quality standards and plan for upgrades and changing practices as needed.

### **Recommendations:**

1. Monitor changing EPA and DEP regulations. Maintain ongoing relationships with Maine Rural Water and with water engineers to stay ahead of changing water standards and water delivery technologies and best practices.
2. Pursue public/private and regional partnerships to protect drinking water sources and critical natural resources.

**Issue #25: Water delivery infrastructure is ageing and contributing to inferior water quality in some parts of the Town.** Over one third of the Town's water lines are in poor condition resulting in poor water quality that is occurring after it leaves the filtration plant at Long Pond. In addition, shallow installations and rusty pipes lead to wasted water through unintentional leaks and water left running purposely to keep it clear and to prevent freezing in winter.



**Policy:** Eliminate water waste and provide safe, clean drinking water to all Water Dept. customers.

**Recommendations:**

1. Prepare an engineering study and plan to upgrade the water delivery systems, using the study to prioritize the work.
2. Include roads, sidewalks, storm water run-off drainage, and bikeways in the plan with the intention of making comprehensive upgrades road by road.
3. Coordinate with the MDOT when the way is State owned to enlist their support and commitment to the roads for which they are responsible.

**Issue #26: The Sewer Treatment Plant is aging and will require future upgrades.** In 2009, the Plant received a renewed five-year license to operate. With very low growth and an anticipated decrease in population over the next 20 years, wastewater volume is unlikely to exceed the Plant's capacity. But operational and equipment upgrades will be needed.

**Policy:** Provide for the long-term needs for sewer treatment.

**Recommendations:**

1. Eliminate inefficiencies in public and private use through maintenance plans, the elimination of storm water infiltration and water efficiency education.
2. Plan to modernize and upgrade sewer treatment with infrastructure improvements and best practices.

**Issue #27: Storm water management systems should be inventoried and reviewed.** Heavy rain has occasionally resulted in flooding in several areas of Town. Parts of the system work well, others should be expanded and repaired. Storm water infiltration occasionally overwhelms the treatment plant, flushing sewage into the harbor.

**Policy:** Expand storm water management systems to reduce flooding and eliminate storm water infiltration from the sewer filtration plant.

**Recommendations:**

1. Identify sources of infiltration – private and/or public collector lines and remove.
2. Expand culverts and ditches where appropriate.
3. The Planning Dept. and Planning Board should examine the Land Use and Subdivision Ordinances and offer amendments where needed to protect against incremental expansion of development that could increase storm water runoff.

**Issue #28: Sewer and Water management assistance needed.** The Town Water and Sewer systems have grown more technically complex and more financially demanding.

**Policy:** Efficiently and effectively oversee Water and Sewer Dept. work.

**Recommendation:**

1. Establish a Water and Sewer Board composed of citizens/users appointed by the Board of Selectmen and holding regular meetings. It will be the W&S Board's responsibility to track changing demands and technologies, to track recurrent and capital expenditures, to review fees and capital funding mechanisms, to review the Water and Sewer Ordinances, and to advise the Board of Selectmen.
2. The Water and Sewer Departments should develop Capital Improvement Plans, make their budgets available as public documents, and hold an annual public budget hearing for each department.

**Issue #29: Inadequate public toilet facilities. Improvements are needed for public toilets.** There are port-a-potties installed at the Manset and Upper Town Docks in the summer and there is a bathroom at the Lower Town Dock. There is a bathroom in the center of Town behind the Village Green, which is open in summer. Tourism is the single biggest contributor to Southwest Harbor's economy and more and more day-trippers make up a part of the mix of visitors. Not all businesses offer toilet facilities and there are no public toilets available at the Chamber of Commerce or the Town Offices. Year round, modern restrooms would make a valuable improvement to visitors' experience and support the tourist economy. The toilets should be handicapped accessible to accommodate out town's ageing population.

