



JOHN ELIAS BALDACCI

Governor

MARTHA E. FREEMAN

Director

November 24, 2008

Paul Danforth, Chair Selectmen
Ann Stevenson, Co-Chairperson Comprehensive Planning Committee
Richard Reynolds, Co-Chairperson Comprehensive Planning Committee
Town of North Berwick
P.O. Box 422
North Berwick, ME 03096

Dear Mr. Danforth, Ms. Stevenson and Mr. Reynolds:

Thank you for submitting the *2008 Town of North Berwick Comprehensive Plan Update (Plan)* to the State Planning Office (SPO) for review for consistency with the Growth Management Act (the Act). The Town and Comprehensive Planning Committee are to be congratulated for the commitment, hard work and resources that went into preparing this Plan Update.

SPO has completed its review of your Plan for consistency with the Act using the "old" Comprehensive Planning Criteria Rule - Chapter 202. We are pleased to inform you that the State Planning Office finds the *Town of North Berwick Comprehensive Plan Update* dated August 19, 2008 consistent with the Act and Rule.

The findings consist of three sections:

- I. The first provides the Office's general Conclusions about the Plan, indicating overall strengths and weaknesses.
- II. The second section provides Suggestions for how the Town might modify the Plan or issues it might explore to improve or strengthen the Plan to better meet State and local goals. It is not necessary for the Town to respond to suggestions in order to be found consistent with the Act. Suggestions are simply offered as advice on how the Town could improve its Plan.
- III. The third section identifies Other Agency Comments that have been received from State agencies, regional councils, or other interested parties (attached and printed on blue paper). As with the Suggestions from our office, incorporation of Agency Comments are not necessary in order for the Plan to be found consistent, however, they point to areas where the Town might strengthen sections of the Plan to better address agency interests and goals.

SECTION I – CONCLUSIONS

In its keen resourcefulness, the Comprehensive Planning Committee sought out advice and expertise from its citizens, Town staff, the Southern Maine Regional Planning Commission and others to inform its Plan. The North Berwick Plan Update is well prepared to provide the Town with policies and strategies for guiding growth and development during the planning period. We found the following elements of the Plan to be especially commendable:

- Citizen participation was encouraged throughout the planning process through surveys, newsletters and inviting the community to participate in a visioning session following a public supper. Vision statements presented in each chapter of the Plan embody the spirit of this input.
- The Economy, a difficult chapter to tackle, is especially strong. Its policies and strategies are well developed with measures that support economic growth and reinforce its village and rural character. Careful consideration is placed on supporting green businesses, such as organic farming, farm-related business and low-impact forestry as well as home occupations/cottage industries. Linkages with land use, transportation and infrastructure are made within this chapter and reinforced throughout the Plan.
- The Plan provides a number of strategies encouraging compact development, directing development towards the village center and growth area. Of note are strategies to develop a long-term plan for a new sanitary district or an enlarged district for areas zoned for one acre or less and exploring ways to efficiently expand the water service area within the Town's growth area. Other tools to be explored include a differential growth cap.

This letter also affords us the opportunity to applaud the Town on working closely with the Caleb Foundation to achieve the successful rehabilitation of the historic Woolen Mill located on the Town Commons into affordable housing.

SECTION II - SUGGESTIONS

Although not necessary to make the Plan consistent with the Act, some constructive comments that would help strengthen your plan are outlined below. Please let me know if you would like any additional information or suggestions.

1. The Comprehensive Plan Committee is commended for earnestly taking advantage of the Beginning with Habitat (BwH) data for its Natural Resources inventory. The attached memo from the Maine Department of Inland Fisheries & Wildlife and Maine Natural Areas Program (IF&W) provides suggestions for this chapter that will enhance its value to guide implementation.
2. The Comprehensive Plan provides wonderfully vivid vision statements for each chapter of the plan including protection of its irreplaceable natural resource system. Re-initiating a Conservation Commission is identified as a key mechanism for protecting sensitive

natural resources, scenic resources and views through both regulatory and non-regulatory measures.

IF&W notes that the Maine Association of Conservation Commissions is currently providing assistance to towns interested in forming conservation commissions or reinvigorating existing commissions. The Maine Department of Environmental Protection also offers the suggestion that if the Town cannot *soon* reinstate a Conservation Commission, to tap into the resources of shared experience of regional resource protection efforts.

We encourage the Town to take a closer look at teaming up with other partners to implement actions for which the Conservation Commission has been assigned to within its Plan.

3. The Town is commended for having adopted an open space and recreation plan and impact fee ordinance for recreation and open space. There are a number of additional strategies in the Plan to study tools available to provide for open space, conservation and to further the development of a network of trails for passive/low-impact recreation. Among the considerations provided by the IF&W Fisheries Division in these efforts is to look for opportunities for public access to the Town's great Ponds. The BwH program is available to meet with town committees to outline a "Conservation Blueprint" model to help develop an interconnected network of lands that addresses these needs.
4. The Plan continues to support the documentation and protection of historic resources town-wide through a number of actions. The Maine Historic Preservation Commission (MHPC) comments include looking at further development of strategies to protect pre-historic archaeology and historic archaeology.

SPO offers the following suggestion for an additional action to incorporate into the Plan:

Action: 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.

SECTION III – COMMENTS FROM OTHER STATE AGENCIES

The following agencies reviewed and provided comments on your Plan:

- Maine Department of Inland Fisheries and Wildlife
- Maine Department of Environmental Protection
- Maine Historic Preservation Commission
- Maine Department of Conservation
- Maine Department of Transportation

These comments are attached (blue sheets) and provide additional detail and other suggestions that you might find useful. While the State Planning Office agrees that the inclusion of these suggestions would improve the Plan, our finding of consistency does not depend on their inclusion.

In closing, thank you again for submitting this plan for review and for all your hard work. If we can be of assistance in any way, please contact me at 287-2851 or ruta.dzenis@maine.gov. I would be happy to work with the Comprehensive Planning Committee to address any questions you might have.

Sincerely,

Ruta Dzenis AICP
Senior Planner

C: Dwayne G. Morin, Town Manager
Jamie Oman-Saltmarsh, Senior Planner, SMRPC
Liz Hertz, Director, SPO Land Use Program

SECTION III
COMMENTS FROM OTHER STATE AGENCIES