2013

Comprehensive Plan- York Maine

York (Me.). Comprehensive Plan Committee

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INTRODUCTION

This Chapter is the Introduction to the Comprehensive Plan of the Town of York, Maine. Its purpose is to explain what comprehensive planning is all about, and to provide the framework within which other components of this Plan will fit.

The text of this Chapter is organized into 4 sections: comprehensive plans in Maine communities; overview of this Comprehensive Plan; legal requirements; and history of comprehensive plans in York.

Comprehensive Plans in Maine Communities

The State of Maine regulates the manner in which communities plan for and regulate growth and development through a law entitled the Growth Management Program (Title 30-A §4312 et seq.). This law establishes the State’s policies, and establishes the rules by which communities may engage in land use planning and regulation. Through this law, the State overrides each community’s home-rule authority and mandates compliance with an overall set of goals, procedures and standards for community comprehensive plans.

Aside from the requirement to have a plan, it just makes sense for towns to plan for the future. The process of preparing a comprehensive plan provides an opportunity for residents, community officials and other stakeholders to share ideas about what is important in the community, to identify issues and desirable responses, and to coordinate a town-wide approach to dealing with change. Ideally the comprehensive plan will reflect consensus views about town policy. As circumstances change and community discusses changes in its local policies, it is important to frame these discussions in terms of the comprehensive plan. New policies must fit within the State requirements and must mesh with other local policies.

A comprehensive plan is not a law that is directly enforceable, but it is still a very powerful public document. A plan, which must be adopted by the voters, establishes the policy directives of the town. State law requires zoning, growth control and impact fee ordinances to be consistent with a comprehensive plan (MRSA Title 30-A §4314.3). As comprehensive plans are revised and updated, there is always a lag in consistency. The town is legally obligated to work towards consistency, and by statute such consistency must be achieved within 2 years (Title 30-A §4314.3.E). Other regulations, most notably the Site Plan and Subdivision Regulations, limit approval of development applications to those that are consistent with the comprehensive plan. Although the plan is not a law in and of itself, it is very close and can have that same effect in certain circumstances.

A comprehensive plan is required to include recommendations about major capital purchases with a goal of gaining cost efficiency for capital spending in the long-term. At the budget referendum the voters may subsequently decide not to follow the plan, but it is
the obligation of the Town officials to pursue capital expenditures that are consistent with the Town’s comprehensive plan.

Overview of this Plan
This plan is organized in a fashion that will make it useful to the community and satisfy statutory requirements. The document is divided into more than a dozen separate chapters, each of which will be a stand-alone report, but which together will comprise the comprehensive plan. This new format should encourage the Town to keep the Plan up to date and relevant to current issues. It should also encourage more people to use the Plan and access the information it contains.

The organization of this Plan does not follow the organization of the statutes because the sequence of requirements in the statutes is somewhat haphazard. The contents must comply with the State’s requirements, but the design of the plan and the arrangement of its components is a local choice. Further, this Plan is not organized in a manner similar to the 1999 Comprehensive Plan Update. The 1999 Plan is not easy to read, and its organization results in a significant amount of duplication of material. This Plan is an attempt to improve upon the organizational structure of the statutes and former plans.

Upon completion, the outline for the Comprehensive Plan will be as follows, with underlined titles indicating stand-alone reports:

I. Introduction
II. Inventory & Analysis
   A. Population
   B. Housing
   C. Land Use
   D. Economic Base
   E. Utilities
   F. Transportation
   G. Historic & Archaeological Resources
   H. Natural Resources
   I. Growth Projections
   J. Municipal Facilities, Land & Services
   K. Adaptation to Sea Level Rise

III. Policy & Implementation
   A. Land Use Policies
   B. Fiscal Policies
   C. Consistency With State and Regional Policies

During the transition to a plan comprised of multiple, inter-dependent, technical reports, some degree of overlap of content and information is expected. As each new chapter is adopted, superseded text shall be removed from the existing comprehensive plan documents. In the event there remains conflict between old and new documents, the most
current document shall supersede any earlier version or chapter. When the entire set of chapters is adopted, the 1999 Comprehensive Plan Update, as amended, will be completely superseded.

Because this Plan is a legal document, a policy of separability is hereby established. If any portion of this Plan is found to be invalid by the courts, it shall not affect the validity of any other portion of this Plan.

Legal Requirements
State requirements pertaining to comprehensive plans are contained primarily in Maine Revised Statutes Annotated (MRSA) Title 30-A, a series of laws pertaining to municipal and county government. While there are a multitude of issue-specific laws addressing select policies (housing, coastal resources, etc.), the legal framework for planning is established in Title 30-A, and this section is limited accordingly. Citations of State law are provided to facilitate further research by readers. Such citations are given by Title and Section (“§”) number of the relevant law.

1. State Goals
The Legislature established 10 state goals for state agencies and municipalities with respect to natural resources, land use and development (Title 30-A §4312.3). These goals establish the policies that must be followed by each community in its comprehensive plan. The 10 State goals are listed, along with supplemental guidance from latter provisions of the same statute.

A. “To encourage orderly growth and development in appropriate areas of each community and region while protecting the State’s rural character, making efficient use of public services and preventing development sprawl” (Title 30-A §4312.3.A). The plan must address growth areas, and most communities are required to designate growth areas and rural areas (Title 30-A §4326.3-A.A).

B. “To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development” (Title 30-A §4312.3.B). This must include a plan for major public expenditures (Title 30-A §4326.3-A.B).

C. “To promote an economic climate which increases job opportunities and overall economic well-being” (Title 30-A §4312.3.C).

D. “To encourage and promote affordable, decent housing opportunities for all Maine citizens” (Title 30-A §4312.3.D). Each community is required to adopt policies that encourage provision of affordable housing, and to comply with the State laws regarding mobile homes and mobile home parks. Communities are expressly required to attempt to achieve 10% of all new housing to be affordable (Title 30-A §4326.3-A.G).
E. “To protect the quality and manage the quantity of the State’s water resources, including lakes, aquifers, great ponds, estuaries, rivers and coastal areas” (Title 30-A §4312.3.E). Each community must develop policies to keep water quality from declining, and, where already degraded, to improve water quality (see Title 38 §464 et seq, for water quality classifications). Additionally, great pond watersheds must be managed to prevent phosphorous loading caused by development (Title 30-A §4326.3-A.C). There is also a requirement to develop management goals for great ponds to control the character of the shorelines, to manage the intensity of use of the water, and to protect resources of statewide importance (Title 30-A §4326.3-A.J).

F. “To 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” (Title 30-A §4312.3.F). Municipal policies regarding critical natural resources must be consistent with state law, and may be more stringent (Title 30-A §4326.3-A.D).

G. “To 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” (Title 30-A §4312.3.G). The Town is required to preserve access to waters for commercial marine uses (Title 30-A §4326.3-A.E).

H. “To safeguard the State’s agricultural and forest resources from development which threatens those resources” (Title 30-A §4312.3.H). The Town is required to protect agricultural and forestry resources, and to prevent incompatible development (Title 30-A §4326.3-A.F).

I. “To preserve the State’s historic and archeological resources” (Title 30-A §4312.3.I). This is a requirement to understand the archeological and historic values in the community, and to protect these important resources (Title 30-A §4326.3-A.H).

J. “To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters” (Title 30-A §4312.3.J). This is a requirement to encourage continued availability to traditional outdoor activities such as hunting, boating, fishing and hiking, and to encourage land management practices and restrictions to facilitate these activities (Title 30-A §4326.3-A.I).

2. Procedures
The Planning Board is responsible for comprehensive planning in York. State law requires designation of a body to prepare growth management plans (Title 30-A §4324.2). The Town of York Home Rule Charter specifically charges the
Planning Board with preparing or supervising the preparation of the comprehensive plan (Article IV §8.B.1). The Planning Board is expressly required to afford the public with ample opportunity to participate in the process (Title 30-A §4312.2.G; Title 30-A §4324.3-8). The Plan must be adopted by the legislative body of the community, in York’s case by the voters (Title 30-A §4312.9; and Town of York Home Rule Charter Article II §1.A). In advance of the public vote, the Board of Selectmen is required to place the item on the ballot (Town of York Home Rule Charter Article II §19.A). The Charter and State law do not provide a role for the Board of Selectmen to alter the draft comprehensive plan prepared by the Planning Board. However, it makes sense for the Planning Board to work with the Selectmen to prepare the best possible plan for the Town. Working together, the plan is far more likely to succeed because the plan will represent a consensus view, and because the Board of Selectmen can exert strong influence in plan implementation.

Amendments to the comprehensive plan follow the same procedure as for the original preparation (Title 30-A §4324.10).

3. **Content**

Statutes require a comprehensive plan to address 5 requirements (Title 30-A §4326), as outlined in the following sections.

A. **Inventory & Analysis.** (Title 30-A §4326.1) This statute describes the contents of an inventory and analysis section of the comprehensive plan. By statute, this section must:

1. Be based on information provided by the State, regional councils and other relevant local sources. Obviously, federal data such as Census data is useful as well.
2. Assess the vulnerability of and potential impacts on natural resources.
3. Include economic and demographic data describing the municipality and the surrounding region, including 10-year projections of local and regional growth in population, housing, commercial activity, and industrial activity.
4. Identify significant water resources such as lakes, aquifers, estuaries, rivers and coastal areas, and must assess their vulnerability to degradation.
5. Identify significant or critical natural resources such as wetlands, wildlife and fisheries habitats, significant plant habitats, coastal islands, sand dunes, scenic areas, shorelands, and unique natural areas.
6. Identify marine-related resources and facilities such as ports, harbors, commercial moorings, commercial docking facilities and related parking, and shell fishing and worming areas.
7. Identify commercial forestry and agricultural land.
8. Identify existing park, recreation and open space areas and significant points of public access to shorelands.
9. Evaluate existing transportation systems, including the capacity of the road network, pedestrian ways and parking facilities.
10. Evaluate the housing stock, including affordable housing.
11. Identify historic and archeological resources.
12. Identify current land use patterns and evaluate anticipated changes.
13. Evaluate the need for public facilities and to assess capital facilities and public services necessary to support growth and development and to protect the public health, safety and welfare.

B. Policy Development. (Title 30-A §4326.2) Policy development is the primary goal of comprehensive planning. In Maine, the Legislature requires this section to “relate the findings contained in the inventory and analysis section to the state goals.” The statute provides further direction on this matter, requiring the policy section to:
1. Promote the state goals;
2. Address any conflicts among state goals as they apply in the community;
3. Address any conflicts between regional and local issues; and
4. Address the State’s coastal policies (see Title 38 §1801 et seq).

This law establishes a top-down approach to public policy development. This requirement, in combination with the State’s mandate for extensive public input, makes it imperative that the mechanism for public involvement be carefully planned. The public must understand that they are not free to choose any direction they wish, but are limited to pursuing local policies consistent with those of the State. Within this confine, the Town is free to decide how and when to accomplish its goals.

C. Implementation Strategy. (Title 30-A §4326.3) Perhaps in response to a concern that comprehensive plans would become “shelf documents” that are seldom used, the Legislature mandates implementation. To accomplish this, the law requires a comprehensive plan to explain how the plan will be implemented, along with a timetable for action. This statute concludes with this sentence, “The strategies and timetable must guide the subsequent adoption of policies, programs and land use ordinances.” The State intends the comprehensive plans to be acted upon.

The ramifications resulting from actions that differ from an adopted comprehensive plan are not expressly clear. What planner wouldn’t love a plan to be implemented without variation—followed perfectly and on schedule. In reality, though, communities tend to stray from plans as the various stakeholders negotiate the details of implementation. How critical is absolute compliance?
Would the courts overturn a policy just because it was developed out of sequence in the implementation strategy?

Would the courts overturn a policy that is generally, but not exactly, consistent with a comprehensive plan?

Would the courts overturn a zoning rule that is not consistent with a revised comprehensive plan after the 2-year grace period expires?

Consistency and timeliness are the safest course, but may not always be achievable. To the extent a community is actively pursuing implementation of its plan and is actively involving the public in this process, it is less at risk. Major new initiatives that deviate significantly from the comprehensive plan would probably be at greatest risk.

To avoid problems, the comprehensive plan should be carefully designed and written. It should be based on consensus of all stakeholders wherever possible. It should establish broad policy directions, and should defer most details to the time when the implementation policies are developed—leaving room for negotiation. It should not contain hollow promises for action, or policies the Town has no intention of pursuing. Finally, it should establish a clear order of priority for implementation.

D. Guidelines for Policy Development and Implementation Strategies. (Title 30-A §4326.3-A) The general organization of the comprehensive plan statute is unclear because of this section. This section contains 10 guidelines, comprised of both detailed policy directives and procedural requirements. These 10 guidelines do not cleanly correspond with the 10 State goals, though they are close. In an attempt to present statutory requirements more clearly, these guidelines were included with the State goals, listed earlier in this Chapter. Note the State goal that promotes a healthy economy and job opportunities is not supported by any guidelines, while protection of water quality is supported by two guidelines.

E. Regional Coordination Program. (Title 30-A §4326.4) The Legislature recognized the fact that each community exists in the context of a broader region, and that communities must work together with neighboring communities to address shared resources and facilities. Shared resources would include any natural resource or man-made facility that crosses municipal boundaries. The York River and the Atlantic Ocean are examples of shared resources. Kittery’s water reservoirs, the Ogunquit sewer lines under Shore Road, and U.S. Route One are examples of shared facilities. The actions of one community can needlessly harm another community. The comprehensive plan must identify these resources and facilities, and the communities are expressly required to prepare and adopt plans that are mutually consistent.
4. **State Review**  
In a departure from earlier policy, the State is not required to review a comprehensive plan unless the community accepts a grant to help fund the preparation of their comprehensive plan (Title 30-A §4347-A.1). This Comprehensive Plan is not being prepared with State grant funds, so state review is strictly optional. The community may voluntarily choose to ask for state review, but it is strictly optional (Title 30-A §4347.2 and §4347.4). As an incentive to encourage communities to subject themselves to this review, state agencies are authorized to give certain preferential treatment to communities with comprehensive plans found to be consistent with the Growth Management Program (Title 30-A §4349-A).

5. **Regional Review**  
Draft comprehensive plans and amendments to comprehensive plans must be reviewed prior to adoption by the regional planning commission (Title 30-A §2342.4). The Southern Maine Regional Planning Commission (SMRPC) has jurisdiction in this part of Maine. Although not expressly established in the statutory language, the purpose of this requirement is so the Commission can consider potential impacts on other communities and the region at large, and can evaluate consistency with statutory requirements. The Commission is authorized to conduct a public hearing of its own if it believes that action to be in the best interest of the region.

The statute requires that, “No action may be taken to institute any such plan or part of a plan until 30 days after all the relevant information has been submitted to the regional council for review and comment” (Title 30-A §2342.4.A). Since the Town is required to post amendments 30 days in advance of its own public hearings, it would be appropriate to simply transmit a copy of any proposed amendments to SMRPC at the time the final public hearing is posted.

**History of Comprehensive Plans in York**  
This section is provided to document the sequence of comprehensive plans in York through the years. It is by no means an exhaustive coverage of the subject, but it is intended to provide an overview of the major documents and the sequence in which they were developed in hopes that archiving this information may prove useful in the future.

1. **Comprehensive Plan Report 1970**  
Work on the Town’s first comprehensive plan began shortly after October 27, 1969, when the Chairman of the York Planning Board announced a contract with the State had been signed, and that work on the new plan would begin at a Planning Board meeting on November 10, 1969. The plan was drafted by John Atwood of Community Planning Services, who completed the document with the help of a working group and the Planning Board. A letter filed in the York Planning Board minutes, from York Planning Board Secretary Elizabeth S.
Winton to the Board of Selectmen dated January 14, 1972, states that the Planning Boards from York, York Beach and York Harbor jointly conducted a public hearing for this plan on November 8, 1971, and subsequently they adopted the plan. The first plan is a single publication with 136 pages. The plan is traditional and simple, utilizing a format still prevalent in smaller communities to this day.

2. Comprehensive Plan 1982
The Town’s second Comprehensive Plan was adopted by the voters at the Annual Town Meeting on March 5, 1983. (The document cover indicates 1982, but it was not adopted until 1983.) The document was prepared by a Comprehensive Plan Committee and the Planning Board. It is not readily apparent whether or not any outside technical assistance from consultants was used for development of this plan, but the maps and graphics hint at some professional involvement.

This Plan is comprised of 3 documents. The introduction printed on the inside cover of the report explains, “This volume, Part I, describes change in York since the first Comprehensive Plan was written in 1970, and discusses the implication of past practice and current trends. Where appropriate, recommendations are made with regard to serious matters which require urgent attention. ‘Part I therefore forms a basis for the ‘Planning Principles and Policies’ contained in Part II, a much slimmer and more readable volume. A third volume, also very slender, called ‘Capital Improvement Program’, contains guidelines for reviewing, projecting and managing municipal income to help town officials anticipate and prepare for future expenses.”

This Plan was completed and was reviewed by the State, but was never adopted by the Town. The plan was prepared in two stages. First, a Preliminary Plan was prepared by the Planning Board Subcommittee and York Tomorrow, with technical assistance from IEP, Inc., and Land Plan Associates, Inc.. This draft was a single document with a format and contents similar to York’s first two plans. The Final Draft was largely a new document, distinctly different from the Preliminary Plan. It was prepared by the Planning Board Subcommittee and the Comprehensive Plan Task Force. This Plan was comprised of two documents: “Volume I: Action Plan,” and “Volume II: Resource Inventory and Analysis.” The organization of the Final Draft was far more complex than the earlier Draft.

The Final Plan was submitted to the State Planning Office for review and comment pursuant to the Comprehensive Planning and Land Use Regulation Act then in effect. The State review, sent to the Town on November 27, 1991, indicates the Plan was largely, though not completely consistent, with State requirements. Jim Bartlett, then Chairman of the Board of Selectmen, recalled that the State requirement for a new comprehensive plan was repealed and the project lost momentum before it was finalized and sent to the voters. Although the plan was never adopted, it has influenced subsequent efforts. The 1999 Plan reflects many aspects of this plan, including both content and organization.
4. **Comprehensive Plan Update 1999**

The Town’s third Comprehensive Plan was adopted by voters at a Special General Referendum on May 22, 1999. This Plan is comprised of 2 documents: a policy section, and an inventory and analysis section. The policy section contains policies, timelines, capital plans and a regional coordination program. This section was prepared by Town Planner Wayne Marshall and a Comprehensive Plan Committee, and followed the complex format of the 1991 Final Plan. The Committee used the 1991 inventory and analysis as the base of information for its work, but with the help of a contract planner an updated inventory and analysis section was prepared just prior to posting for the May 1999 vote. This section was very roughly compiled, being pieced together at the last minute from the draft 1991 inventory and analysis and scattered updates where data was readily available.

Pursuant to the Growth Management Laws in effect in 1999, the Town submitted its Plan to the State Planning Office for review and comment on September 29, 1999. The State review was received by the Town on November 27, 2000. Despite the requirement for the State to complete its review in 3 months, it took 14 months. The State questioned 8 aspects of the Plan. Subsequent amendments to the Growth Management Laws have removed the requirement for State review of comprehensive plans, and the State’s advisory opinion has not been solicited since the original review.