**Policy:** Create and maintain secure, handicapped-accessible public toilet facilities year-round in the center of town. Maintain existing seasonal toilet facilities at the town docks.

**Recommendation:**

1. Prepare and implement a cost effective plan to create and maintain public toilet facilities near the Village Green for year-round use and improve the maintenance of the existing seasonal toilet facilities at the Town Docks.

**Issue #30: More Town Office Space Needed. The Town Office has inadequate work, storage and meeting room space. In addition, the Town needs a fireproof record storage vault.** The Town Offices meeting space is often too small for public meetings and/or it has competing demands. When this occurs, the Town is using the meeting room at the Fire Dept. or the American Legion Hall, the Library or the school's

gymnasium. The Town's public records are currently being stored in the laundry room of the Fire Dept. The Harbormaster shares winter office space with the assessors, and workspace for all departments (code enforcement, water and sewer, billing and other administrative functions) are too small and lack adequate storage. There is no space available for the installation of video recording equipment which prevents the Board of Selectmen from realizing their ambition to broadcast public meetings. The public's access to files and the photocopier is relatively unrestricted creating the potential for possible security issues. The public service area and toilets are not handicapped accessible. The insulation and wiring should be modernized and the interior is worn out and presenting a poor appearance to the public.

**Policy:** Develop a plan to provide adequate space for administrative functions, public meetings, and records storage, and make the space handicapped accessible.

**Recommendations:**

1. Consider remote meeting room space and expand into current meeting room for other functions. Consider vertical expansion. Locate a vault. Consider an addition.
2. Reduce administrative functions by moving to more online services. Consider contracting for some administrative functions with Tremont.
3. Expand electronic records keeping and reduce hardcopy records keeping where possible.

**Issue #31: Funding for public education is a substantial cost for SWH taxpayers** comprising 54 % of our (2008-09) local tax burden. The elementary school aged population is expected to bottom out at about 135 students during the next planning period. While the building has a capacity of about 300 students, fixed costs do not fall at the same rate as the student population. In addition, demands for education, special education services, and related health and social services continue to add to the per pupil cost of student education. Our per-pupil costs for elementary education are among the highest in the state (1.67 times the state average).

At the same time, the general population is shrinking and aging; fewer and fewer taxpayers will be enrolling children in the school and the demand to control education costs will likely increase. Forums run by the school district in 2008 suggested that parents of school children opposed consolidating with Tremont School, yet 77% of year-round respondents to our survey indicated support for some form of consolidation.

**Policy:** Reduce and control the costs of education while maintaining a high quality of education services.

**Recommendations:**

1. Continue to explore ways of consolidating elementary education services with Tremont and/or other neighboring communities.
2. Explore ways to reduce the school's fixed costs by combining education functions into a smaller space and freeing a portion of the building for other uses.
3. Examine other education models, such as combined classroom models to deliver education more efficiently.

**Issue #32: Our local dispatch service is expensive compared with regional alternatives.** There is an opportunity to make significant savings in the area of emergency and non-emergency dispatch service for police, fire, ambulance and administration by discontinuing our local dispatch and removing the service to Hancock County. The operations budget for dispatch services in FY 09-10 was nearly \$237,000. The Town estimates that it could save about \$150,000 on this budget item. On the CPC 2009 survey, 36% of respondents favored regional dispatch services. The public values the high quality of local service staffed by employees with an intimate knowledge of the community and wants to understand the trade-offs in service and security of such a change.

**Policy:** Meet dispatch service needs efficiently.

**Recommendation:**

1. Continue to look for the most cost efficient ways to effectively deliver Dispatch service.

**Issue #33: Solid waste disposal is the Town's single biggest contract** representing nearly 16% of FY 09-10's operations budget. SW Harbor is a member of the Acadia Disposal District (ADD), which includes Tremont, Mt. Desert, Trenton, Cranberry Isles, and Frenchboro, and uses a private contractor (EMR) located in SWH to handle its solid waste. ADD has recommended that member towns look for competitive alternatives for delivering solid waste disposal services more efficiently and economically. In 2006 Southwest Harbor recycled about a quarter of its solid waste.