In November 2000 the Town amended the policy section of this Plan. This was the first time one of York’s plans was amended rather than replaced in its entirety. The idea a plan would be left static for a decade or two has now passed, and a more dynamic approach has taken hold. The policy section of the Plan was amended two additional times in 2001. The amendments addressed policy concerns raised by the State, as well as shifts in Town policy—notably the passage of the growth cap.
Comprehensive Plan Update
Volume I

Adopted May 22, 1999
As amended through November 5, 2013
On November 2, 2004, this Plan was supplemented by a new Introduction Chapter. This new Introduction was the first in a series of stand-alone chapters that will eventually replace a 2-volume Plan. Anyone reading this document should also read the new Introduction Chapter, which is printed and available separately.

The following is a true copy of the Town of York’s Comprehensive Plan Update, Volume I, as revised through November 5, 2013.

Attest: ____________________________________________

Town Clerk

Date: _________________
# COMPREHENSIVE PLAN UPDATE
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EXECUTIVE SUMMARY

INTRODUCTION
The Town of York is an attractive coastal community with a small town character enhanced by its natural and historic resources. Because of these attributes and its convenient location to major metropolitan areas to the south and north, York is a popular place to live and to vacation.

York’s appeal as a vacation area and a desirable place in which to raise a family or to retire, has resulted in steady population growth. In the fifty year period, 1950 to 2000, York’s population has grown fourfold. In the twenty year period, 1980 to 2000, the percent of year round population increase is estimated to be 56% or an average of 2.8% per year tapering off during the nineties to an average of 2%. Overall, this is a substantial growth rate compared to that of neighboring towns. But, it is important to note that during this period York has largely been able to maintain its small town character and its rural land south of the York River and west of Interstate 95. York has also preserved and even enhanced its historic resources during this period. The town’s population density per square mile is still estimated to be less than that of any of its neighbors in southern Maine. In this overall context, it is important to note that during the summer vacation months, York’s population increases by as much as 70% (approximately 50% of York’s tax base is based on seasonal dwellings) and on a pleasant day in July may swell to three times its year round population placing an incredible strain on York’s roads, parking capacity, tourist industry, beaches and rivers.

As a result of the growth which peaked during the seventies and eighties, York has experienced many changes. Residential and commercial development has caused the loss of open space and greatly increased traffic congestion. York’s schools are over crowded and its public buildings no longer have the capacity to properly serve the needs of the town. During the nineties there has been an increase in development west of Interstate 95 and in the more rural areas north of the Cape Neddick River and south of the York River. All of this has caused concern among York’s population for measures to hold town operating and capital expenses in check and to preserve York’s small town character and its natural resources. During this period, York has enacted new ordinances to manage growth and to respond to the town’s changing demographics. The provisions of York’s Shoreland/Wetland Ordinance exceed State requirements. In 1996 York updated and revised its Route One Overlay Ordinance to better reflect the diverse needs of the Route One corridor. During the second half of the nineties, York enacted progressive ordinance provisions permitting and governing important initiatives such as housing for the elderly, congregate care facilities, and cluster/open space housing. As the period closes, York’s Route One-3 Zone is developing at a rapid rate. This development will add substantially to York’s tax and employment base while at the same time tending to exacerbate York’s loss of open space and traffic burden.

This Comprehensive Plan is designed to be a composite of policy recommendations reflecting the input obtained from more than 1,000 town residents who attended the more than 38 public meetings which were held during the first and second quarters of 1998. Extensive input was obtained defining those town attributes which the public said they wanted preserved, and input defining the public’s concerns for the future. The main focus of the plan has been to recommend policies and actions directed at managing growth, preserving the town’s natural resources, its small town character, its rural areas, minimizing conflict between divergent uses, resolving York’s growing facilities deficit and satisfying the States 10 Goals to the extent practicable.

PLANNING PROCESS
Please see Section 2 (Town of York Goals and Actions how the Town will address the ten State Goals).
PLAN ELEMENTS

Goals, Policies and Actions: This section is organized in accord with the requirements of the Comprehensive Plan Review Criteria Rule. Each section is supported by appropriate narrative and quantification.

Land Use Section: The Land Use Section, is a major element of the York plan involving the rezoning of the entire town except for the Route One corridor. The objectives underlying this key element in York’s Plan are:

- To establish zones which reflect existing use and development
- To establish an improved basis for managing York’s future growth
  - Provide for the economical delivery of public services
  - Protect York’s rural areas and natural resources
  - Prevent development sprawl
- To manage what residents have said they want in terms of use, scale, appearance, etc.
- To minimize conflict between dissimilar uses
- To protect York’s diversity

Regional Coordination: This material describes regional opportunities and strategies for optimizing the economy and productivity potential of regional coordination.

Capital Investment Plan: This is an assessment of existing and projected Capital improvements that the Town of York should give serious consideration to. It comprises a list of physical elements critical to the town.

Issues: Each goal discussion and each land use segment begins with a statement of issues/concerns and opportunities. Some of these concerns are:

- Loss of small town character
- Loss of open space - visual resources
- Sprawl west of Interstate 95
- Impact of residential development on York’s school budget
- Impact of increasing traffic
  - Safety concerns
  - Quality of life
  - Parking
  - Enforcement
- Increasing conflict between residential and non-residential uses in mixed use zones
- Impact(s) of development on wetlands
  - Water quality
  - Habitat
  - Flood control
- Septage problems/poor soils
- Well drinking water quality/quantity concerns
- Potential loss of historic structures to new development and the renovation of existing structures
- Scale/mass
- Absence of “affordable” housing
- River and beach access
- Preservation of the ability to begin small businesses
- Development of “grandfathered” marginal land
- Impact of the non-conforming situations ordinance
PRINCIPAL LAND USE RECOMMENDATIONS
The objectives, policies and actions for each land use zone are detailed elsewhere in this plan. What follows is a brief summary of the principal recommendations:

- Adopt new zones
- Identify those areas to be preserved as rural
- Identify growth areas
- Adopt rural versus residential zoning districts
- Consider explicit residential growth limitation ordinance
- Strongly encourage cluster layout(s)
- Increase subdivision open space requirements
- Subdivision phasing, restrict number of units per year
- Strengthen shoreland/wetland standards
  - Protect vernal pools
  - 50 foot setback for 1 to 4 acre wetlands
  - Protect all streams
- Require net density standards for all lots
- Explore creating improvement districts
- Institute non-conforming situations safety net
- Encourage town to purchase open space lands
- Encourage preservation of Historic resources
- Encourage sewer and water expansion within growth areas

COMMENT: It should be noted that the content of this plan and the actions recommended are intended to reflect the Town of York’s assessment of its needs and opportunities today and into the immediate future and may or may not reflect the views of other Maine municipalities or all of the State of Maine’s targeted goals.

EVERGREEN PROVISION: It will be the recommendation of the York Comprehensive Plan Steering Committee that provision be made in this plan for orderly review and change so that this plan may through time continue to reflect the changing needs of the town.

STATEMENT OF CONSISTENCY: Any ordinance amendment proposed to the Town for a referendum vote shall include a Statement of Consistency. If the amendment is proposed by the Planning Board, this statement may be included as part of the impact statement required by the Town of York Home Rule Charter. The Statement of Consistency shall document the relationship, if any, between the proposal and the Comprehensive Plan. Regarding zoning ordinances in particular, MRSA 30-A §4352.2 states, “A zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body.”

In the event the proposal requires a Comprehensive Plan amendment to be found consistent, two ballot questions shall be proposed. The first shall be an amendment of the Comprehensive Plan. The second shall be the ordinance amendment. The ordinance amendment would be effective only if both amendments are approved.
SECTION 2. TOWN OF YORK GOALS AND ACTIONS

HOW THE TOWN WILL ADDRESS THE TEN STATE GOALS

The State Growth Management Law enacted by the State Legislature in 1987 and reenacted in 1992 identifies Ten State Goals each Town must address in preparing a Comprehensive Plan. Section 2 of York's Comprehensive Plan identifies York's approach to achieve each State Goal. Specific actions are recommended for Town voters or the Selectmen to implement.

The actions recommended in this Comprehensive Plan were developed by the York Comprehensive Plan Steering Committee appointed by the Selectmen. The Committee considered a wide array of public input and research to prepare the recommendations, including the following:

1. Public comment offered by over 100 participants at the Town-wide Comprehensive Plan meetings held in January 1998 and by over 900 participants at the Neighborhood Comprehensive Plan meetings held between February and June 1998.
3. A review of the effectiveness of past and present Town Ordinances, programs, services, facilities, and funding to achieve the intent of the State Goals.
4. A review of Ordinances, programs, and services used by other communities in Maine and the United States to best meet the needs of their communities.
5. This draft of the York 1999 Comprehensive Plan, concurrent with its submission for State review will be presented for understanding and discussion at a series of 10 weekly Zone meetings. A total of 700 personalized invitations have been mailed to a list of town's people who signed in at York's neighborhood meetings during the first half of 1998. In addition, there was a meeting announcement each week in the local newspaper. Concurrent with this major public hearing process were nine weekly televised presentations to the Board of Selectmen. The intent of this schedule is to optimize public participation prior to seeking final State approval and approval by the Town's legislative body.

The Comprehensive Plan Steering Committee has used a sequential numbering system to identify each Town Goal and Town Action that is recommended to achieve the State Goals. For example, Town Action 2.3.4 identifies the following:

- The first number is the number of the State Goal; State Goal 2.
- The second number is the number of the Town Goal in response to the State Goal; Town Goal 3.
- The third number is the specific Town Action recommended to achieve the Town's Goal for the State Goals; Town Action 4.

The Action Statement also identifies the Town policy-making body - such as the Selectmen - who is expected to take the lead role in implementing the Action. When the Board of Selectmen or Budget Committee is identified, the Town Manager will directly assist in this effort. When the Planning Board is identified, the Code and Planning Department will assist. It is fully expected that other Town boards and the citizenry will be involved in the implementation process.
The final information identified in the Action Statement is a recommended priority for its implementation, as follows:

- Immediate - The highest priority for implementation, generally recommended before lower priorities are pursued.
- Mid-Term - The mid-level priority for implementation, generally recommended after immediate priorities have been addressed but before long-term priorities are pursued.
- Long-Term - The lowest priority for implementation, generally recommended after higher priorities are pursued.
- Ongoing - Priorities that require regular action, or periodic monitoring and/or action as needed.

These recommended priorities may require refinement to best address the needs of a changing and growing Town. The implementation timeframes are offered as a starting point, but are not intended to restrict or prevent lower priorities from being addressed out of sequence. Issues are to be addressed as there is interest, funding, and political willingness.

The Committee believes the recommendations identified in the Town’s response to these State Goals, if implemented in conjunction with recommendations identified in Section 3 of this Plan, Future Land Use, will work well to meet the needs of York citizens over the next 5 to 10 years. These recommendations, however, are just that, recommendations at a specific point in time based upon information available at that time. Most of these recommendations will require a subsequent action of the Town - such as enactment of an Ordinance - to take effect. Town voters should look to this Plan for direction, but it is fully expected that the public debate which occurs during the public review process may alter the final shape of the recommendation in this Plan. This debate and public process should be embraced by all as it is the constructive review of each public policy that will help ensure the will of the citizenry is best met.
STATE GOAL 1: To encourage orderly growth and development in appropriate areas of each community, while protecting the State’s rural character, making efficient use of public services and preventing development sprawl.

The Town of York has regularly strengthened its Zoning Ordinances and Subdivision Regulations since the early 1980’s to address ongoing development pressures. Major enhancements have included but are not limited to the following:

- Increasing the minimum lot size from 20,000 sf to 2 or 3 acres in areas west of I-95, south of the York River and north of the Cape Neddick River; York’s “rural” areas.
- Adopting ordinances specific to the Route One area that allow reasonable types of nonresidential development, provided the project satisfies performance standards that manage project impacts.
- Establishing a Watershed Protection Overlay District that strictly regulates uses that could affect the public water supplies for York and Kittery.
- Adopting Shoreland Zoning Ordinances stricter than those required by the State to help protect these critical natural resources.
- Allowing open space (cluster) as an alternative form of subdivision lay-out to help protect open space and reduce service delivery costs.

Current regulations clearly are not perfect, but development that has occurred in York over the last 15-20 years has been subject to thoughtful public review and has had to satisfy standards that people never even dreamed of as recently as the 1960’s and 1970’s.

The course recommended in this Comprehensive Plan is to build on existing regulations and provide more definitive standards to best direct future development and help protect York’s many remaining rural areas and natural resources. The approaches recommended are often quite aggressive, and it is assumed these will not always be greeted with open arms by all residents or sectors of the community. Implementing many of these tools will also require greater public expenditures, particularly for the Code and Planning Department. The Town should not increase the complexity of current regulations unless it has adequate staff and financial resources to enable the timely and fair application of the standards.

TOWN OF YORK GOAL 1.1: Direct growth and development to those areas of York that will allow the economical provision of public services.

1.1.1. By statute, this Plan must establish a growth area, distinct from the remaining rural areas. The growth area is depicted on a map entitled, “Growth Area, York Comprehensive Plan, Policy Chapter, July 11, 2006.” This map is hereby incorporated into this Plan by reference. The Town should establish policies and incentives to direct the majority of development and re-development within the designated growth area.

It is not intended that the growth area be directly adopted into the Zoning Ordinance or other Town ordinance. Instead, this Plan recommends four categories of zoning districts be established: village center zones (primarily within the growth area); residential zones (all within the growth area); Route One zones (some within the growth area); and Rural zones (all outside the growth area). While the remaining text of this Plan includes recommendations for each of these zones, it is expressly intended that the details associated with each zone must be decided at the time the amendment language is drafted. It is anticipated that the number of zones could change, that their names may be altered, and so forth.
The net effect of this approach is to retain the diversity of York’s existing development patterns, and encourage the desirable elements of such development in managing new growth. It recognizes York’s traditional village centers, the more densely settled residential areas located east of Route One, the more open patterns of living west of Route One and the more heavily developed commercial areas along Route One. These zoning districts should help create a sharp contrast between the type of development located in the residential zone, and the rural character of development mostly located west of the Route One Zone. This approach should discourage homogenous suburban sprawl.

**ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

1.1.2 The availability of public water supply and sewage disposal are key determinants of the character and intensity of growth in York. They are also important public services to existing development. This Plan hereby establishes policy regarding each of these public utilities.

A. **Public Water Supply System.** This section sets forth the Town’s policies regarding the areas served by public water supplies. The policies written in this section should be reflected in the Zoning Ordinance. The policies are as follows:

1. **Growth Area.** The Growth Area is the priority area for provision of year-round public water. In the long term, public water should be provided throughout this area.

2. **Residential Density.** Inside the Growth Area, the maximum permitted residential density should be increased where public water service is provided. Outside the Growth Area, the maximum permitted residential density should not be related in any manner to the provision of public water service.

3. **Well Ordinance.** Consider expanding the jurisdictional area of the Town’s Well Ordinance to cover the Growth Area as a means of providing an incentive to extend the water lines throughout. Policies in the Well Ordinance will need to be evaluated to ensure they are appropriate if the area of jurisdiction is expanded.

B. **Public Sewer System.** This section sets forth the Town’s policies regarding the areas served by public sewer. A map entitled, “Public Sewer Policy Map, York Comprehensive Plan, Policy Chapter, August 4, 2008” is hereby adopted by reference. The policies reflected in this section and on this map should be reflected in the Zoning Ordinance. The policies are as follows:

1. There are 3 distinct classifications of areas with regard to public sewer service policy, as follows.

   A. **Priority Service Area.** Within the Priority Service Area, provision of public sewer throughout is a high priority. Within this area, the priority for expansion of sewer service is first to areas of marine clays (see the Surficial Geology map of the Natural Resources Chapter of the Comprehensive Plan Inventory & Analysis) and to areas in which there are concentrations of septic systems that are failing, and secondarily to other areas. Public sewer service in this area shall be from the York Sewer District.
B. **Shore Road Service Area.** This area, in the vicinity of Shore Road, Pine Hill Road South, and Pine Hill Road North, is a priority for extension of public sewer service to serve existing development with failing on-site septic disposal, or with licensed overboard discharge systems. Under no circumstances should main extensions be permitted to facilitate new development. Public sewer service in this area could be from either the York Sewer District or Ogunquit Sewer District.

C. **Prohibited Area.** It is inconsistent with this Plan to extend public sewer in the Prohibited Area. New service or main extensions shall be prohibited, except that the Board of Selectmen may permit sewer main extensions in this Area, provided such extensions are provided only to address properties with existing failed septic systems and not to accommodate new development. If such an exception to the rule is made by the Selectmen, public sewer service in this area could come from the York, Ogunquit or Kittery systems, and inter-municipal cooperation for such cases is encouraged.

D. **Southern Route 1 Service Area.** This area, encompassing the Route 1-1 and Route 1-2 zones between the southern boundary of the York River and the Town of Kittery border, allows sewer extension to serve existing development, or any proposed development defined as Workforce Housing or Affordable Housing by the Town of York Zoning Ordinance. Under no circumstances shall main extensions be permitted to facilitate any other new development not specified as allowed in the Southern Route 1 Service Area. Public sewer service in this area shall be from the Kittery Sewer Department.

2. **Residential Density.** Inside the Priority Service Area, the maximum permitted residential density should be increased where public sewer service is provided. Outside the Priority Service Area, the maximum permitted residential density should not be related in any manner to the provision of public sewer service.

**ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

1.1.3. The Town should consider imposing a limit on the amount of residential growth permitted in each zoning district. The limit could be imposed on groups of zoning districts, for instance by limiting the number of permits issued in the rural zones. It could also be applied zone by zone since the Rural-4 zone is quite different than the other rural zones. This sort of policy would directly affect the distribution of growth in York. Extensive public involvement will be required to determine whether or not there is public support for this concept, and to design an appropriate mechanism if support exists.

**MID-TERM PRIORITY -**

**PLANNING BOARD TAKE LEAD ROLE**
TOWN OF YORK GOAL 1.2: Manage the character of future residential and nonresidential development to ensure it reflects existing and desired development patterns.

1.2.1. Open space cluster layout for subdivisions should be the preferred residential development pattern for the proposed rural zones and should be encouraged in the proposed residential zones. The strengths of this form of subdivision design are the preservation of open space, allowing creativity in lot layout and lessening some Town service delivery costs. In 2005 the Town adopted new cluster housing subdivision standards in the Zoning Ordinance. The focus of these amendments was to ensure the design of new cluster subdivisions would result in the protection of resources important to the Town while allowing development of private property. The Town should retain its new cluster standards, refining them over time if necessary.

ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

1.2.2. Consistent with direction provided in the Future Land Use Section, the Town should support the establishment of "improvement districts" to fund needed public infrastructure improvements. An improvement district is a mechanism that allows the Town to assess the property owner the cost to construct specific improvements in a defined area, such as the cost of drainage/stormwater facilities or roads in the Cycad Road area. Improvement districts are recommended for areas of existing dense development that are lacking basic infrastructure. This lack of infrastructure often causes problems with the development of existing vacant lots, many of which were created between 50 and 100 years ago.

MID-TERM & ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

1.2.3. The Town should adopt performance standards that manage the character of new development and significant renovations. These standards should reflect the diversity of York’s existing development and be specific to different zoning districts. The standards can take many forms. For example:

- Implementing bulk/mass standards to regulate house size may be appropriate for the Nubble, but may be wholly inappropriate for the Rural zones.
- Conversely, requiring a structure setback of 100 feet while retaining a naturally forested buffer of 50 feet along the main road may work for the Rural-3 zone (Rt. 91 area), but it is the wrong approach for the Long Sands Beach area.
- Requiring both residential and nonresidential development along York Street to honor the appearance of existing historic structures may be warranted, but this approach makes little sense for the area along Ridge Road.
- Existing nonresidential performance standards for the Route One zones which require buildings to be New England in character, locate parking to the side and rear of the structure and to have the best building face look out onto Route One.

A common theme voiced throughout the Neighborhood Meetings conducted for the Comprehensive Plan and also during the recent Route One planning process was development should "look good" and fit into existing surroundings. The use of performance standards and appearance codes is a way to accomplish this goal.

IMMEDIATE & MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

1.2.4. The Town should allow the establishment of backlots, lots with no frontage, particularly in the proposed Rural Zones, as a way to limit the need for major road construction and to encourage the use of shared driveways which lessens the number of curb cuts. Backlots help property owners to achieve value from their land without the need to develop all of their property simply to pay for infrastructure costs. The proposal also must include provisions to prohibit the establishment of a right-of-way across the backlot to an unsubdivided area.
1.2.5 The Town should allow nonresidential development to occur in areas designated in the Future Land Use Section. The Future Land Use Section has thoughtfully limited where nonresidential development can occur and identified performance standards which must be met. In addition, the amount of new nonresidential development which has occurred since 1990 has not appeared to outpace the community's ability to absorb this development and to allow the new use to prosper.

Existing non-conforming uses may continue to exist and may expand within the existing lot boundaries per current Ordinances. Existing conforming uses made non-conforming by zoning ordinance changes may expand within the lot boundaries and into adjacent property. In all cases the expanded use or expanded structure must meet current applicable performance standards and dimensional regulations to the greatest extent practical as determined by the Planning Board review and approval process.

1.2.6 The Town should strongly consider buying the development rights for selected large tracts of land.

TOWN GOAL 1.3: Manage the growth of residential development.

1.3.1. The Town Planning Board should establish guidelines that require the phasing of subdivisions, particularly to reflect where the project is located. Phasing should be carefully linked to the growth boundary identified in recommendation 1.1.3 above. In short, phasing will be required for a lesser number of lots in a Rural zone than a Residential zone. Phasing is one of the strongest tools available to a community to ensure the costs of new service delivery do not outpace a community's ability to absorb such costs.

An example of phasing is the Planning Board's approach in 1997 in approving the 99 lot Whippoorwill Subdivision located off Route One. The approved phasing schedule stipulated the applicant could obtain a maximum of 20 occupancy permits in any single year, and there was no carry-over in occupancy permits if they were not used in one calendar year. Thus, if the applicant obtained 17 occupancy permits in 1999, the applicant would still be limited to 20 occupancy permits in any subsequent year and the 3 unused permits could not be obtained until the end of the project. By requiring phasing, it will take a minimum of 5-6 years to build out this project, regardless of market conditions for new house sales.

The Town should also consider requiring phasing by applicant, not only by project location. This proposed approach would allow the Planning Board to consider the total number of new projects a developer may propose in any given period, and to stipulate phasing to lessen the amount of impact by controlling the rate of development. For example, if an applicant obtains Planning Board approval to construct a 10 lot subdivision in 1999 and later in the year applies for a 7 lot subdivision in another location, the Board should consider phasing as if it were a single 17 lot subdivision. This recommendation will be difficult to implement because most applicants use multiple development companies, but it has merit in managing the rate of development.

1.3.2. Reserved.
1.3.3. The Town should amend the Zoning Ordinances to require all new lots to satisfy net buildable acreage requirements. The required deductions should be the same criteria established in the Planning Board Subdivision and Site Plan Regulations; poor soils, wetlands, steep slopes, easements and similar features. This should be implemented in concert with recommendation 1.3.2 above. The goal is to benefit orderly development by ensuring a property owner complies with the stricter standards identified in the Subdivision Regulations.

**IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

1.3.4. An initial Transfer of Development Rights (TDR) system has been established on a limited basis (see Zoning Ordinance §7.6.4.B.3). The Town should expand its use of TDR to enhance protection of important natural resources such as, but not necessarily limited to wetlands, wildlife habitats, historic and archeological sites, and unfragmented blocks of open land. In general, the designated Growth Area should be the receiving area, although exceptions to this rule may be appropriate in certain instances.

**MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

1.3.5 After the Maine Supreme Court upheld the Eliot growth cap, a citizen petition regarding a residential growth cap was submitted to York. This ordinance was approved by voters at the Special General Referendum in August 2000. A replacement ordinance was defeated at the November 2000 General Referendum, thus retaining the original ordinance. The Growth Ordinance, as adopted, expires after a few years. It reduces the rate of residential growth, allowing time for work on significant Comprehensive Plan implementation tasks including the Zoning Ordinance overhaul. Based on the number of new housing starts, York has consistently been one of the fastest growing communities in Maine. Establishment of a Town-wide residential growth cap for a fixed period is a reasonable means of avoiding excessive growth until the new directions of the Comprehensive Plan are incorporated into the Town’s ordinances, regulations, capital plans and other policies.

**IMMEDIATE PRIORITY – SELECTMEN TAKE LEAD ROLE**

**Town of Goal 1.4: Support a broad vision of sustainability as a basis for policy decisions regarding growth, development, and protection of natural and scenic resources.**

1.4.1 New policy initiatives added to the Comprehensive Plan or implemented in York’s Ordinances should strive to be grounded in principals of sustainability. Broadly, sustainability is a concept that recognizes the interrelatedness of the energy, environmental, economic, development, and civic health of the Town, and the importance of ensuring that future generations can share in the many of York’s resources that exist today. Currently, the Comprehensive Plan’s goals for York’s present and future, originating from many years of public input from residents regarding what they wish their community to be, touch on many aspects of sustainability. This includes the preservation of York’s vast historic resources, municipal investment in critical infrastructure, encouraging sustainable land use patterns, fostering a strong local economy, supporting local agriculture and food production, promoting renewable energy systems throughout town, creating safe and accessible public spaces for various ages and abilities, protecting natural resources, and continued engagement of the citizens of York in determining the character of their community.
STATE GOAL 2: To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and development.

The Town of York delivers an extensive array of public services to meet the needs and expectations of its 13,000 year-round residents and an equal number of seasonal residents. Services which are known or used by most include: 24 hour/day police and fire; road and drainage system maintenance; curbside residential trash, recycling and bulky waste collection and disposal, and paying the tipping fee for commercial establishments; maintaining public parks and York’s beaches; offering year-round recreational programs for children and adults; operating a senior center; managing public docks and river moorings; planning and zoning, including enforcement of building codes; tax assessing and collection; and public education. Other, less well known services are also provided, such as: contributing to the cost of decorating the graves of veterans at the First Parish Cemetery, providing financial support to many local or regional non-profit service delivery organizations, and offering general assistance to those in need. The overall goal for York, like most towns, is to deliver good quality cost-effective services that residents feel are needed.

Many residents commented positively on the quality of York’s public services at the Comprehensive Plan Neighborhood Meetings. Participants stated they feel York is a safe community and acknowledged the solid efforts of the York Police Department and its officers. Others noted the wide range of programs sponsored by the York Parks and Recreation Department stating the Department offers something for everyone. The York Beach and York Village Fire Departments, particularly the volunteers, both received high marks. The York School system was singled out for praise by many persons, with some stating the quality of York’s schools is why they chose to live here. While still others stated the friendly manner in which York’s municipal employees deliver services contributes to the community’s small town character. Overall, many residents seem to be satisfied with the quality of York’s municipal and educational services.

York, however, must now face the major service delivery challenge of how to pay the cost of much needed public facilities. While the community has done well in delivering services and regularly maintaining its existing infrastructure, it has long neglected the need for better quality public facilities. This pattern is perhaps best illustrated by the plight of the York Public Library. The need for a larger library was first recognized 60 years ago, but it is only now that a specific site and building design for a new library is nearing fruition. Other Town services, such as police and dispatch, are housed in undersized buildings that were designed for another type of use and renovated piece-meal to try to keep pace with current demands. York’s existing school facilities worked well for over 20 years (1970-1990) with few improvements, but there is now a great demand for additional classrooms to serve the community’s existing and growing population.

York’s population has quadrupled in size over the last 45-50 years. This growth has resulted in change and heightened service demands. While York has used a variety of innovative approaches to pay service costs and help stabilize the tax rate for the last 8+ years, many residents are concerned the concurrent need for major facility improvements will result in a property tax increase they simply cannot afford. The Town’s problem is heightened by its high valuation which often precludes receiving State monies to assist in facility construction. York has a significant need to upgrade and expand its existing facilities. It’s population is also reaching a point where the Town may soon need to increase the number of employees to provide needed services. How the Town and its residents respond will help shape the community’s future character.
TOWN GOAL 2.1: Direct most future residential and nonresidential development to areas that allow the economical provision of municipal services.

2.1.1. This goal can best be achieved by implementing recommendations identified in the Town's response to State Goal 1, how to encourage orderly growth and development, and those cited in the Future Land Use Section. Town Goal 1.1.1. describes the principal means by which this Goal can best be achieved.

PRIORITY IDENTIFIED IN THE RESPECTIVE SECTIONS NOTED ABOVE

2.1.2 The Town should locate most public facilities, including school facilities, in the proposed Residential Development and Village Center zones. This approach is particularly appropriate for the Town Hall, Town Library, and School facilities. Introducing such facilities to the proposed Rural Zones and zones which encourage nonresidential uses will detract from the community's small town New England character. Locating these public structures in the Residential and Village Center zones offer opportunities for open space, encouraging pedestrian use and retaining a traditional town lay-out.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

TOWN GOAL 2.2: Promote municipal services and facilities that can provide for the health, safety and welfare of York’s residents in a cost-effective manner.

2.2.1 The highest priority should be to regularly maintain the Town’s existing infrastructure. It makes little sense to construct new buildings or roads or buy new vehicles if the existing buildings, roads and vehicles are falling apart. The Town has wisely appropriated the monies needed each year (currently about $340,000) to overlay and repair about 7-8% of its existing road system. The Town has also adopted a program to regularly replace most of its vehicle fleet before the cost of maintaining a vehicle exceeds its value. These Town practices make sense and should continue. In addition, for many years the Town has annually contributed monies to a designated equipment reserve/replacement fund and used these monies to level the cost of purchasing new equipment, such as a new fire truck. The amount of annual contributions to this fund have decreased, but this practice should continue and the annual amount of appropriations to these funds should be increased.

ONGOING PRIORITY - SELECTMEN & BUDGET COMMITTEE TAKE LEAD ROLE

2.2.2 The Town must ensure adequate resources and staff are available to implement new or expanded programs and regulations which the citizens say they want. As an example, the Planning Board has often advocated and York voters have subsequently adopted more stringent or complex zoning ordinances to regulate new development, but the funds have often been lacking to the Code and Planning Department to provide the required services to implement these ordinances. Similarly, taxpayers have asked for more maintenance of the Town’s beaches, but have reduced the budget to provide the service. The Town should consider a practice of attaching a fiscal note for all new programs and regulations that are subject to a public vote. In short, the program or regulation does not take effect unless the monies needed to provide the service are also authorized.

IMMEDIATE/ONGOING PRIORITY - SELECTMEN & BUDGET COMMITTEE TAKE LEAD ROLE

2.2.3 York’s home rule charter requires the Town to prepare a 5 year capital improvement project (CIP) program that is annually submitted to the voters for adoption. Preparing a 5 year CIP is an excellent practice and is a required component of the State Growth
Management Act. The voters have regularly adopted the 5 year plan at the annual Budget Referendum, but have often failed to support individual line item requests when a specific funding proposal is presented (Actual funding is only requested at the Referendum in the year in which the project is to be built). The Town should continue its current practice of preparing a 5 year CIP and devote adequate resources to ensure it is a good quality and realistic program that best meets the public need.

ONGOING PRIORITY - SELECTMEN & BUDGET COMMITTEE TAKE LEAD ROLE

2.2.4 The Town, in 1997, started to prepare a comprehensive Geographic Information System (GIS). The York Water District, York Sewer District and Town met to assess their collective and individual needs and agreed to jointly work to fund implementation of a GIS program. These entities should continue to work together to implement a GIS program, including how to ensure information remains current. This program warrants regular Town financial contributions to address the needs of all service providers. The Town will likely need to purchase new aerial photography every 10 years to retain accuracy of the information. The Town should also require new plans approved by the Planning Board to be submitted in a digital format so they can be readily incorporated in the GIS program.

IMMEDIATE PRIORITY - SELECTMEN, WATER DISTRICT, SEWER DISTRICT & BUDGET COMMITTEE TAKE LEAD ROLE

2.2.5 The Town currently relies upon an extensive system of user fees to help offset the direct cost of providing services. This diverse system of user fees applies to services such as parking meter fees, building permit fees, boat mooring fees, fees to participate in a program offered by the Parks and Recreation Department, and business directional sign fees. Fees are a critical source of local revenues as State law limits the authority of a municipal government to raise revenues through only the property tax or a use fee. The Town should adopt several practices regarding fee structures:

- Identify Town services for which a fee can or should be assessed. These services are often ones which a resident may periodically choose to use, such as obtaining a building permit, and which all residents may not regularly use. Conversely, it does not make sense to charge a fee for critical emergency services such as police.
- The amount of the fee should reflect the actual or prorated cost to deliver a service. For example, if it costs $50/person to pay for supplies and instructors to field a youth recreation soccer team, the fee to all participants should be $50 or a prorated amount of the cost minus revenues from other sources.
- The Town should regularly review its existing fee structures to ensure they reflect current service delivery costs.
- The Town must ensure its fees are regularly and fairly enforced and collected.

The general philosophy should be that persons who cause the demand for a service should be the primary party that pays for the service. Several specific services which may warrant imposing a fee include: use of the York River for recreational boating; use of Mt. Agamenticus area for recreational biking or walking; and use of Cape Neddick Beach. Implementation of an appropriate fee structure may allow the Town to deliver a service which may be difficult to support through tax revenues or help to maintain or improve existing infrastructure. The harbor fee which is used to fund harbor improvements and Ellis Park Trustee use of parking meter fees collected at Short Sands Beach are good examples of the later approach.

IMMEDIATE PRIORITY - SELECTMEN & TOWN MANAGER CONDUCT COMPREHENSIVE REVIEW OF EXISTING FEES TO DETERMINE APPROPRIATE FEE AMOUNTS

2.2.6 Town voters and the Selectmen, in 1998, authorized York as the first Town in Maine to institute Impact Fees on new residential development to help pay the cost of new school facility construction to meet enrollment needs caused by new development. The fee
requires a new house with 3 or more bedrooms, or an existing house which constructs additional bedrooms to pay a fee of $1,300 or more. Impact Fees are a reasoned approach to raise funds through non-property tax sources to assist in paying the cost of new school construction. The Town Ordinance stipulates the collection of fees for a period of at least 5 years. The Town should both collect the newly imposed fees and evaluate the success of the fee structure in fairly allocating school construction expenses and offsetting the amount of property taxes devoted to school construction.

The Selectmen should also evaluate the merits of applying impact fees to other municipal facility costs. The most appropriate potential expenses appear to be parks construction and public safety building construction. Although many communities assess impact fees for road improvements, the formula for assessing and collecting road impact fees in York does not appear to make sense.

**IMMEDIATE PRIORITY FOR SCHOOL CONSTRUCTION**

**IMPACT FEE MID-TERM PRIORITY FOR OTHER IMPACT FEES SELECTMEN TAKE LEAD ROLE**

**2.2.7** The Town has established dedicated reserve funds whereby use fees and other monies are allocated from a specific service to fund capital facility improvements for that service. For example, capital improvements to York’s boat harbor are mostly funded through monies collected from use fees that are collected and allocated for harbor improvements. This is sound fiscal policy and warrants expansion to other programs. Two additional funds are recommended for voter approval and both warrant support. These are:

- Open Space Acquisition Program whereby funds from the sale of tax acquired property is dedicated to the purchase of significant natural areas. This fund will be presented for Town voter consideration. As discussed in other sections, the Town should also pursue annual Town appropriations to increase the amount of monies in the fund.
- Beach Reserve Fund whereby a portion of the monies collected from parking meter fees are dedicated to beach improvements. This fund will also be presented for voter consideration. Maintenance and capital improvements to York’s beaches is a major expense and this approach ensures there will be monies available to help meet the need.

The Selectmen and Budget Committee should analyze the merits of this approach and determine if other programs warrant regular support through the establishment of dedicated funds.

**IMMEDIATE PRIORITY - SELECTMEN & BUDGET COMMITTEE TAKE LEAD ROLE**

**2.2.8** Enterprise funds have been established to enable revenues collected from program user fees to be dedicated to the operation of specific programs. Enterprise funds are similar to dedicated reserve funds and also operate on the principal that user fees should be dedicated to the program from which the fee is collected rather than simply depositing the monies in the Town general fund. Enterprise funds ensure monies are available to operate programs from the source that generated the monies, thereby decreasing the reliance on taxpayer support to fund these services. Many of the costs of the York Parks and Recreation Department, Sohier Park, and Mt. Agamenticus are funded by enterprise funds. The Selectmen and Budget Committee should work with Town management to extend this concept to other services. Potential options include the Code and Planning Department and the Harbormaster/Harbor Board.

**IMMEDIATE PRIORITY - SELECTMEN & BUDGET COMMITTEE TAKE LEAD ROLE**

**2.2.9** The Town should support the establishment of capital improvement districts to obtain monies from the direct beneficiaries of the improvement to pay for needed improvement costs in targeted areas of Town. This approach is discussed more fully in Goal 1, Orderly Growth and Development, and relevant sections of the Future Land Use Section.
ON-GOING PRIORITY - SELECTMEN TAKE LEAD ROLE

2.2.10 The York Planning Board has the authority through its existing Subdivision and Site Plan Regulations and some Zoning Ordinances to require applicants for new projects to pay for both on-site and off-site capital improvements needed to support the project. For example, approval of a new subdivision may require an applicant to build a road and drainage to town standards, extend a water and/or sewer line, construct sidewalks, street lights or utilities and similar improvements. An applicant may also be required to make improvements to existing roads to handle increased traffic and improve current drainage. The Planning Board has a powerful tool to ensure existing property owners are not saddled with the cost of constructing new improvements to serve new developments. The approach is quite simple, new developments must pay their own way.

ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2.2.11 The Town should work with neighboring communities to use regional approaches to provide needed services. The most recent example of this approach is the 1998 decision of the York and Ogunquit Police Department to share dispatch services. This shared approach has improved the quality of service to both communities and allowed each to save on operating expenses. Other current examples include mutual aid fire/police/rescue agreements with Ogunquit; purchasing photocopy paper through Southern Maine Regional Corporations cooperative buying program, and the Kittery Water District providing service to customers located in York. The Town should consider regional approaches for other services, such as: a joint fire substation with Eliot and South Berwick in the Route 91 area; sponsoring a hazardous waste collection day with adjoining communities to both reduce costs and expand the number of times the program is operated annually; economic development services; GIS services and others.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

2.2.12 The Town, when there are minimal conflicts with private industry, should use Town facilities and services to generate monies to fund municipal services and reduce the burden of service costs on the taxpayer. Current examples include the lease of the Grant House and Mt. Agamenticus Lodge for private functions, use of Town owned land for a telecommunication tower, and the sale of advertising rights. The additional lease of Town owned land for telecommunication facilities has promise.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

2.2.13 The Town should continue the current practice of assessing land for current use which decreases the need to develop the remaining vacant land simply for the purpose of paying property taxes. Open space lands usually demand the least level of public services and are usually net tax assets. The Town should also research options to expand this principal of taxing land based on current use to encourage property owners to keep undeveloped land open for public access. Land use and taxation policy are inseparable and creative ways to preserve open space.