**Policy:** Meet solid waste management needs efficiently and cost effectively.

**Recommendations:**

1. Support the ADD's efforts to develop a regional and cooperative approach to handling solid waste.
2. Encourage local and regional efforts to reduce solid waste through education and recycling.
3. Start and publicize a community wide composting program.
4. Pursue competitive contracts with existing solid waste disposal providers.

5. ADD should explore a program to include expanded recycling, a swap shop, curbside pick up, and a pay per bag program.
6. Investigate banning polystyrene containers for take-out food.
7. Provide better publicity for hazardous waste and universal waste disposal dates and locations.

## **CHAPTER 5.12 TRANSPORTATION Issues and Recommendations**

**State Growth Management Goal #2:** Plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.

**State Coastal Management Policy #7:** Expand the opportunities for outdoor recreation, and to encourage appropriate coastal tourist activities and development. (Issues 34, 35, 40)

**State Coastal Management Policy # 9:** Restore and maintain coastal air quality to protect the health of citizens and visitors, and to protect enjoyment of the natural beauty and maritime character of the Maine coast. (Issue 34. rec 4 – Explorer bus uses propane fuel and reduces traffic congestion. Issue 35)

**Issue #34: SWH may need more public transportation at all times of year both in town and between towns to relieve seasonal congestion and for those who cannot drive.** (1996 plan) Public transportation to and from Southwest Harbor is very limited, particularly between Labor Day and mid-June when the ANP Explorer bus is not running. An aging population may generate increased need for public transportation, especially during the winter.

### **Policies:**

1. Meet the diverse needs of residents (including elders), workers, and visitors by providing safe, efficient, and adequate local and regional public transportation.
2. Continue to explore opportunities to foster or develop public or quasi-public transportation. (1996 plan)

### **Recommendations:**

1. Work with local employers to determine whether there is a need for year-round bus service for commuters from off-island and between Southwest Harbor (or the western side of MDI) and Bar Harbor.
2. Work with the Island Explorer to create scheduling that works so residents actually use the bus, in addition to providing transportation for visitors to the quiet side of MDI and to the Cranberry Isles Ferry.

3. Continue to provide support through the municipal budget and investigate other cost-sharing possibilities for the Island Explorer, Downeast Transportation, and Island Connections, all of which provide public transportation or the equivalent to the town's residents.
4. Move the Island Explorer bus stop to a different in-town location to reduce traffic congestion in the town center.
5. Continue to participate in regional transportation and land use efforts, and work with the MaineDOT as appropriate to address deficiencies in the system or conflicts between local, regional and state priorities for the local transportation system. (State minimum)

**Issue #35: Bicycling and walking should be viable options for SWH residents and visitors. Bicycling in town from the Seal Cove Road to the Manset Corner and along Seawall Road to the ANP campground is unsafe. (1996 plan)**

**Policy** (from 1996 Plan): Develop an integrated system of bicycle ways.

**Recommendations:**

1. Work more actively with Maine DOT to re-engineer and rebuild Route 102 (Main St.) between the center of town and the Manset corner to include a bicycle way. (1996 Plan)
2. Investigate the feasibility of adding bike ways to Route 102 between the Manset Corner and the Hio Road to connect with the ANP campground at Seawall.
3. Continue to prioritize transportation investments as part of the capital improvement planning process.