ONGOING PRIORITY FOR EXISTING CURRENT USE PRACTICE MID-TERM PRIORITY TO RESEARCH ALTERNATIVE MEANS OF TAXATION SELECTMEN TAKE LEAD ROLE

2.2.14 The Town should work with the State Legislature to expand the taxation and revenue options available to municipalities to reduce the reliance on property tax revenues. At present, the State relegates municipal taxation authority to property taxes and user fees. Potential local option targets include: establishing capital improvement districts (discussed in 2.2.9); assessing real estate transfer taxes (rate greater than current rate) to pay for school construction costs and/or open space acquisition; and creating meals and lodging taxes. The ability to assess real estate transfer taxes to assist in paying school construction costs is particularly appealing because it may decrease York’s need...
to assess impact fees on new construction, and the amount of tax paid would reflect the value of the property purchased.

IMMEDIATE PRIORITY ON REAL ESTATE TRANSFER TAXES - SELECTMEN TAKE LEAD ROLE

2.2.15 Provide adequate staff and financial resources through annual budget appropriations to provide a high quality of services at levels expected by York residents. Quality of service includes timeliness, accuracy, thoroughness and courtesy; customer friendly is the goal.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

2.2.16 In the areas not served by public water supplies, the York Beach and York Village fire departments should create a plan for developing water supplies for fire protection. Locations suitable for dry hydrants and water supply cisterns to aid in fire protection should be evaluated. The Town should consider enacting policies to require new development to share in the cost of site acquisition and construction of such supplies, with specific standards and mechanisms to be determined following further study of the matter. Once established, the Town should consider maintaining these facilities just as it pays for water service at fire hydrants in the public water supply service areas.

ON-GOING PRIORITY – FIRE DEPARTMENTS TAKE LEAD ROLE

TOWN GOAL 2.3: Provide the educational facilities and services to support a high quality education for York students.

2.3.1 The School Committee, in 1997, prepared a 10 year capital improvement project program that identified the amount of space and costs to provide good quality school facilities to accommodate existing and projected enrollments for the next 10 years; through 2008. School enrollment projections were prepared by Market Decisions, a firm with the expertise to do this job well. Town voters, in May 1998, were asked to adopt the proposed $23 million capital facility program that included the following improvements:

- Renovate the existing York High School - $5.5 million
- Construct a new York Middle School - $14 million
- Renovate the existing Coastal Ridge Elementary School - $3.5 million
- Construct parking facility improvements to York Village Elementary School - $100,000

Town voters, at this election, approved the bonded indebtedness to renovate York High School and York Village Elementary School, but did not appropriate the requested funds for the Middle School or Coastal Ridge Elementary School.

The School Committee has implemented a solid planning approach to identify its capital needs. It is also working to construct the High School and Village Elementary School improvements funded by the voters and reexamining how best to provide facility improvements for both a new Middle School and renovation of Coastal Ridge Elementary School. The School Committee has also committed to annually preparing new 10 year school enrollment projections. The recommendation in this Plan is quite simple. The School Committee should continue its current practice of preparing a 10 year capital program for school facilities and the accompanying enrollment projections, and adjusting this program as needed to respond to changing enrollments. The School Committee should also advocate Town voter approval of the funds required to construct needed facilities.

IMMEDIATE & ONGOING PRIORITY - SCHOOL COMMITTEE TAKES LEAD ROLE

2.3.2 The School Committee should annually work with the Budget Committee and York citizens to present an operating budget that allows for the delivery of high quality education services to the students of York.

ONGOING PRIORITY - SCHOOL COMMITTEE TAKES LEAD ROLE
2.3.3 The School Committee should operate a good quality Adult Basic Education (ABE) Program that provides all York residents the opportunity to pursue ongoing learning. York voters rejected a request to establish a full-time ABE coordinator in 1998. This request should be resubmitted by the School Committee for voter consideration in 1999 and become an ongoing request of the Town. The School Committee should also consider establishing a fee structure for the courses offered that fosters the Adult Basic Education Program becoming as self-sustaining as possible.

IMMEDIATE PRIORITY - SCHOOL COMMITTEE TAKES LEAD ROLE

TOWN GOAL 2.4: Provide a safe, efficient and well-maintained comprehensive transportation system including roads, pedestrian amenities and non-motorized vehicle trails.

2.4.1 The Town, in 1983, adopted an Ordinance that established minimum standards a road must satisfy to be considered a public road; a road for which the Town must spend public monies to maintain. The Town will not accept a new road or an existing road for public maintenance unless all applicable standards are met. Road and drainage maintenance is one of the Town’s most costly services and this Ordinance prevents the Town from becoming responsible for maintaining or upgrading a road which is deficient.

There are now over 110 miles of publicly maintained roads in York and 35-40 miles of privately maintained roads. If the Town was responsible for maintaining all currently private roads the annual Highway maintenance budget would likely increase by $250,000-$300,000, and the Town would assume a potential road capital improvement (upgrading substandard roads to current standard) cost in excess of $15,000,000. Notwithstanding this cost, the Town should also consider revising the current minimum pavement width standard of 20’ to a lesser standard for roads which will only serve a minor amount of local only traffic. For example, in some neighborhoods, a 14’ wide paved road may be more appropriate to support local traffic and reflect the character of the neighborhood. It would also help decrease long-term maintenance costs.

ONGOING PRIORITY TO RETAIN EXISTING ORDINANCE

MID-TERM PRIORITY TO EXAMINE POTENTIAL ORDINANCE AMENDMENTS

SELECTMEN, PLANNING BOARD & PUBLIC WORKS TAKE LEAD ROLE

2.4.2 The Town operates an effective program to regularly maintain existing public roads by annually appropriating sufficient funds to “hot-top” about 7-8% of York’s roads. This maintenance schedule enables each public road to be resurfaced every 10-12 years which aids the quality of local transportation and lessens the long-term need to reconstruct the road. The Town should continue this current practice and periodically reassess the amount of paving being performed each year to ensure greater maintenance problems do not arise. Maintaining the existing public road system should be the Town’s highest road improvement priority.

ONGOING PRIORITY - SELECTMEN/PUBLIC WORKS TAKE LEAD ROLE

2.4.3 York, like most Towns, has road intersections that often have traffic circulation problems or are high accident locations. Several of the most significant problem intersections in York and potential corrective actions follow:

- The monument at the center of York Village - Recommend realignment of intersection and different traffic pattern within next 3 years.
- The layout of Old Post and Ridge Road - No specific improvements at this time.
- The layout of Long Sands Road and Ridge Road - No specific improvements at this time.
- Route 103 and Route 1A - No specific improvements at this time.
• Route 103 and Seabury Road - Use of neck-downs on Route 103 to decrease traffic speed, little opportunity to realign the road.
• Southside Road/Route 1/Beech Ridge Road - Prefer realignment of Beech Ridge Road to better “square” the intersection, although signalization may be an appropriate long-term approach. The adjacent intersection of Harvest Lane and Southside Road which has minimal sight distance to the east compounds the problems of this intersection.
• Mill Lane/Route 91 - Little opportunity for corrective action.
• Route 91/Route 1 - Relocation and signalization will likely be accomplished in 1999.
• Route 1/Orchard Farm Lane - Potential addition of left turn lane on Route 1 in the near-term should greatly benefit this problem intersection. Also, signalization and realignment of the existing Route 1/Route 91 intersection should create better gaps for people to exit this intersection.
• Clark Road/Route 1 - Little opportunity for corrective action.
• Rt. 1A/Route 1 (Cape Neddick) - Little opportunity for corrective action other than signalization, primarily a seasonal problem.
• River Road/Route 1 - Little opportunity for further corrective action other than signalization, primarily a seasonal problem.
• The alignment of North Village Road/Berwick Road - Prefer realignment of intersection to improve sight lines, a long term priority.

The solution many seem to prefer is to install a signal light. This approach often compounds existing traffic delays, but usually leads to a decrease in the severity of accidents. In addition, several of the intersections may not satisfy signalization warrant levels. The Town must work cooperatively with the Maine Department of Transportation to address many of these problem intersections.

SELECTMEN, PLANNING BOARD & PUBLIC WORKS TAKE LEAD ROLE CONSISTENT WITH ABOVE PRIORITIES

2.4.4 The Town of York Planning Board should reexamine current road construction standards specified in the Planning Board Subdivision and Site Plan Regulations to establish road construction standards, particularly road width and surface materials, that reflect project transportation needs. Current standards often specify types of roads which are counter to York’s desire to retain its small town and rural character. For example, if a subdivision is greater than 15 lots, the current standard requires a road to be 24’ wide. The Planning Board, over the last 5 years, has used its authority to grant waivers to the standards to allow roads which make more sense for a project, but amending the Regulations to establish more reasonable standards is the preferred approach. The road standards should rarely require roads which are wider than 20’ of paved surface (without pedestrian/bicycle amenities) and should allow narrow local access only roads that serve small subdivisions.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2.4.5 The Town should adopt access management guidelines to regulate the amount and location of new curb-cuts along Route One and major rural roads in York, such as Route 103, Route 91, Beech Ridge Road, Shore Road and Mountain Road. Current Planning Board Subdivision and Site Plan Regulations identify standards, but these standards do not always provide the Board with adequate tools to limit the number of curb cuts. Key provisions that should be inserted in these Regulations and the Zoning Ordinance involve residential driveways, both the need to advocate common driveways and to require turn-arounds on all driveways to prevent cars from backing out into major through roads.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE
2.4.6 The Comprehensive Plan Steering Committee heard significant support at the Comprehensive Plan Neighborhood Meetings for the Town to construct bicycle and pedestrian paths. The value of a walkable and bikable community for health, environmental benefit, added recreational opportunities, and alternative transportation cannot be underestimated. The Town of York recognizes the many economic, social, health and recreational benefits that will result in creating safe spaces to walk and bicycle, contributing towards networks that link our homes, downtowns, workplaces, parks, and beaches. Not only a benefit to residents, the scenic roads of York are a draw to visitors, as well. Specific recommendations to address this interest include the following:

- A Bicycle-Pedestrian Committee should be formed to produce a sidewalk/pedestrian master plan, including an inventory of existing conditions, key current or potential routes, on-street and off-street possibilities, critical areas for safety improvements, potential costs as well as funding sources, and prioritized recommendations. The potential projects and improvements to emerge from a master plan will range from physical redesign of roads and intersections, to much less cost prohibitive measures such as signage and striping of roads within existing roadway dimensions. The York Beach Subcommittee has identified areas for sidewalk improvements or creation, and intersection redesign needs in York Beach, as well as worked for the placement of additional pedestrian signage in the area. Recommendations such as these should be incorporated into the larger master plan, and incorporated into an illustrative map on this topic. Efforts should be made early to reach out to stakeholders – cyclists, walkers, and students, to insure maximum community input. The Committee should also work in concert with the Community Development Department and Department of Public Works.

  **IMMEDIATE PRIORITY – COMMUNITY DEVELOPMENT DEPARTMENT TAKES LEAD ROLE**

- The Planning Board should assess the need for non-vehicular improvements (sidewalks, pedestrian paths, extended pavement width to support bicycle use) during the review of new subdivisions and require the applicant to construct appropriate improvements. Pedestrian facilities work best if they are incorporated into the original project design.

  **ONGOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE**

- The Town, as an element of its Five Year Capital Improvement Program, should appropriate funds to construct desired pedestrian improvements. The list of areas where residents want sidewalks indicates the need for long term capital planning and prioritizing. The three highest priority areas are York Village Center, Woodbridge Road and Nubble Road. Other areas which merit attention include Ridge Road and Old Post Road.

  **INTERMEDIATE PRIORITY – SELECTMEN & BUDGET COMMITTEE TAKE LEAD ROLE**

- The Town should explore the use of existing paths and off-road areas to support pedestrian and bicycle activities. Town voters appropriated funds in both 1997 and 1998 to upgrade Fisherman’s Walk, and significant additional funds will be needed to complete this project. Other opportunities include paths along the abandoned railroad right-of-way and through Water District lands near Mt. Agamenticus.

  **IMMEDIATE PRIORITY FOR FISHERMAN’S WALK & LONG TERM PRIORITY FOR OTHER AREAS - SELECTMEN TAKE LEAD ROLE**

- Though bike lanes have been requested as an amenity in many parts of Town, road widening to create bike lanes is not the only technique available for a road to
accommodate both vehicular and bicycle travel. Retrofitting of existing road dimensions, wide outside lanes, traffic calming, improvements of sight distances and intersections, shared lane markings that indicate to drivers that they are on a road frequently also used by cyclists, can all be applied to contribute to more complete, inclusive streets. Rather than examining the feasibility of bike lanes only, the most appropriate, and attainable improvements should be examined site by site.

ONGOING PRIORITY – COMMUNITY DEVELOPMENT DEPARTMENT AND DEPARTMENT OF PUBLIC WORKS TAKE LEAD ROLE

- Efforts to improve pedestrian and bicycle routes should be made to coordinate with overlapping regional initiatives, such as the Maine Safe Routes to School Initiative, the East Coast Greenway, Seacoast Area Bicycle Routes (SABR), and path and trail planning efforts in surrounding communities.

MIDTERM PRIORITY – COMMUNITY DEVELOPMENT DEPARTMENT TAKES LEAD ROLE

- The Planning Board should assess the need for non-vehicular improvements (sidewalks, pedestrian paths, extended pavement width to support bicycle use) during the review of new subdivisions and require the applicant to construct appropriate improvements. Pedestrian facilities work best if they are incorporated into the original project design. Sidewalks are most appropriate for areas in the proposed Residential and Village Center zones, while pedestrian paths may be more appropriate for subdivisions in the proposed Rural zones.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

- The Town, as an element of its Five Year Capital Improvement Program, should appropriate funds to construct desired pedestrian improvements. The list of areas where residents want sidewalks likely outstrips the Town’s ability to pay. The three highest priority areas are York Village Center, Woodbridge Road and Nubble Road. Other areas which merit attention include Ridge Road and Old Post Road. The Town will not pursue constructing improvements along most rural roads that may adversely impact the existing rural character. A long-term priority of the Town should be to prepare a definitive sidewalk/pedestrian master plan.

IMMEDIATE TO LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

- The Town should explore the use of existing paths and off-road areas to support pedestrian and bicycle activities. Town voters appropriated funds in both 1997 and 1998 to upgrade Fisherman’s Walk, and significant additional funds will be needed to complete this project. Other opportunities include paths along the abandoned railroad right-of-way and through Water District lands near Mt. Agamenticus. This is likely an expensive proposition.

IMMEDIATE PRIORITY FOR FISHERMAN’S WALK & LONG TERM PRIORITY FOR OTHER AREAS - SELECTMEN TAKE LEAD ROLE

2.4.7 The Town should explore alternative approaches to aid in directing traffic to York’s beaches. This includes pursuit of a public access road through land owned by the York Wild Animal Kingdom. It also includes better signage directing traffic to the beach and implementation of a pilot off-site beach parking program.

MID-TERM to LONG-TERM PRIORITY - SELECTMEN & PUBLIC WORKS TAKE LEAD ROLE

2.4.8 The Town should cooperatively work with the Maine Department of Transportation (MDOT) to prepare a long-term plan for road improvements to the Route One corridor. The Town discussed lay-out options for Route 1 during the Planning Board’s Route 1 Planning Process in 1995-1996. The Town is now informally working with MDOT to
address some issues, but a more definitive plan is needed to ensure future improvements are well coordinated. The lay-out of Route 1 has been a significant local issue in 1997 and 1998 because of several major development projects, including the Hannaford Brothers grocery store, the Whippoowill Subdivision, the proposed York Crossing retail center, and the relocation of Stonewall Kitchens to the Town Route One parcel. Additional improvements are needed to Route One to address increasing traffic volumes and more right-left turn traffic. Many of the recommended improvements could be funded by developers as specific projects are approved. If MDOT assistance is unavailable, the Town should consider engaging the services of a consultant to perform a traffic management plan.

**IMMEDIATE PRIORITY - PLANNING BOARD & PUBLIC WORKS TAKE LEAD ROLE**

2.4.9 In the Transportation Chapter of the Inventory & Analysis Section of this Plan, the federal functional classification of roads was presented. This is the official designation of road type based on usage and purpose (arterial, collector or local) recognized by the state and federal agencies when dealing with transportation improvement projects, impact analyses, and project permitting. Also presented was a local assessment of roads’ functional classes based on direct local knowledge and experience. The local perspective was markedly different than the federal designations. Because there are significant policy implications associated with the functional classification system, it is important for the Town to adopt its own classifications. The map entitled, “Local Assessment of Roadway Functional Classification” dated July 12, 2005 (from the Transportation Chapter of the Comprehensive Plan) is hereby adopted as a local policy. The Town shall request the Southern Maine Regional Planning Commission and the Maine Department of Transportation recognize the Town’s functional classifications and amend the federal functional classifications to match the local assessment.

**IMMEDIATE PRIORITY – PUBLIC WORKS DEPARTMENT TAKES LEAD ROLE**

2.4.10 As of the 2010 US Census, York has been included in a contiguous urbanized area that includes municipalities in New Hampshire such as Portsmouth, Dover, and Rochester, as well as Berwick, Eliot, Kittery, Lebanon, and South Berwick in Maine. As a result of this, the Town is now grouped with these neighboring communities for the purposes of transportation planning and funding for the portion of the Town designated as part of this contiguous urbanized area. The Transportation Improvement Program (TIP) for the urbanized area is a prioritized listing of federally funded transportation projects for the Kittery Area Comprehensive Transportation System (KACTS). KACTS serves as the Metropolitan Planning Organization (MPO) for the Maine portion of the Portsmouth and Dover-Rochester, New Hampshire urbanized areas. The KACTS MPO is a transportation policy-making body made up of representatives from local government and transportation providers, as well as state and regional planning commission representatives. It produces both transportation studies and administers capital improvement funds provided through Maine DOT. In addition to studies and planning for transportation-related capital improvements, KACTS must involve the public in regional transportation planning by striving to inform citizens of critical issues facing their regions. In order to receive transportation funding from state and federal sources,
York is required to participate in this regional organization dedicated to cooperative transportation planning and implementation.

**TOWN GOAL 2.5: Promote a Town government structure that effectively addresses the needs of York’s citizens.**

2.5.1 York voters, in 1991, adopted a Home Rule Charter that significantly changed the open Town Meeting form of government the Town had used for centuries to conduct municipal business. In 2002, ten years post adoption and implementation of the current Charter, the Town should establish an ad-hoc Committee to assess the effectiveness of the Charter to operate the local government and meet the public need, and to offer recommendations, if any, regarding desired changes. It is appropriate for a Town to conduct periodic comprehensive assessments of its government structure and operations to ensure local needs are being met.  
**MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE**

2.5.2 As the Planning Board has been doing since the adoption of the latest Comprehensive Plan in 1999, the Board should consider periodic (annual) updates of the Plan as a means of keeping the plan current.  
**ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

2.5.3 The Town has made wide and wise use of cable television to telecast local meetings which has helped create a more informed electorate. The Town and School are also using an Internet Home Page to make more information available. The Town should continue to telecast local public meetings and implement ways to increase the knowledge of local residents about local government. The Internet also offers the potential advantage of allowing routine services to be delivered electronically rather than the customer coming to Town Hall.  
**ONGOING PRIORITY - SELECTMEN & SCHOOL COMM. TAKE LEAD ROLE**

2.5.4 The Town should regularly participate in regional, state and national organizations, such as Southern Maine Regional Planning Commission, Maine Municipal Association and the International Conference of Managers Association, that enables the Town to be familiar with current technology and approaches to address public service needs. The old adage of learning from other's experiences applies to local government.  
**ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE**

2.5.5 The application for a building permit or even finding out such basic information as allowable uses, dimensional requirements, Town, State, and Federal permits needed, and overlay district requirements can be a daunting and confusing task for the citizen not involved with building/developing on a daily basis. It should be an objective of the Town to make this process as user friendly as possible for the Town residents. It is recommended that the existing Planning Office checklist be reviewed and updated periodically to insure completeness and clarity. It may be warranted to maintain an updated checklist on the Town's website. If applicants are more familiar with the requirements, the "time of service" by the Planning Department staff may be reduced.  
**IMMEDIATE AND ONGOING PRIORITY - PLANNING STAFF TAKES LEAD ROLE**

**TOWN GOAL 2.6: Support Accessibility in the Human-Made Environment**

2.6.1 The federal American with Disabilities Act (ADA) prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities. As part of this act, new development is required to comply
with the ADA Standards for Accessible Design, which includes standards for outdoor spaces and indoor construction, such as handicapped parking spaces, wheelchair ramps, minimum sidewalk widths, dimensional requirements for entrance doors, textured surfaces on curb ramps, among other provisions. The Town of York supports creating an accessible environment for all ages and abilities that at minimum meets the standards outlined by the American with Disabilities Act.
STATE GOAL 3: To promote an economic climate that increases job opportunities and overall economic well-being.

York is in the heart of the Greater Seacoast area. The region traditionally has experienced greater job growth, more diversified employment opportunities and lower unemployment than most any other region in Maine. In fact, the most common sign in York in 1998 was a plea for “help wanted” in the windows of many local businesses. The region’s sound economy has rarely required the Town to take a direct role in business attraction or retention, and some have labeled York as being “anti-business”.

York’s objective should be to ensure the community continues to benefit from the health of the region’s economy and York’s ideal location as a family oriented seasonal resident and tourist destination. One of York’s prime assets is its large number of well maintained seasonal homes. Individually, these homes often look no different than a year-round residence located next door. Collectively, however, these homes are a major tax asset to the community that place little demand on the Town’s number one service cost; schools. In addition, the need for regular services to these homes, landscaping, renovations, and such, helps retain many self-employed or small service companies in York.

York should also avoid the trap of becoming simply a bedroom community where the parents travel south to the Portsmouth and Boston labor markets while the kids trek off to York schools. Fortunately, nearly 40% of York’s residents continue to work where they live. The decision of several small locally owned companies - Cormier Textile, Maine Coast Lumber, Maine Wood and Design, Stonewall Kitchens and Lofware - to locate or expand their operations in York within the last two years has shown that the Town can be more than a place where people lay their head down to sleep at night.

The general course recommended in this Plan is for York to identify land areas that are suitable for a variety of business activities, provided the business is prepared to “look good”, mitigate adverse impacts and be an asset to the community. Most local homeowners take great pride in maintaining their home and property well, and the Town simply wants business owners to adopt the same approach.

TOWN GOAL 3.1: To promote a sound economic base and economic development that are consistent with York’s small town coastal character.

3.1.1 Consistent with recommendations identified in the Future Land Use Section, the Town should establish areas where appropriate nonresidential uses are specifically permitted, and clearly identify where nonresidential uses are prohibited. The Town should also require compliance with appropriate performance standards to ensure a proposed nonresidential use is compatible with the existing and desired character of an area. The areas in which nonresidential uses are recommended to be permitted include the following:

- **Village Centers:** York has four main village centers, York Village, York Harbor, York Beach and Cape Neddick. The intent is to establish zoning standards that retain or enhance the existing character of these respective centers, while allowing business to flourish.
- **Long Sands Beach:** This area should allow both restaurant and hotel development, the main nonresidential uses which now exist.
- **Route 91/Beech Ridge Road area:** This rural zone should also allow businesses that make products, such as James Taylor Furniture Company, and small scale retail uses, such as the Brixham Grange Hall.
• **Route One:** Appropriate sections of Route One area should serve as the Town’s main commercial areas and a prime location for small scale industry. These areas are identified in the 1996 Route One Zoning Ordinance amendments.

**IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

3.1.2 York has always had a large number of local craftsmen and entrepreneurs who have worked on the land on which they have lived. York should recognize the importance of these home based businesses to its local economy and adopt home occupation standards that fairly regulate such uses, while protecting against adverse impacts. All proposed home occupations should be required to obtain a permit from the Code Enforcement Officer to ensure appropriate Town standards are met. Three tiers of home occupation uses are proposed. The zoning districts in which each tier of home occupation is appropriate is identified in the Future Land Use Section. The tiers include:

- **Class 1 Home Occupation:** The use must occur in the primary structure and should be less than 450 sf in size. The uses would be primarily office/professional with minimal traffic impact and no retail sales. No more than 1 employee other than occupant would be allowed. These are low impact uses on the neighborhood. Class 1 home occupations are discussed as being appropriate for many of the proposed Residential zones.

- **Class 2 Home Occupation:** The use can occur in either the primary structure or an accessory structure (a garage, barn, etc.). A variety of uses would be allowed; office, service/repair, making products, and limited retail sales. There would be no more than 1 employee other than the occupant, minimal traffic and no night-time activity. The use should be no greater than 800 sf in size. Class 2 home occupations are discussed as being appropriate for some of the proposed Residential and Rural zones, and the Village Centers.

- **Class 3 Home Occupation.** The use can occur in either a primary or an accessory structure. A wide variety of uses would be permitted; office, service/repair, making products and limited retail sales. The maximum size of the use should be in the range of 1,600 sf of ground floor space and 2nd story use should be permitted. Other than the occupant, there would be no more than 3 employees. This tier of home occupation is recommended for some rural zones and the Route One zones.

Implementation of the proposed home occupation provisions is considered a key recommendation in this Plan.

**IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

3.1.3. Consistent with direction provided in the Future Land Use Section, the Town should adopt standards that recognize the importance of traditional industries to the local economy and private property owners. Three of the most significant traditional industries are agriculture, timber harvesting and fisheries. Timber harvesting is proposed to be recognized as a permitted use in all zoning districts, and the Rural-4, Natural Resource Protection zone, has been designed to encourage sustainable timber harvesting activities as the most beneficial form of land use. Agriculture is permitted in all Rural Zones and “right to farm” standards are recommended for several areas. Recommendations regarding fisheries are identified in State Goal 7, Marine Resources.

**IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

3.1.4. See public water supply and sewage disposal policies in §1.1.2.

3.1.5. The Town should encourage regional cooperation in pursuing economic development activities that benefit the community. York is part of the Greater Seacoast economy. The Town lacks the funds and the need to independently pursue economic development, and could forge relationships with its neighboring communities to best provide services to its
existing and future small businesses. The KEYS (Kittery, Eliot, York and South Berwick) reports produced in 1992 and 1994 provide excellent direction on how to pursue regional cooperation. The Town voters chose not to reauthorize funding for the KEYS organization in 1997, but it is an approach that warrants future attention, particularly if the economic euphoria of the mid-1990’s begins to wane as it did in the late 1980’s. A regional approach to addressing economic development issues also includes alliances with the Southern Maine Economic Development District; an active organization that can provide business loans and similar assistance.

MID-TERM & ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

3.1.6. The Town should pursue available State funds, when appropriate, to assist businesses to relocate to York or to expand existing operations. York’s ability to obtain a Community Development Block Grant (CDBG) to pay the cost of road, water and sewer infrastructure improvements was a significant factor in Cormier Textile’s decision to relocate to York in 1997. In 1999, the Town’s ability to obtain CDBG monies to again pay infrastructure costs was a deciding factor in Stonewall Kitchen’s decision to expand in York or relocate to another community. The Town, however, should target its grant acquisition efforts to businesses which clearly benefit the community and should not simply start to chase grant dollars for any business which asks. For example, manufacturing may offer advantages that additional retail sector growth does not.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

TOWN GOAL 3.2: To retain York’s attraction as a family oriented seasonal resident and tourist community.

3.2.1. Consistent with recommendations identified in the Future Land Use Section, the Town should establish areas where new and existing seasonal resident housing is encouraged. The main areas where this can occur include:

- **The Nubble:** The Plan recommends this area be zoned Protected Residential to help safeguard its continuation as an area of many seasonal homes.
- **Back of Long Sands Beach and Ridge Road:** This area should also be identified as a Protected Residential zone. A key recommendation that should encourage the construction of seasonal homes is to allow housing that does not exceed 2 bedrooms in size to be constructed at greater densities than 3 bedroom units.
- **Freeman Street area:** Little undeveloped land remains, but this area should continue to support seasonal residential housing.

In addition, the Town should amend current zoning to allow reasonable expansions of currently non-conforming structures if the intent is for the home to remain occupied seasonally. Reinvestment in aging cottages is important to the Town.

IMMEDIATE PRIORITY to MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3.2.2. Tourism is a major component of the Town’s economy. The Town can assist in supporting this industry by routinely implementing practices such as the following:

- Deliver services that support use of York’s prime tourism beaches, particularly Short Sands Beach and Long Sands Beach.
- As owner of the Nubble (Cape Neddick) Lighthouse, the Town must ensure its maintenance and that of the surrounding Sohier Park. Both are prime tourist attractions.
- The Town should support the establishment of an "Improvement District" in the Short Sands Beach Village Center area that uses the funds of property owners and Town Capital Improvement Project funds to renovate existing infrastructure;
sidewalks, lighting, streetscape amenities (benches, etc.), public parking, drainage, and others.

- The Town should improve road signage that helps direct the traveling public to prime tourist destinations.
- The Town should work with the private sector to establish a system of off-site parking and public transit to transport tourists (day-trippers) to York’s beaches and relieve current parking problems.
- The Town should work cooperatively with the Chamber of Commerce, York Beach Merchant’s Association, York Restaurant Association and similar groups to enhance communication between the public and private sector.

Most of the above recommendations are ongoing activities and do not represent one-time solutions.

IMMEDIATE TO LONG-TERM PRIORITIES - SELECTMEN TAKE LEAD ROLE

Town of York Goal 3.3: To create conditions conducive to small-scale, local business start-up, success and growth.

3.3.1 Modify outside display standards in the Route One Zoning to enable an eclectic mix of local businesses to thrive along the corridor, and to help prevent a sterile, homogenized, “strip development” look from becoming the norm along the Route 1 corridor.

3.3.2 Streamline application standards and processes for small-scale business applicants as they start-up and expand.

3.3.3 Modify sign standards to permit extra, temporary signage for new small businesses during an initial start-up period.

3.3.4 Small business incubation should be encouraged through permitting buildings to house multiple business ventures simultaneously.

Town of York Goal 3.4: Policies on Formula Businesses

3.4.1 As of 2004 the voters of York have supported a prohibition on formula restaurants and fast food restaurants in Town. Public workshops by the Planning Board in 2010 that debated loosening formula restaurant restrictions ultimately resulted in public and Planning Board resistance to any change to a policy that is generally viewed as successful. In light of the continued support for these existing policies, it is appropriate for the Town to continue to sustain a ban on formula and fast food restaurants.

3.4.2 There are many other types of formula businesses in Town, and many more possible, whether in the form of regional franchises or national chains, such as but not limited to banks, gas stations, supermarkets, auto dealerships, real estate companies, insurance companies and hardware stores. The reasons voiced for support of the continued ban on formula restaurants also have implications for other, non-restaurant business categories. No ban is proposed for other formula business categories. However, it is important to the community that new businesses support a strong local economy, with a variety of viable, locally owned businesses, that new businesses respect the scale and historic building patterns of the area.

3.4.2 New business designs and treatments that express corporate, franchise, or trademark identities should not take precedence over the Town’s efforts to maintain the historic character of York, to support excellent building and site design, and to promote safe and inviting commercial places.
STATE GOAL 4: To encourage and promote affordable, decent housing opportunities for all Maine citizens.

Many of the growth-related issues are a result of the protracted amount of housing growth in York since the 1950s. The amount and patterns of residential growth are of paramount concern, but are addressed by policies elsewhere in the Comprehensive Plan. In general, the goals of the Town are to ensure that housing is decent and safe for its occupants, that the mix of unit types is suitable for residents’ needs, and that the Town fulfills its responsibilities to help provide affordable housing.

Town Goal 4.1 – General Housing Policies

Housing in York is generally well built and well maintained. There are no concentrated areas of poverty and blight, and issues of unsafe housing are few and scattered. Except for affordability, housing issues are not severe in York.

4.1.1 Age-Restricted Housing. The Town has enacted three types of zoning provisions to allow for age-restricted housing: elderly housing, elderly congregate housing, and the York Village Elderly Affordable Housing Overlay District. The Overlay District is addressed separately under the heading of affordable housing policies. Both elderly and elderly congregate housing provisions are based on age, and income is not a relevant factor as far as the code requirements are concerned. Other housing relating primarily to age of residents, such as co-housing, hospice housing, and nursing homes, should be investigated and considered.

Elderly Housing. Occupancy of elderly housing is limited to people who are 62 years of age or older, or the spouse of someone of this age. There is also a provision that federally funded elderly housing must also permit people with handicaps to be eligible for the units. York permits elderly housing in locations with both public water and public sewer, which is a relatively small area of Town. The regulations provide for high density with some basic controls on site and building design to control neighborhood impacts. To date, Yorkshire Commons of the York Housing Authority is the only elderly housing property in York. A new provision should be added to the Zoning Ordinance to allow for small-scale elderly housing to be created without being located on public water and public sewer.

Elderly Congregate Housing. Occupancy of elderly congregate housing is limited to people who are 55 years of age or older, or the spouse of someone this age. This form of housing is permitted only east of Route One between the York and Cape Neddick rivers, with some densely developed areas excluded. In theory, this form of housing is based on the concept of the “continuum of care,” which spans the range from independent living to assisted living to full-care living. A resident enters this housing at any level, and can then progress through to other more care-intensive levels as their needs change over time. As regulated in York, this is a form of elderly housing with a lower age limit and a minimal requirement for some type of shared community facilities. There are 3 elderly congregate care facilities in York at this time. The Sentry Hill facility has units which range from independent living cottages all the way to an Alzheimers care unit. Spring Pond Estates, and second facility, is comprised of a series of independent living units plus a rented community room with a minimal kitchen and a small room for a visiting nurse to hold hours for residents. Bayberry Ridge at Spring Pond is the third facility, and will also have a limited range
of options for residents. The developer attempted to create a nursing home as part of the Spring Pond and Bayberry Ridge projects, but density conflicts with the Shoreland Overlay District prevented local permitting. At some point, the regulations associated with elderly congregate housing should be revised to require a stronger tie to the continuum of care concept.

Both the elderly and elderly congregate zoning provisions should be evaluated for possible improvements as outlined above.

York Village Elderly Affordable Housing Overlay District. See Section 4.2.2.

LOW PRIORITY
PLANNING BOARD TAKES THE LEAD ROLE

4.1.2 Seasonal Housing. As a summer destination, York has a large amount of seasonal housing, primarily concentrated near the beaches. It is important for the Town to retain a significant portion of this housing stock for seasonal use because it provides significant tax revenues without placing major demands on public services, especially schools. It is also important to ensure that code-deficient buildings are updated and made safe as they are expanded, improved, or converted to year-round use. Although some people still build new residences for seasonal use, the building codes do not permit any new buildings to be built to a lesser standard, so over time the building stock will become more homogenous. Much of the reason for on-going distinctions is based on the lack of year-round water supply. For those units on seasonal water, public water service needs to be discontinued at least 90 consecutive days, and this standard should be carried forward into the Zoning Ordinance. The definition of seasonal housing in the Zoning Ordinance is also inadequate and should be amended to be consistent with Town policy.

ONGOING PRIORITY
PLANNING BOARD TAKES THE LEAD ROLE

4.1.3 Apartments. Apartments are an important component of the Town’s housing stock. Most young households are not in a position financially to afford to purchase a home, so apartments are the most likely housing option. York’s housing stock has a lower percentage of duplex and multi-family units than the surrounding areas, the county or the state. Not surprisingly, the number of residents in their late teens through mid-30s is far lower than expected for a population of York’s size. Virtually no apartments have been constructed in York since 2000, and the impact on the age distribution will probably worsen if this pattern continues. Apartments are permitted in one residential zone (RES-7), in 2 commercial/village zones (BUS-1 & YBVC), one general zone (GEN-3), and in 5 Route One zones (all except Route One-1). In addition, historic buildings in the former York Harbor and York Beach village corporation areas can be converted into apartments as an incentive to conserve significant older buildings. The Residential Growth Ordinance has the effect of prohibiting apartments by virtue of limiting the number of units one applicant can have on the waiting lists at any one time. The Town should pursue policy amendments which encourage the development of some additional apartment units. Among other approaches, apartments should be permitted on upper floors above commercial spaces throughout Town, with minimal density limits where public sewer is available. The Residential Growth Ordinance should be amended to realistically allow applications for new apartment construction. The Town should also evaluate its ability to control condominium conversion of apartments because many rental units have been lost by conversion to ownership units. Other code amendments should be considered.

HIGH PRIORITY
PLANNING BOARD TAKES THE LEAD ROLE
4.1.4 Accessory Residential Units. To help families care for their extended family, the Planning Board proposed to allow homeowners to create a temporary in-law type of apartment attached to their home. Voters enacted this policy in November 2004. The units are permitted by Special Exception, and are subject to a number of limitations. Most significant is the requirement that the separate unit be eliminated when no longer used by the family member in need. Since its establishment, only 1 or 2 accessory residential units have been created. Accessory residential units are different than accessory dwelling units, and the Town should continue to permit both types of units.

ONGOING PRIORITY
PLANNING BOARD TAKES THE LEAD ROLE

4.1.5 Building Codes. The Town should continue to administer and enforce building and other related codes to ensure construction of safe dwellings and other structures. The national trend is leading towards adoption of uniform codes, and Maine is taking an increasingly assertive role in mandating certain codes. It is anticipated that a new statewide building code based on the International Building Code will be imposed on all communities on July 1, 2010. In the transition to the new statewide code, it is necessary to maintain the Town's fee system, currently enacted within the Town of York Building Code, because these fees fund a significant portion of the code enforcement and GIS functions, unless the Town transitions to funding these functions with general revenues. During the transition, it will also be important to look for conflicts between the new statewide building code and other Town-adopted codes, such as the Life Safety 101 code, and to repeal or modify the local codes to eliminate any conflicting provisions and ensure overall consistency. Finally, the Town needs to watch for situations where modifications of the statewide code requirements are warranted, and should adopt or lobby for such modifications as necessary.

ONGOING PRIORITY
COMMUNITY DEVELOPMENT DEPARTMENT TAKES THE LEAD ROLE

4.1.6 Code Enforcement Staffing. The Community Development Department currently has 3 staff with full state certification as code enforcement officers. The Department's Administrative Assistant is certified as a Local Plumbing Inspector to help facilitate issuance of State plumbing permits. The Department Head is certified as a code enforcement officer in the areas of land use and shoreland zoning. The code enforcement workload on the Department has proven difficult to manage with just 3 code enforcement officers, so the additional staff with overlapping responsibilities has proven helpful. The Town needs to ensure it has adequate staff to perform required code enforcement functions, and that the staff is adequately trained for the demands of the work. Two of the full-time code enforcement officer positions are funded entirely with permit fees. Use of fees to pay a portion of code enforcement expenses has proven effective and should be continued, but poses a risk for loss of services as the economy lags and building activity and permit revenues wane. Alternately, the Town could fully fund the Department with general revenues and remove the Community Development Department from its reliance on permit fee revenues. Maintenance of Department staffing levels during such a transition will be critical.