**Issue #36: A safe and effective network of pedestrian ways is needed. (1996 plan)**

**Policy:** Develop a plan for an integrated network of pedestrian ways, and then begin work on obtaining and protecting them. (1996 Plan)

**Recommendation:**

1. Work with the Maine DOT (or independently if necessary) to repair the sidewalk from Fernald Point Road to the center of Town and to the Manset Corner.
2. Continue to identify, and where possible acquire, public rights-of-way for pedestrians in order to link up existing routes which are not along public roads. (1996 plan)
3. Continue to include sidewalk repair and maintenance as an item in the Capital Improvement Plan as well as in the Operating Budget of the town. Consider needs of elderly residents for access to in-town facilities (sidewalk cuts, location of handicapped parking spots) as repair and maintenance occur.

**Issue #37: Traffic congestion in the town center is a problem from the beginning of July through mid-October. (1996 plan). It can be difficult for emergency vehicles to get through the town center. The increase in land-locked boatyards means that more boats are transported through the center of town for launching in Manset.**

**Policy:** The Town should develop appropriate management measures to improve traffic flow through the town center. (1996 plan)

**Recommendations:**

1. The Town should consider installing emergency traffic lights (controlled from the fire station) at the exit from the fire station and at the intersection of Clark Point Road and Main Street. (modified from 1996 plan)
2. The Board of Selectmen should work with the Chamber of Commerce and the foot patrol officer to educate pedestrians and to restrict foot traffic to marked pedestrian crossings, especially during the summer season.
3. The Board of Selectmen should study public and private parking in the area from Community Lane to the Village Green and consider the possibility of a public-private partnership to increase parking efficiency in this area, especially in the summer.
4. The long-term parking area above the Town Office should be more clearly marked, and employees of businesses in the center of town should be encouraged to park there.

**Issue #38: All roads built in the last 12 years (to service new subdivisions) have been private roads that do not necessarily meet standards for town roads.**

**Policy:** All private roads shall meet minimal design standards and have a long term maintenance plan.

**Recommendation:** Planning Board to examine and revise LUO as needed to ensure proper private road standards and management. Amend ordinance standards for subdivisions and for public and private roads as appropriate to foster transportation-efficient growth patterns and provide for future street and transit connections, and as needed to address applicable state laws and rules.

**Issue #39: During storms, the Seal Cove Road floods where Marshall Brook goes under the road through culverts. These culverts are also inadequate fish ways and hinder fish migration.**

**Policy:** Protect natural resources and critical habitats (this stream flows into Bass Harbor Marsh) and to enhance road safety.

**Recommendation:** The Town should cooperate with ANP to secure state and/or federal funding to replace these culverts with larger ones that allow fish migration and are adequate to drain the wetland upstream during storms, and so prevent road flooding.

**Issue #40. There is a shortage of parking space at the Lower Town Dock and at the Manset Town Dock.**

**Policy:** Support commercial and public access to the harbor.

**Recommendation:** Explore the possibility of satellite parking areas outside the town center with a shuttle (or convenient pedestrian way) into the center and to the Town Docks (and ferries), with adequate short-term loading/unloading areas at the Town docks.

**Chapter 5.14. FISCAL CAPACITY AND CAPITAL INVESTMENT PLANNING  
Issues and Recommendations**

**State Growth Management Goal #2**

Plan for, finance, and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.

Our Capital Improvement Plan (developed in 2008) is reviewed and updated annually before Town Meeting. Studies have been budgeted for the next fiscal year to assess and prioritize needed infrastructure improvements, and we would expect planned improvements to be included in future CIPs. Because of the nature of our Growth Areas (see Chapter 6), we do not anticipate extending municipal water, sewer or roads to these areas or needing capital to do so. Because the CIP is only concluding its second year, the town is still developing public support and its skill in using the CIP as a planning tool, and as potential projects are identified, prioritized and scheduled (particularly if they are large and complex), we anticipate that funding sources and mechanisms will also be developed. Funding sources will likely continue to include the municipal budget (tax revenues), bonding, state or federal grants or matching funds, and other grants. There are no evident opportunities to share capital investments with adjacent towns to improve efficiencies.