ONGOING PRIORITY
COMMUNITY DEVELOPMENT DEPARTMENT TAKES THE LEAD ROLE

Town Goal 4.2 – Affordable Housing Policies

Despite the recent weakening of the real estate market, housing remains unaffordable in York, and in the seacoast region in general. Based on responses to recent surveys of voters
and businesses in York, there appears to be solid support for the Town to begin to address its affordable housing deficit. The State requires that each community in Maine seek to address the problem of housing affordability. Specifically, Title 30-A MRSA §4326(3-A)(G) requires that municipalities must enact "land use policies and ordinances [that] encourage the siting and construction of affordable housing within the community." This statute goes on to add detail, "The municipality… shall seek to achieve a level of at least 10% of new residential development, based on a 5-year historical average of residential development in the municipality… that meets the definition of affordable housing." Simply put, York and all other municipalities throughout Maine need to do their share to resolve this statewide problem.

To determine the actual number of affordable housing units required, historical information is required. This number must be calculated annually, and will fluctuate based on the five-year average specified in the statute. For 2009, 10 affordable housing units is the target to be achieved. This is calculated as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Net Increase in # of Year-Round Housing Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>69</td>
</tr>
<tr>
<td>2007</td>
<td>101</td>
</tr>
<tr>
<td>2006</td>
<td>71</td>
</tr>
<tr>
<td>2005</td>
<td>104</td>
</tr>
<tr>
<td>2004</td>
<td>136</td>
</tr>
<tr>
<td>Total New Units</td>
<td>481</td>
</tr>
<tr>
<td>Average New Units Annually</td>
<td>96.2</td>
</tr>
<tr>
<td>10% of Average</td>
<td>10</td>
</tr>
</tbody>
</table>

In making this calculation, the language of the statute must be interpreted. The statute refers specifically to "new residential development." This is interpreted to mean the net increase in the number of year-round residential units. Annually it is the sum of newly constructed residential units, conversions of units from seasonal to year-round, accessory residential units, and accessory dwelling units. It does not include tear-downs/replacements, nor does it include homes moved from one lot to another.

So what does affordable mean? Affordable housing is defined by statute as, "a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 80% of the median income for the area," per Title 30-A MRSA §4301(1). The area is defined by the US Department of Housing and Urban Development and includes the 5 communities of York, Kittery, Eliot, South Berwick and Berwick. In addition to the income limit for the household occupying the unit, total housing costs cannot exceed 30% of the combined gross income of all members of the household if the housing is to be considered affordable. For renters, total housing costs include both rent and utilities. For home owners, total housing costs include mortgage costs, taxes, insurance and condominium fees.

In late 2008 and early 2009, the Community Development Department conducted a series of 3 surveys relating to affordable housing. First was the survey of voters, which received a very high rate of response and was found to be statistically defensible. This survey demonstrated a solid base of support for the Town to take action. Taken as a whole, the survey results point to a willingness to consider policies which would increase the supply of affordable housing, whether by new construction of apartments or conversion of existing buildings into apartments. The survey results were also very clear that affordable housing must not come at the expense of destruction of character of the surrounding neighborhood. Scale and design will be important components of any solution. The survey results also were clear in showing strong opposition to funding affordable housing – by waiving impact fees or offering any sort of monetary subsidies.
In addition to the voter survey, the Department surveyed businesses and people who commute into York. Neither of these surveys received a strong response, and neither is considered statistically valid. Two of the resident survey questions, dealing with the issues of housing being a priority, were repeated in the business survey, and the responses received were very similar. One new issue was identified by these surveys – the business community strongly indicated there is not enough housing for seasonal workers. Details of both surveys are included in the Inventory & Analysis Section’s Housing Chapter.

4.2.1 General Affordability Policy. The Town shall continue to attempt to comply with State mandates about the creation of new affordable housing units. Code revisions for measures such as higher housing density and energy efficiency should be pursued to help achieve this goal by creating incentives for the private and non-profit sectors to create new affordable units in the amounts necessary to meet statutory goals.

ONGOING PRIORITY
PLANNING BOARD TAKES THE LEAD ROLE

4.2.2 York Village Affordable Elderly Housing Overlay District. In May 2003 the Town created the York Village Affordable Elderly Housing Overlay District to accommodate the development of 104 units of affordable elderly housing by the York Housing Authority. This overlay district encompasses less than 20 acres of land. The District was created primarily to overcome density limitations of the Shoreland Overlay District in the area to be developed. The State permitted this override because the shoreland resource in question was a wooded wetland which the State did not require to be included in the Shoreland Overlay District. The affordability standard is not contained in the Zoning language, but needs to be inserted. The Town should retain this Overlay District, and should be open to opportunities to amend this District to increase the number of affordable housing units.

ONGOING PRIORITY
PLANNING BOARD TAKES THE LEAD ROLE

4.2.3 Accessory Dwelling Units. In response to concerns about both housing affordability in general, as well as the ability of owners of larger homes to be able to afford to pay rising property tax bills, two members of the Board of Selectmen introduced the General Accessory Dwelling Unit Ordinance. It was enacted by the voters in November 2004. This Ordinance permits a small apartment to be added to an owner-occupied single-family home without considering this to be an increase in residential density. The ordinance establishes a number of controls to manage impacts and prevent abuse. A total of 24 1-bedroom units and 8 2-bedroom accessory dwelling units have been permitted as of December 31, 2008. All 1-bedroom units and up to 10 2-bedroom units annually are exempt from the requirement to obtain a Residential Growth Permit. Because there is no restriction on the income of people occupying either unit, these units are not necessarily helping the Town to comply with State affordable housing mandates, but this policy is certainly helping to increase the diversity of unit types available, presumably at relatively low rent costs. Continuing adjustments to maintain and improve the functionality of this Ordinance may be required.

ONGOING PRIORITY
PLANNING BOARD TAKES THE LEAD ROLE

4.2.4 Workforce Affordable Housing Overlay District. After a decade of discussion in York on the issue of affordable housing for working families, two members of the Board of Selectmen introduced the Workforce Affordable Housing Overlay District. It
was enacted by the voters in November 2008. This District is closely modeled on the existing zoning provisions for elderly housing and elderly congregate housing provisions, but targeted at working households rather than the elderly. Rental or ownership units are both accommodated, and the key provision provides for higher density to increase affordability. There are basic design controls, and a requirement that new construction must meet energy efficiency standards to help control energy costs for occupants. Based on results of the resident survey on affordable housing, it is clearly important to ensure good design to integrate affordable housing into a neighborhood. The design standards of this Overlay District should be amended to better address this public concern.

**HIGH PRIORITY**

**PLANNING BOARD TAKES THE LEAD ROLE**

**4.2.5 Affordable Rental Units.** Perhaps the most important conclusion to come from the affordable housing surveys is that conversion of existing buildings to affordable apartments is the affordable housing strategy most likely to win voter support. A direct question about this received 5:1 support, and it is consistent with the finding that residents are extremely concerned about protecting the character of their neighborhoods. As a result, a policy needs to be enacted which will facilitate the conversion of existing buildings into affordable rental units. This will most likely be conversion of existing single-family homes into 2 or more affordable apartments, although non-residential buildings could also be converted. There was 2:1 support for dispersal of the units throughout Town, so wide geographic distribution should be allowed if possible. Ability to treat septic wastes will be the primary constraint for areas not served by public sewer. If scale of construction and building massing can be adequately addressed, it may make sense to permit new construction of affordable duplex or multi-family units as well. In all cases, affordable units must be controlled or managed to ensure they are rented year-round, at an affordable rate, to households whose incomes qualify under the State mandate limits. Because these will be rental units targeted at that portion of the population least able to purchase housing, condominium conversions must be prevented.

**IMMEDIATE PRIORITY**

**PLANNING BOARD TAKES THE LEAD ROLE**

**4.2.6 Economies of Scale.** Staff at the York Housing Authority have expressed a concern that economies of scale is a likely show-stopping issue for small-scale creation of affordable rental units in particular, and for affordable housing in general. Without some subsidizing mechanism, they do not believe it will prove economically feasible for any affordable units to be created in small numbers. If this is the case, small-scale conversion of existing buildings to affordable units will probably require that a portion of the units be market-rate units in order to subsidize the affordable units. As larger projects are contemplated, the economic realities may run directly counter to the public sentiment about controlling scale of projects and disbursing the affordable housing throughout Town. To deal with the project scale issues, an in-depth process of facilitated public engagement should be undertaken to help build a common understanding of the issues and determine if there is public support for larger-scale projects. A charrette with design professionals such as architects and landscape architects, with demonstrated successful experience in similar larger-scale projects, should be included as part of this process.

**MID-TERM PRIORITY**

**YORK HOUSING AUTHORITY TAKES THE LEAD ROLE**

**4.2.7 Housing for Seasonal Workers.** Tourism-related business in York peaks during the summer months, and businesses hire many seasonal workers. Some of the seasonal workers are students on vacation from high school or college, either from York or
commuting to York from surrounding communities. There is also an influx of foreign workers. Housing for these workers is a big question. A few employers provide safe housing for these people, such as the dormitory at the Cliff House, but it is not clear where many of the other foreign workers live. There exists ample anecdotal information to suggest that people are living in cellars, sheds, and a variety of other unsafe and illegal accommodations. In the affordable housing surveys referenced above, the single strongest response to any question in any of the surveys was that York does not have enough safe, affordable housing options available for seasonal employees of York’s organizations and businesses. This finding comes from the survey of businesses, the results of which are not statistically valid because of the low response. However, the strength of response indicates this may be a significant problem and is worthy of investigation. It is important for the Town to investigate this issue in order to develop factual information on which to base its seasonal worker housing policies, and to enact policies that ensure seasonal workers are not relegated to living in unsafe, overcrowded, unpermitted housing. The Town should support employers who provide safe and decent housing for seasonal workers. Allowance for dormitory-style housing should be considered. An effort should also be made to identify any unsafe, illegal dwellings and to take enforcement action to bring these into full compliance with all relevant codes. Practical, workable solutions are needed.

MID-TERM PRIORITY
COMMUNITY DEVELOPMENT DEPARTMENT TAKES THE LEAD ROLE

4.2.8 Donation of Properties. The Town of York has donated two properties to Habitat for Humanity. The first was donated in the late 1990s, and the second was donated in 2008. Habitat for Humanity constructed an affordable single-family home on the first property, and will soon be constructing an affordable single-family home on the second property. As a policy, the Town should continue the practices of donating suitable vacant properties, particularly those acquired by tax foreclosure, to organizations such as Habitat for Humanity to accommodate the construction of new affordable housing.

ONGOING PRIORITY
BOARD OF SELECTMEN TAKES THE LEAD ROLE

4.2.9 Manufactured Housing and Mobile Home Parks. In 2002, the Planning & Ordinance Committee determined that the policies in the Zoning Ordinance relating to manufactured housing and mobile home parks (Zoning Article 13) did not conform to State law. The Town’s requirements are more restrictive than the State requirements, and the State requirements of MRSA Title 30-A §4358 expressly prohibit this. These provisions of the Zoning Ordinance should be reviewed, and amended as needed to ensure compliance with State law.

MID-TERM PRIORITY
PLANNING BOARD TAKES LEAD ROLE

4.2.10 General Assistance. The Town should recognize that some individuals periodically experience problems in affording the cost of housing in York. The Town should be prepared to offer general assistance to those who truly experience need in meeting housing costs. This is a safety-net for those who have the lowest incomes.

ONGOING PRIORITY
BOARD OF SELECTMEN TAKES LEAD ROLE
State Goal 5: To protect the quality and manage the quantity of the State’s water resources including lakes, aquifers, great ponds, estuaries, rivers and coastal areas.

One of York’s most prominent features is its’ water resources. York has a long and varied coastline; sandy beaches, salt marshes, and rocky high energy coasts. Its ponds and their watersheds provide sufficient water to serve the municipal water supply needs of both York and Kittery. The York River traverses the Town’s east to west boundary and most of it is navigable. York’s ocean and riverine setting is one of the prime reasons the community was first settled and remains a key factor in why people choose to live in the town.

York has historically taken many measures to protect its water resources. The York and Kittery Water Districts have been purchasing lands adjacent to their water supply ponds for nearly 75 years. These efforts were complemented in the mid-1980’s by Town adoption of the watershed protection overlay district ordinance that helped managed the intensity of uses permitted in the watershed. York was also one of the first communities in the State to embrace shoreland zoning and continues to rigorously apply its requirements to both coastal and freshwater wetlands. While past and current practices have greatly contributed to the present quality of the Town’s water resources and warrant continuation, additional measures are recommended in this Plan.

Town Goal 5.1: To provide a safe and adequate municipal water supply that meets or exceeds all State and Federal drinking water standards.

5.1.1 The Chases Pond reservoir is managed by the York Water District and serves as York’s water supply. The Kittery Water District relies on several ponds in York to provide the municipal water supply for Kittery residents and businesses, and its water lines also serve York residents in the Route 91- Beech Ridge Road area. Ponds located in York owned by the Kittery Water District include Bell Marsh, Boulter Pond, Middle Pond, and Folly Pond.

Collectively, the York and Kittery Water Districts have done an excellent job of maintaining the quality of their respective municipal water supplies. The Districts have purchased many of the lands within the watershed, particularly those located immediately adjacent to the ponds. In addition, the Town of York, in 1987, at the urging of the Water Districts, adopted a watershed protection overlay district ordinance that limits the types of uses that can occur in the watershed and requires compliance with performance standards that lessen potential adverse impacts on water quality. The target for York should be to maintain and expand upon the excellent efforts that have been undertaken to date to protect these water supplies. These measures include the following:

- The Town should encourage the York and Kittery Water Districts to continue purchases of lands within their respective watersheds. Both Districts routinely set aside funds to acquire land. Maintaining public ownership and control of lands within the watershed is the greatest single tool that can benefit long term water quality.

  ON GOING PRIORITY - WATER DISTRICTS TAKE LEAD ROLE.

- Any development of the districts’ lands in the water supply watershed areas is in direct contradiction to this Plan, except as needed by the districts to manage their public water supplies. The Town shall work collectively with stakeholders to encourage the Districts to place conservation restrictions on these lands to ensure their protection in perpetuity. All options to achieve this level of land protection should be evaluated, and action taken as soon as possible.

  IMMEDIATE PRIORITY – CONSERVATION COMMISSION TAKES LEAD ROLE
The Town should amend the current Watershed Overlay Protection District by establishing a Natural Resource Protection Zone that includes the respective watersheds as well as other significant resource lands in the Mt. Agamenticus area. Consideration should be given to increasing lot sizes from the 3 acres presently permitted to a size better suited to protecting water quality and preserving other natural resources. Standards that address water quality impact should be reviewed as should measures to minimize future development in this area.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE.

Lands located immediately adjacent to the water supply ponds are currently included in the Resource Protection Subdistrict of the Shoreland Zone. This Zone establishes a 250’ protective buffer (no use zone) around all ponds. The Town should continue this current practice and include all undeveloped shore frontage for the drinking water supply ponds in the Resource Protection Subdistrict.

NO NEW ACTION NEEDED - ON-GOING PRIORITY

The Town of York, York Water District, State of Maine, Nature Conservancy, Town of South Berwick and others are now engaged in a cooperative management planning process for lands in the Mt. Agamenticus area, an area which includes most of the Kittery and York watersheds. A specific master plan has not yet been prepared, but the parties are identifying how best to manage land uses and resources which warrant protection. The Town should participate in this effort and ensure cooperative management is the approach used for land use and regulation in the Mt. Agamenticus area. Town participation should include financial support. Subsequent to preparation of this master plan, the Town should work to implement the identified priorities.

IMMEDIATE PRIORITY - PARKS AND RECREATION DEPARTMENT AND CONSERVATION COMMISSION TAKE LEAD ROLE

The Town should complement existing measures in the Watershed Protection District by ensuring all streams which drain into any of the major ponds are included in the Stream Protection Subdistrict of the Shoreland Overlay Zone. Many of these streams are single channels draining directly into a pond, often from very steep elevations. Protecting the stream channels is a prime way to help protect water quality.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

Neither the York or Kittery Water District presently allow recreational use of their water supply ponds. The Districts should continue this policy, particularly with respect to motorized water craft. Reducing the need for treatment is a sound means of protecting water quality.

ON-GOING PRIORITY - WATER DISTRICTS TAKE LEAD ROLE

The York and Kittery Water Districts have created a temporary pipeline connecting several of their respective water supply ponds. This connection will allow either District to make temporary use of the other’s water supply if problems arise. Similarly, the York Water District has pursued an interconnect with the Kennebunk-Kennebunkport-Wells Water District. Interconnecting existing water supply systems is an important means to reduce over-reliance on a singular source of water for a municipality’s water supply.

MID-TERM PRIORITY - WATER DISTRICTS TAKE LEAD ROLE
• The Town, consistent with the future land use section, should encourage the York and Kittery Water Districts to pursue selective public water extensions as a means to provide water service to meet existing and new residential and non-residential needs.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

Town Goal 5.2: Protect and enhance the water quality of York’s major surface water supplies, particularly the York River and Cape Neddick River.

5.2.1 The York River has retained many of its classic features even though York will soon be celebrating its 350th anniversary as a municipality. At one of the neighborhood meetings a resident described a trip down the York River as a step back into history. The visual character of the York River is important, and helping to preserve this character will directly benefit water quality. Specific action steps the Town should take include:

• Most undeveloped sections of the York River are now included in the Resource Protection Subdistrict of the Shoreland Overlay Zone and most other areas are in the Limited Residential Subdistrict. The Town should continue this current Shoreland Overlay Zoning status. The Resource Protection zoning classification is a prime tool the Town can use to best manage the intensity of land uses around the headwaters and the tidal marshes of the York River.

ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• The Town should consider including all streams which drain into the York River in the Stream Protection Subdistrict. Many of these streams are now unregulated. A prime way to control water quality is to properly manage uses along the streams that flow directly into the River.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• The Town should increase vegetation cutting standards adjacent to the York River and within the watershed from the current standard of 75’ of a no-cut/no clearing zone to a minimum of 100’. Providing good quality vegetative buffers is a prime means to protect water quality. This standard, however, should not be used to prohibit property owners from maintaining existing open fields along the River which presently offer scenic views. Provision should be made for removal of invasive species.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• The Town has learned through 15 years of water quality testing in the lower Cape Neddick River that there is a significant water pollution problem. Clean water in the Cape Neddick River is a goal of the Town because it is important for public health, environmental health, the quality of life of York residents, and the Town’s tourist economy. It is also directly related to the Town’s established goal to ensure high water quality at public beaches, including Cape Neddick Beach (see Policy #5.2.5). A key determinant of water quality is the health and adequacy of riparian vegetative buffers. Providing good quality riparian vegetative buffers is a prime means to ensure: stability of the river banks; maintenance or improvement of water quality; conservation of fish and wildlife habitat; and protection of aesthetic values. Two critical steps for improving water quality in the River are to protect remaining buffers, and to re-establish lost buffers where feasible. State minimum shoreland standards have not proven adequate, so larger buffer requirements must be established and enforced.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE
• The Town currently regulates use of the York River through the Town Harbor Board regulations and the York Harbor Master. The Town should continue to exert management authority over use of the River. Specific concerns include the use of motorized water craft, including the speed of such craft, where access to the river can occur and the location of private docks. These issues are discussed more thoroughly in State Goal #7, Marine Resources; please reference this goal.

• The Town should continue its efforts to eliminate the few remaining overboard discharge systems located along the York and Cape Neddick Rivers. The Town has been successful in working cooperatively with the State Department of Environmental Protection to convert several former overboard discharge systems to a standard subsurface wastewater disposal system. There are several remaining overboard discharges that cause potential water quality problems. Eliminating these systems is a high priority.

Existing overboard discharge system owners are also required to submit regular reports regarding the operation of the system. To date, this requirement has only sporadically been enforced. The Town should work with the State DEP to ensure adequate fees are received from the owners of overboard discharges to enable good quality monitoring of their operations. A potential approach to improve monitoring is for the Town to use (increased) fees collected from the owners to contract this function out to a subcontractor

**IMMEDIATE PRIORITY - CODE AND PLANNING TAKE LEAD ROLE**

• The Town should protect lands along the headwaters of the York River, particularly the tidal flats. Ownership of these lands should be a prime target for use of the proposed Open Space Acquisition Fund. The Town can best make use of its limited funds by working cooperatively with the York Land Trust and others to purchase the property or obtain conservation easements. The Town, however, should be cautious in supporting efforts of the Federal government to obtain ownership of these lands unless the Federal government is prepared to allow public access to the tidal flats.

**ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE**

• The Town should require compliance with best management practices regarding soil erosion and sedimentation control in all areas of the York River watershed. Opening of too much land at any single point in time as well as poor timber harvesting practices can lead to unnecessary sedimentation of the River.

**MID-TERM PRIORITY - PLANNING BOARD AND CODE & PLANNING DEPARTMENT TAKES LEAD ROLE**

• The York Soil and Conservation Service, in 1996, worked with the Town to prepare an initial inventory of resources important to protecting water quality within the York River watershed. The Town should review this report and implement specific recommendations that make sense for the River. The Town notes many issues raised in the report illustrate the York River is in relatively good condition. Development has generally happened responsibly and there are few major pressing issues.

**MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

5.2.2 The Cape Neddick River is shorter in length than the York River and has a much smaller watershed. It offers few opportunities for navigational use. Unlike the York River which extends from the Atlantic Ocean to beyond the Town boundary, the Cape Neddick River narrows to less than 50’ in width only 3/4 mile from the shoreline of the Atlantic Ocean. It
crosses Route One and its headwaters are near I-95. Specific actions the Town can take regarding the Cape Neddick River include the following:

- Prepare a beach management plan for use of the Cape Neddick beach. Reference the Future Land Use Section.
  **IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE.**

- Houses dot most of the shoreline of the Cape Neddick River located east of Route One, however, the area west of Route One remains relatively undeveloped. The Town has included the area east of Route One in the Limited Residential Subdistrict of the Shoreland Zone and it is recommended this classification remain. Current regulation of the River west of Route One is a mixed bag. It is recommended that this section of the River and connecting streams also be included in the Limited Residential Subdistrict with a 100' setback and 100' no vegetation cutting zone.
  **IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

- Implement best management practices for all areas within the Cape Neddick River watershed to lessen the likelihood of soil erosion and sedimentation problems.
  **MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

- The Town should pursue the purchase of presently undeveloped marsh land along the Cape Neddick River. Cape Neddick River waterfront should be a prime candidate for the proposed Town open space acquisition fund.
  **ON-GOING PRIORITY - SELECTMEN TAKE LEAD ROLE**

- The Town should strongly encourage the York Sewer District extend public sewer to uses near the Cape Neddick River, particularly the Cape Neddick Campground and Cape Neddick Lobster Pound. These are large-scale users which have the greatest likelihood of having an adverse impact on water quality.
  **MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE WITH SEWER DISTRICT**

5.2.3 There are a number of other river systems in York that are significant and which warrant Town consideration. These include the Little River and its accompanying watershed, the Josias River and Brave Boat Harbor. Specific actions the Town can take include:

- Including all streams which flow into York’s surface water supply within the Steam Protection Subdistrict of the Shoreland Zone. Many of these streams are presently unprotected and warrant the protection that would occur through inclusion in the Stream Protection Subdistrict.
  **IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

- Ensuring best management practices are implemented to control soil and erosion in stream protection areas.
  **MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

- Working to minimize the number of crossings of all streams is a high priority. The access/crossing points should be regulated. Stream crossings often result in fill activities and man-made narrowing of the stream channel.
  **ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

- An approach that can work to further protect water quality resources in the Brave Boat Harbor area is to encourage additional Federal purchases of area lands. Much of the Brave Boat Harbor area is included in the Rachael Carson Wildlife Refuge which results in these lands becoming off limits to further development.
The Town, however, should encourage greater public access for passive recreation to these lands.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

• The coastal areas of Brave Boat Harbor should remain in the Resource Protection Subdistrict.

ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• The Town should encourage the York Conservation Commission to continue current efforts to monitor water quality of local streams. To date, most efforts have focused on the Little River and York River. It is critical to develop a long term inventory of water quality in York’s streams and rivers to best gauge the impact of existing and future development.

ONGOING PRIORITY - CONSERVATION COMMISSION TAKES LEAD ROLE

5.2.4 The Town hereby establishes a policy calling for phosphorous control in the watersheds of all York’s Great Ponds – those in the Watershed Protection Overlay District and Scituate Pond. Specific analysis and standards are to be developed following the completion of higher ranked priorities.

LONG TERM PRIORITY – CONSERVATION COMMISSION TAKES LEAD ROLE

5.2.5 Consistent with a policy enacted by the Board of Selectmen on April 27, 2009, the Town supports a policy of water quality protection in all areas of York, with the goal of eliminating the need to post advisories or close public beaches due to water pollution.

ONGOING PRIORITY - SELECTMEN AND COMMUNITY DEVELOPMENT DEPARTMENT TAKE LEAD ROLE

Town Goal 5.3: Protect and enhance the quality of ground water and ensure State water quality standards are met.

Much of York depends on groundwater resources to provide their regular drinking water supply. A large amount of York’s land area is not served by public water and there is little likelihood some areas can realistically be economically served. It is critical the Town work to protect existing groundwater quality to the greatest extent practical. Specific actions the Town should take include the following:

5.3.1 The Town should amend current zoning ordinances as recommended in the Future Land Use Section and State Goal 1, Orderly Development, to increase the minimum lot size in areas relying upon individual wells.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE.

5.3.2 The Town should work with private well-drillers to secure information on existing and new wells in York for the purpose of developing a comprehensive inventory of existing well locations, the depth of the well drilled, the amount of water flow from the well and the quality of the drinking water. The compilation of this information will provide a good representation of existing ground water resources. This work should require minimal Town investment as the data is generally available from well drillers and can be assembled/managed as a component (data layer) of York’s GIS system.

Subsequent to compilation of this data, the Town should evaluate the information to determine if there are areas where groundwater quality resources are at risk. At risk areas warrant further examination regarding how best to preserve water quality, such as further lessening the intensity of permitted development or allowing development only if public water is available.
5.3.2 The Town Planning Board Subdivision and Site Plan Regulations currently require a high intensity soil survey for any project of significant size. The Board should continue this current practice. The Board should also require modeling of proposed water usage patterns for larger projects to identify any potential adverse impacts on groundwater quality. This is particularly critical for a larger scale project that is a high water consumptive water user, such as a golf course.

ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

5.3.3 The Town, in 1991, adopted a subsurface wastewater disposal ordinance that established new guidelines for the construction of individual septic systems and larger controlled systems. These standards have been an important tool in helping to protect groundwater quality by improving standards to which septic system must be built. The Town should ensure these standards, at a minimum, remain in effect to best regulate subsurface wastewater disposal system construction and use. The standards require an individual system to be built to the State’s (former) moderate guidelines for design flow rather than the minimum standards, and also require an engineered design and monitoring plan for a larger communal system (over 1,000 gallons).

ONGOING PRIORITY - CODE AND PLANNING TAKES LEAD ROLE

5.3.4 The Town should consider a standard which strongly encourages all septic systems to be pumped a minimum of once every three-four years. A good way to help preserve ground water quality is to maintain the effectiveness of subsurface wastewater disposal systems. Regular pumping will contribute to such. The best way to achieve this objective is through a good quality public information campaign. In addition, the Town could request all area septic pumpers on an annual basis to provide a list of all septic systems pumped in the York area.

LONG-TERM PRIORITY - CODE AND PLANNING TAKES LEAD ROLE

5.3.5 See public sewer system policies in §1.1.2.

5.3.6 See public water supply policies in §1.1.2.

5.3.7 The Town has only two mapped sand and gravel aquifers of any size. Both are located in the Route 91 area, but neither is large enough to serve as a municipal water supply. The Town should ensure the intensity of development which occurs in these aquifer areas is appropriate. The lack of significant groundwater resources in a concentrated area emphasizes the critical need for the Town to protect its surface drinking water supplies.

ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE.

Town Goal 5.4: Protect high value areas, such as sand dunes and the coastline of the Atlantic Ocean.

Few areas identified as sand dunes on York’s more fragile coastline have been subject to significant new development which may cause major adverse impacts. York has protected its coastline for the last 15 years by strictly enforcing shoreland zoning requirements. Most development has been residential and few new lots and little new development has occurred at high density standards. Several issues arise in looking at coastal development in York. These include:
5.4.1 Few true sand dunes remain in York. Most have drastically been altered by man-made structures, particularly along Long Sands Beach/Route 1A. The Town should cooperatively work with the State to identify and implement reasonable rules for the use of York’s remaining dunes, particularly its beaches.

York’s beaches are public resources and routinely have been used for recreational activities. Current State rules often seek to limit any use of these areas and are in conflict with the State goal to encourage public access to coastal resources. For example, the State DEP only allowed the Town to construct new steps, including a handicap ramp, to Long Sands Beach if the stairway was a replacement for an existing structure. The net effect of this policy is the Town can only work to maintain existing accesses and not improve public access. More meaningful standards are warranted.

The Town and State should also recognize that it may not make sense to simply preclude development for sand dunes that have been compromised by man-made structures, such as in the Long Sands Beach area. Development may be appropriate provided flood control measures are met and if the net affect is to lessen the impact on the back dune by allowing development in the front dune. This warrants further exploration. LONG-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

5.4.2 The Town should adopt shoreland zoning standards that reflect existing use patterns and which are consistent with direction provided in the Future Land Use Section for areas along its coastline. This is particularly true for the Long Sands Beach/Short Sands Beach area. In this area, development along the shoreline is restricted to residential uses, but the underlying zones allow commercial uses.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

Town Goal 5.5: Utilize watersheds as the primary unit for managing water resources.

The Town should apply its water resources management and regulations to watersheds where possible and practical. Watersheds are the logical unit because each defines a distinct resource system. Within each watershed, coordination and integration of policies to manage the unified system is essential to achieving desirable outcomes in an efficient manner. Within a watershed, smaller sub-watersheds can be distinguished from one another to refine further or differentiate policies, or to account for other circumstances such as the presence of a village or commercial area. The important concept is the use of natural system boundaries rather than arbitrary political boundaries wherever possible. Where watersheds cross town boundaries, coordination with the neighboring town will be important.

5.5.1 The Town’s land use policies should be applied on a watershed basis. It is intended that this policy will be implemented concurrently with other policy implementation. For example, when the Town amends its storm water management practices and policies, it should do so by applying storm water standards logically throughout a watershed.

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE

5.5.2 Where watersheds cross town boundaries, an effort should be made to coordinate with the neighboring town or towns which share the resource. This is already happening with the York River, where the Wells Reserve has initiated the York River Watershed Council, a steering committee involving the towns of Kittery, Eliot, South Berwick and York. It may be difficult or impractical to have a separate organization for each of York’s 6 watersheds which cross town boundaries, but some level of coordination effort for each should be made.

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE
**Town Goal 5.6: Manage storm water to prevent flooding, pollution, and soil erosion.**

5.6.1 The Town should continue its participation in the National Flood Insurance Program. This Program requires the Town to enforce floodplain policies (the Floodplain Management Ordinance), and in return offers property owners the ability to obtain flood insurance.

**ON-GOING PRIORITY – CODE ENFORCEMENT TAKES LEAD ROLE**

5.6.2 In recognition of long-standing drainage and flooding problems, the Town hired Edwards and Kelcey, a consulting engineering firm, to complete a storm water drainage study of an area that is roughly equivalent to the Town’s designated Growth Area. A final report was released on July 7, 2006, entitled, “Final Report: Storm Water Management Plan.” This study updates and replaces an earlier study by Clarendon, Pike and Varney in 1977 for the York Beach Village Corporation.

The Report summarizes an in-depth engineering analysis of the drainage and flooding issues in this area. The conclusion of the Report is that both structural (constructing new storm drains, outfalls, pumps, etc.) and non-structural (conserving wetlands, acquiring drainage easements, modifying policies, etc.) measures will be required. The Town needs to evaluate the recommendations of this Report, evaluate the cost of solutions in comparison to the availability of funds, and establish an implementation program for the combination of recommendations to be pursued.

**IMMEDIATE PRIORITY – BOARD OF SELECTMEN AND PUBLIC WORKS DEPARTMENT TAKE LEAD ROLE**

5.6.3 Low Impact Development (LID) is an emerging concept which integrates innovated site design standards to manage storm water runoff from developed sites. The “Maine Resources Guide for Land Use Planning” (Maine NEMO Program, 2005) describes LID as follows:

A new way of thinking about stormwater management is a highly effective strategy for controlling contaminated urban runoff. Low Impact Development strives to treat both rainfall and storm water runoff on the development site by retaining a site’s natural infiltration and storage characteristics. Numerous opportunities exist within the developed landscape to control stormwater runoff close to the source, and the stormwater management should not be seen as stormwater disposal.

LID employs lot-level techniques to reduce the impact of development with multiple systems to reduce runoff volume through infiltration, retention, and evaporation; and to find beneficial uses for water rather than exporting it as a waste product down storm sewers.

Initially, LID standards should be integrated into the Town’s land use codes to allow LID design. As local experience is gained with LID practices, policies should be expanded to encourage or require LID design where appropriate.

**IMMEDIATE & ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE**

5.6.4 The Zoning Ordinance should be amended to establish a logical, Town-wide system to control impervious surfaces. Impervious surfaces include rooftops, driveways, roads, parking lots, sidewalks, and other surfaces into which rainwater cannot permeate. It also can include soils which become highly compacted as a result of land development. Development increases the amount of impervious surface, which results in a multitude of changes to the water cycle. Most notably, surface water runoff is increased. There is a
great deal of scientific research that shows, in small watersheds (2nd order watersheds), a direct correlation between the amount of impervious surfaces and the ecological health of the streams in the watershed. The general rule of thumb is that impervious surfaces must be kept under 10% of the total area of the watershed in order to maintain the health of the stream ecology of the watershed. When evaluating larger watersheds (3rd order or larger), it is necessary to evaluate impervious cover by sub-watershed – the 10% rule doesn’t necessarily apply to larger watersheds.

IMMEDIATE PRIORITY – PLANNING BOARD TAKES LEAD ROLE

5.6.5 MS4. MS4 is the acronym for the Clean Water Act’s “Municipal Separate Storm Sewer System” provisions. In a sentence, MS4 is a program to minimize adverse impacts of stormwater runoff from developed lands to protect the quality of receiving waters such as wetlands, streams, rivers, lakes and the ocean. Studies nationwide have shown that non-point pollution is the primary source of water quality problems, and the MS4 program was created to address this. The days of managing stormwater only for flood control are past. Quantity and quality are now equal partners.

MS4 requirements are imposed on the Town by a General Permit adopted and administered by Maine DEP. The State adopts such permits once every 5 years. Maine's first Permit became effective on July 1, 2003, the next Permit on July 1, 2008, and the current Permit on July 1, 2013. The 2013 General Permit is the first to include the Town of York.

MS4 must be applied within the Urbanized Area of York. The Urbanized Area is a geographic portion of the Town delineated by the US Census Bureau after each decennial census. York is included now because, following the 2010 US Census, the Urbanized Area in York is now determined to be contiguous with the Urbanized Area of the Portsmouth-Dover-Rochester Urbanized Area, specifically touching along Route One at the Kittery town boundary, as highlighted in the following overview map.
As this map indicates, portions of 5 towns comprise the Maine portion of the Portsmouth-Dover-Rochester Urbanized Area. These include York, Kittery, Eliot, South Berwick and Berwick. Having been designated for a decade already, the other 4 communities formed a working group to address common MS4 requirements and to prevent duplication of efforts. York is now included in this group, known as “York County MS4.” This group also communicates and coordinates with other MS4 groups in Maine, which are located in the Portland, Lewiston/Auburn and Bangor areas.

While the minimum requirements imposed on the Town apply only within the Urbanized Area, the Town should administer some standards Town-wide or based on watersheds, as recommended in Comp Plan Policy #5.5.1. Water quality management policies are a natural candidate for watershed-based application. The following map shows the Urbanized Area within York, along with the watershed boundaries. There is no correlation between the two geographies.
Maine’s General Permit imposes extensive requirements on all regulated communities. Requirements must be addressed in a Stormwater Program Management Plan which contains 6 minimum control measures:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-construction Stormwater Management in New Development and Redevelopment
- Pollution Prevention/Good Housekeeping for Municipal Operations

The Stormwater Program Management Plan encompasses the entire York County MS4 area. The Plan includes both unified policies and unique provisions specific to each community, as appropriate. Each town council or board of selectmen must endorse this plan in order for it to cover their municipality. Lacking such agreement, each town would be required to prepare and enact its own individual plan, which would be less efficient and more costly.

This Plan, and policies enacted pursuant to it, must remain flexible, and most must be amendable within a 120 day timeframe per the State General Permit. Except for land use ordinances enacted by the voters, this necessitates that all other policies be reviewed and adopted by the Board of Selectmen. In all cases there shall be an opportunity for public participation during both the development and adoption processes. There will be 3 general types of policy measures enacted pursuant to this Plan. Each is highlighted below.

- **Task-Specific Plans and Operational Policies.** These are requirements for action by the Town. They commit to certain procedural tasks, like the manner in which the Town will raise public awareness, sweep streets, or inspect stormwater outfalls.
- **Land Use Ordinances.** These are codes, or sections of codes, enacted by the voters to establish performance standards or similar enforceable controls relating to stormwater quality.

- **Financial Programs.** These are commitments to spend money to maintain or improve stormwater infrastructure. This will include operating budgets where items such as personnel, operational and administrative costs are addressed. It will also include capital budgets where big-ticket items such as drainage system improvements are budgeted.

Taken as a whole, the State General Permit holds the Town accountable for implementation of required MS4 plans, policies, and codes. Having the document is only the first step. Where a plan, policy or code calls for action, there must be follow-up action undertaken by the Town to fulfill the requirement. Such action must be documented and the results evaluated. Failure to act, or failure to sufficiently document action will each result in violation of the State General Permit. It will be essential for the Town to budget for compliance with the MS4 requirements.
STATE GOAL 6: To 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.

Much of York is comprised of natural resource features which warrant protection. Water, rock and forests are the dominant land features.