**Issue #41: In recent years, capital investment spending has not been adequate to maintain the town's infrastructure. This is particularly true in the area of roads, public water and sewer.** Remaining within LD 1 limits has come at the expense of some capital improvements. The town has had to prioritize where capital investments may be made and while the elementary school is well maintained and the town has a new fire station and police station, the roads and sidewalks are in some places in poor repair. Poor walking conditions along Route 102, which is owned by the State and is at the same time SWH's most important road, receive the most complaints. Underneath many of the roads are ageing water and sewer systems that should be repaired at the same time. The Water and Sewer Departments are publicly owned; user fees support operations and capital improvements. More than half (73%) of the town's residences



use public water. About 52% use the public sewer. Both services do not necessarily support the same residences.

**Policy:** Finance existing and future facilities and services in a cost effective manner, including exploring grants available to assist in funding needed capital investments.

**Recommendations:**

1. Step up capital investments, particularly in road maintenance, water and sewer delivery systems, and storm water run-off management.
2. Use institutional knowledge and engineering expertise to prioritize project spending.
3. Spend with the view to managing long term expenses by considering the longevity of improvements and repairs.
4. Expand and raise fee collections where appropriate to relieve the burden on property taxes.
5. Seek all state and federal grant opportunities available to assist in funding capital improvement projects. And support the comprehensive planning process at the administrative and leadership level to put the town in a more favorable position to qualify for grants and loans.
6. Review the Capital Improvement Plan yearly to see whether it continues to reflect the priorities of the voters.

**Issue #42: SWH is primarily reliant on residential property taxes to pay for capital improvements and services.** Since the last planning period, SWH has undergone a demographic shift. Once the fastest growing town on the Island, the population peaked in 2005 at 1983 persons. By 2030 projections show the population falling to 1778 even as the average age will increase. Increasingly, homeowners are retired and their support for services and capital improvements may be constrained by fixed incomes, a more short term planning outlook and an emphasis on different types of services.

**Policies:**

1. Target spending on facilities and services that support the town's ageing population.
2. Reduce Maine's tax burden by staying within LD 1 spending limitations. (State minimum)

**Recommendations:**

1. Focus spending on the downtown area with improvements to sidewalks and parking lots.
2. Partner with the State (and Tremont) to repair Route 102.

3. Pursue property tax relief policies to equalize and relieve the tax burden.

**Issue #43: With a falling and ageing population projected, and the lack of job opportunities, the town does not anticipate the need for expansion of services into undeveloped land.** Some building and development is occurring when existing homes are sold and expanded, renovated, torn down or rebuilt. Some new development is occurring in the Marshall Brook area south of Long Pond and there are a few new subdivisions, but demand for undeveloped land is low. Land and houses developed through speculation will likely cater to upper middleclass incomes from outside the state looking for second and/or retirement homes. These properties could help expand the tax base but this is only a monetary gain if they use relatively fewer services.

**Policy:** The cost of any subdivision development should be entirely born by the developer/landowners.

**Recommendations:**

1. Examine the cost and burden of added users to roads, water and sewer.
2. Review and expand fee structures for land development and water and sewer usage.

**Issue #44: Economy of Scale Opportunities. There are opportunities to achieve economies of scale by sharing services with surrounding communities.**

Southwest Harbor maintains its own administrative offices, road crew, fire department, ambulance service, police department and dispatch service, plus its own elementary school. The expense of the ambulance service is shared with Tremont. Grades 8 – 12 education expenses and school superintendent and administrative expenses are shared with the other towns in the Alternative Organization Structure: Bar Harbor, Mt. Desert, Tremont, Trenton, Cranberry Isles, Frenchboro, and Swan’s Island.

**Policy:** The Town should explore opportunities to share services with neighboring towns to economize on costs.

**Recommendation:**

1. Continue to explore cooperative strategies with Tremont and other neighbors to combine facilities and administrative functions in the Elementary Schools, public safety services, Public Works Dept., and public administration.