York has an extensive shoreline along the Atlantic Ocean that consists of both sandy beaches and rocky high energy coasts. In addition, nearly 11% of York's 56 sq miles of land is either waterbodies or wetlands that are greater than 1 acre in size. York is also a land of steep slopes. Mt. Agamenticus is located less than 5 miles from the coastline of the Atlantic Ocean but steeply rises to a height of nearly 700 feet. The characteristics of York's soils is evidenced by the large number of stone walls that dot the landscape and the many craggy ledge outcrops along York's roads.

The land also provides good quality habitat for many species of animals, birds, amphibians and plants. In fact, the State inventory of significant fish, wildlife and plants identifies that rare or endangered plant species or important habitat areas are located throughout the community. York is a unique area in New England where the southern and northern forests meet to support a diversity of tree and plant species found in few other areas located this far north. With regard to this Plan, general use of the word “habitat” shall be considered in its most broad context, applying generally to any living creatures. General use of the terms “wildlife” and “wildlife habitat” shall be considered to include all forms of animal life, including but not limited to fish, amphibians, reptiles, mammals and birds.

The challenge confronting York is how to wisely allow the development of privately owned lands while protecting the quality of the area's natural resources. Clearly, much has been done well as York remains a land of abundant resources. For example, if you stand at the top of Mt. Agamenticus and look over the wide expanse of forest below it is hard to imagine there are over 8,000 homes and 13,000 year-round residents crouched in among the trees. In addition, many describe a trip up the York River as a step back into time, as long stretches of the River miraculously remain undeveloped. All is not well with York's natural resource base, but there are areas and resources that warrant saving.

The recommendations in this Plan build on current Ordinances and processes now being used to manage potential adverse impacts on York's natural resources. Many of these recommendations warrant immediate Town action to best position the community to responsibly manage future development.

Town Goal 6.1: Protect York’s coastal and freshwater wetlands.

6.1.1 The York Planning Board and Code and Planning Department have been working since 1994 to provide better quality information regarding the value and resource characteristics of York's wetlands. To date, this analysis has included all freshwater wetlands located between the Atlantic Ocean to the east, the York River to the south, the Cape Neddick River to the north and I-95 to the west. This section of York has experienced the greatest intensity of development. Woodlot Alternatives, a firm of wetland scientists, has conducted the assessment using the New Hampshire Method for evaluating freshwater wetlands. The wetlands were identified by photo interpretation and on-site visits and the analysis produced a rating for 14 functional values of all area wetlands.
It is recommended the Town continue this evaluation. The general area priorities for continuing the assessment should be: a) Route 91 and Beech Ridge Road area; b) Chases Pond, Mountain Road, Logging Road area; c) the Southside and Western Point Road area; and d) the Shore Road area. The Mt. Agamenticus area is a lower priority because it is experiencing few development pressures. It will likely take 1-2 years to accomplish the analysis of each area. It is an expensive undertaking; likely $25,000+ per area, but it will produce valuable information that can assist the Town in reformulating its current Shoreland Ordinances to reflect a wetland’s value and not solely its size. This information can be included in the Town Geographic Information System database.

MID-TERM TO LONG-TERM PRIORITY FOR PHASES OF ANALYSIS - PLANNING BOARD TAKES LEAD ROLE

6.1.2. The Town should review and revise current Ordinances designed to protect wetlands. The Town uses both State required Shoreland Ordinances and its own Inland Wetland Ordinance to regulate wetland resources. The Shoreland Ordinance generally parallels the State law and divides the shoreland area into four subdistricts, Resource Protection, Limited Residential, Mixed Use and Stream Protection. The Town has chosen to be stricter than State requirements by regulating fill activities in wetlands greater than one acre and mandating setbacks for wetlands greater than 4 acres.

The Inland Wetland Ordinance, commonly known as the Beach Wetland Ordinance, requires the protection of wetlands of any size located in the former York Beach zoning districts. It generally restricts fill activities and requires the connection to public water and sewer. In addition, the Town of York Planning Board has frequently obtained additional wetland protection through the use of its Subdivision and Site Plan Regulations in reviewing new proposals. The current wetland ordinances provide many protections for York’s most fragile wetland resources. There are, however, several revisions which appear warranted. Specific recommendations include the following:

- The Town should continue the current system of using subdistricts to help regulate activities in the Shoreland Zone. The areas now included in Resource Protection are appropriate; mostly undeveloped sections of the York River and ponds which serve as a public water supply. The Future Land Use Section of this Plan also identifies specific recommendations regarding minor amendments needed to the current Limited Residential and Mixed Use Subdistricts. Two new designations are also proposed in this Section. The Long Sands Beach, Short Sands Beach and Village Center areas (except Cape Neddick) are proposed for designation as Limited Commercial, a new Subdistrict for York, but one which is authorized in the State Shoreland Law. A Marine Dependent Use Subdistrict is also proposed for lands involved with active marine oriented uses.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

- The Town should protect all significant streams by including them in the Stream Protection Subdistrict. The current Ordinance only protects the area located below the confluence of two streams. The head waters of the stream are often some of the most critical areas that warrant protection from development activities. The Town should develop criteria for determining which streams should be protected. It is important that this provision be supported by a factual definition and set of conservation objectives. Protection measures should include such things as setback standards and standards for vegetation removal or disturbance. Protected streams shall be shown on the Town’s Official Shoreland Map.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE
• The Town should decrease the minimum size of wetland subject to shoreland regulations. The recommendation is that all wetlands should be subject to wetland fill regulations to be determined. The following wetland setbacks should also apply: 1 to 4 acres in size no less than 50'; 4-10 acres no less than 75'; and wetlands greater than 10 acres no less than 100’. The sole exception to the setback should be those wetlands located within the Mixed Use Overlay Zone, primarily wetlands in the Route One area.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• The Town should consider means for protecting “vernal” pools and wildlife corridor zones. Consideration should be given to the size and quality of the vernal pool in determining what standards should apply. Protection methods for consideration should include fill and vegetation disturbance standards and setbacks.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• The Town should increase no vegetation clearing zones around specific wetlands from the current standard of 75’ to 100’. The main area recommended is the York River Watershed. Implementation of this proposal, however, should not result in the elimination of clearings or maintenance of fields which now provide expansive views of the York River. For example, the well maintained field near McIntire Garrison affords a beautiful unobstructed view of the River’s salt marshes.

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• Town Ordinances should recognize that wetlands are often part of a greater ecosystem and not isolated pockets of trapped water. Man-made structures, such as roads and houses, have frequently cut a once large wetland system into a series of smaller wetlands. The Town has data from the Woodlot Alternatives Study (Action 6.1.1) that identifies these wetland systems. Town regulations could be strengthened to assign greater values to wetlands located within a larger system, including requiring project applicants to examine potential impacts on the whole system rather than a singular wetland.

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• The Town should merge provisions of the Shoreland and Inland Wetland Ordinances to create a single Ordinance that regulates wetland resources. This could best be accomplished by preparing a specific subchapter of the Shoreland Ordinance devoted to issues unique to York Beach wetlands. The York Beach Wetland Ordinance, adopted in the early 1970’s, was very farsighted in requiring standards such as connecting to public water and sewer and looking at drainage issues. These standards should be melded into the Shoreland Ordinance provisions.

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

In proposing these recommendations, the community must recognize the current Shoreland or Wetland Permit review process often requires considerable commitments of time and resources by both the applicant and Town. It is critical the Town provide the Code and Planning Department and Shoreland Wetland Permit Review Committee adequate staff resources to enable the thorough review of proposed projects to ensure compliance with Town standards.

6.1.3. The Town should continue to support a policy of minimization, however, when that is not possible, the Town should allow wetland mitigation/compensation as a means to grant flexibility in project construction when wetland impact is unavoidable, and to ensure the Town receives adequate compensation if fill activities occur. Wetland
mitigation/compensation is often controversial and misunderstood, but it is a reality. It is a recognized practice at both the Federal and State level. The Town adopted Ordinance amendments in 1996 to implement locally controlled mitigation/compensation standards and it is in the community’s best long-term interests to ensure this program is in effect and well operated.

Many recent projects that have garnered both public support and Planning Board approval were only possible by permitting wetland fills. Examples of these projects include:

- The expansion of the Cape Neddick Country Club from a 9 hole to an 18 hole golf course, which resulted in the fill of over 1 acre of wetland and the disturbance of more than 3 total acres of wetland.
- Construction of the Sentry Hill Congregate Care Facility that resulted in the fill of nearly 10,000 sf of wetland to allow a critical road crossing.
- The Ledges Golf Course that resulted in the alteration of lands within the Kittery Water District area to ensure the best layout of the golf course.
- The proposed (Fall 1998) construction of a new York Library which will result in at least 7,000-10,000 sf of wetland fill.
- Hannaford Brothers construction of a grocery store at the Route One/Route 91 intersection which will result in nearly 15,000 sf of wetland fill, although none of these wetlands are subject to shoreland regulations.

These larger scale projects were dependent on the ability to fill some wetland areas to allow a good quality project layout. None of these projects could likely have gone forward without allowing these wetland fills. The impacts were considered unavoidable.

The Town, however, should achieve significant compensation/mitigation if wetland fill occurs. For larger projects, mitigation could include providing greater setbacks than normally required from other wetland resources on the property, or compensation, such as the purchase of adjacent wetlands. The Cape Neddick Country Club, for example, was required to purchase and preserve a 45 acre wetland on an adjoining parcel to compensate for the 3 acres of wetland alteration. Town policy on compensation/mitigation should focus on preservation and acquisition of additional wetland areas more than wetland restoration or creation. Quite simply, the best way to protect critical natural resources is to acquire public ownership of the resource. Ownership is much less subject to change than regulatory requirements.

Wetland compensation/mitigation is also appropriate to small scale projects. York has a large number of small non-conforming lots of record (4,000-10,000 sf) that consist mostly of wetlands. For example, a 1998 survey of 200 remaining undeveloped lots located behind Long Sands Beach revealed that nearly 109 were comprised almost entirely of wetland, 70 more were affected by wetland areas and only 22 appeared not to have significant wetland constraints. The Town and private property owners have had to struggle with the problem of how best to protect these wetland resources while recognizing individual private ownership of these long ago created lots. Wetland compensation/mitigation offers one of the best opportunities to allow limited residential development of these properties while safeguarding other wetland resources. Compensation for many of these small lots should take the form of financial payments to the Town so the Town can use the monies to directly purchase critical wetland areas. There are often few opportunities to provide on-site mitigation or compensation on a lot that is only 4,000+ sf in size.

Wetland compensation/mitigation is a complex and evolving practice and often requires considerable interaction among the applicant and Town. Effective implementation of this strategy will require sufficient staff and resources for the Code and Planning Department.
and Shoreland Wetland Permit Review Committee. A thorough analysis of all impacts on the wetland resource and recommendations on how best to mitigate these impacts is also needed. It is critical the Town goal remain to avoid all wetland impacts and to allow wetland fills and alterations only when the activity is unavoidable. In short, wetland fill and the need for compensation/mitigation should be the exception, not the rule. All fill activity should be the minimum necessary to allow the project, and the compensation/mitigation provided by the applicant should equal or exceed the value of the impacted wetland.

ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

**Town Goal 6.2 - To recognize and protect important natural resource features to the greatest extent practical in managing future development.**

6.2.1. The Town should manage the layout of new residential subdivisions to protect natural resource features to the greatest extent possible, utilizing cluster design subdivisions where possible. The Town, in 1993, adopted an initial open space ordinance to provide greater flexibility in subdivision layout. The Town adopted new standards in 2005. See Policy #1.2.1 for additional information.

ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6.2.2. Consistent with direction provided in the Future Land Use section and identified in State Goal #1, the Town should enact Ordinance measures which help further protect natural resource features. Specific recommendations include the following:

- Town should create the natural resource protection zone for lands in the Water District and Mt. Agamenticus area. Mt. Agamenticus is a Town treasure and warrants protection.
- The Town should use net developable acreage standards to determine the minimum lot size for all lots, and not only those created through the Planning Board review process. This will require an Ordinance amendment.
- The Town should continue the current practice of using impervious surface ratio to determine the maximum amount of permitted coverage of any lot.
- The Town should implement mechanisms that will require the preservation of forest resources, such as timber harvesting standards and protection of trees along rural roads. This will require an Ordinance amendment.
- The Town should enact standards that require all properties, not only those located in the Shoreland Zone or subject to Planning Board subdivision or site plan review to comply with sedimentation and soil erosion control standards. This will require an Ordinance amendment.
- The Town should enact standards within the York River Watershed that require both non-residential and residential developments of 5,000 sf or more of impervious surface to submit an impact statement assessing the development’s impact on such things as water quality, wildlife habitat, scenic vistas, historic resources, drainage, siltation, abutting development and town services including roads and traffic.

PRIORITY DESCRIBED IN LAND USE SECTION or STATE GOAL 1 - PLANNING BOARD TAKES LEAD ROLE.

6.2.3 The Town should establish an open space acquisition fund and regularly seek Town contributions to this fund. This approach was one of the most strongly supported concepts discussed at the Comprehensive Plan Neighborhood Meetings. The question -- - Would you agree to appropriate Town funds to preserve open space lands? --- was directly asked and a dollar amount was often cited. Participant support was always strong and sometimes unanimous. If this public sentiment truly exists within the community, there is a tremendous interest in using Town funds to buy significant lands.
It is recommended the Selectmen and Budget Committee seek a minimum appropriation of $200,000 of Town monies per year for the next five years to provide funds for the open space acquisition account. The Selectmen can use these monies to purchase sensitive natural resource lands, including scenic areas. Specific target areas for use of these monies are identified in the Future Land Use Section and include but are not limited to: Mt. Agamenticus area, Lake Carolyn, Cape Neddick River, Brave Boat Harbor, York River and the "bovine field" off the Spur Road. Purchase of individual lands will require an open and informed public debate, but establishment of the fund should be pursued now rather than later. In short, the best way to protect land is to own it.

IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE

6.2.4 The Town should encourage the efforts of the York Land Trust to seek private donations of land that will permanently be protected as open space. The York Land Trust has become an active involved organization which has been successful in receiving title to or easement on important natural areas in York. The organization’s recent efforts and successes should be commended and can hopefully be emulated in the future. The Town can best assist the Land Trust by working cooperatively with the organization to achieve mutually beneficial purchases of property and preservation of such lands. This includes both working on open space subdivisions and land purchases.

The Town should also consider innovative ways to assist the efforts of the Land Trust or private property owners to preserve their land. The current practice of taxing land according to current use is the key provision. This provision, however, could be expanded to recognize property owners that allow their land to be used by the public at large. For example, if public use is permitted the tax is less, and the tax is greater if public use/access is prohibited.

The Town should investigate the possibility of purchasing development rights to protect vulnerable areas.

ON-GOING PRIORITY - SELECTMEN & PLANNING BOARD TAKE LEAD ROLE

6.2.5 The Town should adopt stronger standards to protect its forested areas. When York was first settled it was a land of great forests. These forest resources were used in the 17th and 18th century to support a ship building industry. Later, during the community’s agrarian period, York became an area that was fairly barren of trees. Much of York is again a densely forested area. For example, a recent inventory of the York River watershed noted nearly 85% of the watershed consists of forest land. The amount of forest lands in York helps identify its character.

Specific policies the Town should implement to help further protect its forest resources include the following:

- Adopting Ordinances which encourage sustainable timber harvesting as opposed to the clear-cut of small wood lots.
- Encouraging the use of open space subdivision layout (as opposed to traditional layout) increases the likelihood of protecting contiguous forest areas.
- Requiring buffer strips for new house lots on certain public roads to help protect the scenic vista (trees) as you drive along York’s public ways.
- Allowing the use of back lot development which decreases the need to construct roads simply to create road frontage for a new lot.
- Authorizing the Planning Board to establish maximum “clear zones” on larger lots which helps protect the existing forested cover.
- Require a permitting process for review of timber harvesting projects.

MID TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE
6.2.6. The Town should revise its current Subdivision Regulations and Zoning Ordinances to ensure protection of significant fish, bird, wildlife and plant habitat when new development is proposed. These areas are often identified in the 1989 study conducted by the State Department of Inland Fisheries and Wildlife entitled, Significant Fish and Wildlife Resources of Southern York County (and subsequent updates). The ordinance updates should include language and definitions from the State’s “Model Ordinance Language” for such resources as “Fisheries”, “Natural Communities and Natural Areas” and “Wildlife Habitat”. Applicants should be required to conduct assessments of potential impacts on individual fish, bird, wildlife and plant species and habitats and identify measures to protect existing resources. It must be recognized that any activity on a previously undeveloped tract likely will have some adverse impact on wildlife and the associated habitat. The goal is to protect the most significant areas, not all areas that sustain wildlife, while providing options that help preserve these less critical areas.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6.2.7. Support efforts to develop a cooperative management approach to lands located in the Mt. Agamenticus area. This approach is now underway with the involvement of the State, the Nature Conservancy, the York Water District, and the towns of South Berwick and York. It warrants financial participation and political support from the Town of York to ensure its success.

IMMEDIATE & ON-GOING PRIORITY - PARKS & RECREATION DEPARTMENT AND CONSERVATION COMMISSION TAKE LEAD ROLE

6.2.8 The Town's remaining floodplain areas are an important resource to help manage the amount of flooding associated with the all too frequent storms experienced in York. The Town has adopted federal and state standards to regulate development in known floodplains. The Town should continue current policy and work to better identify its floodplains, particularly coastal floodplains. Development within the 100 year floodplain area should only be permitted if there is no reasonable alternative on the property.

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6.2.9 Town policies regarding protection of the York and Cape Neddick River and the town’s watersheds can be found under State Goal 5. Please reference this section.

TOWN GOAL 6.3: Recognize the importance of keeping large, un-fragmented blocks of undeveloped land in the rural areas of York, and preserve these areas as appropriate.

6.3.1 Within York there are a series of un-fragmented blocks of undeveloped land, as were identified in the Existing Land Use and Natural Resources chapters of the Inventory & Analysis Section of this Plan. Locally these provide for landscape diversity. They provide for wildlife habitat, biodiversity, recreation, and contribute to the quality of life in York. As an example, these areas are important for the continuing health of native species because they are less susceptible to invasive species, which spread and thrive in disturbed areas. Their presence is an important feature which differentiates the Rural Area from the Growth Area. The Town should actively manage these areas to ensure the retention of a diverse landscape in perpetuity. It will also be important to maintain connections between adjacent blocks to ensure wildlife movement. Existing Town policies will need to be revised to implement protection of un-fragmented blocks, and new policies may be required. A list of policy options is included as a starting point, but it not meant to exclude other options:
- Acquire land
- Acquire conservation easements
- Require cluster design for subdivisions within the blocks
• Prohibit paving of roads within the blocks (allow re-paving of existing paved roads)
• Prohibit Town from accepting any new roads within blocks
• Pursue official abandonment of old woods roads owned by the Town
• Limit maximum length of private roads within blocks
• Allow for Transfer of Development Rights
• Designate Town-owned lands for conservation purposes
• Reduce maximum allowable development density within blocks
• Require regional review of applications for development within a block which crosses municipal boundaries
• Require some form of multi-agency review for all new development and/or construction applications
• Increase setbacks from important resources

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE

TOWN GOAL 6.4: Recognize that Sea Level Rise is occurring, and that storms are happening more frequently, with higher intensities and water levels. The Town should implement strategies to adapt to this situation.

A challenge facing York is the realization that sea level is rising, and intense rainfall events and storm surges are happening more frequently. According to the Maine Geological Survey (MGS), the State projects a 2’ rise in sea level in the coming 100 years. An increase in sea level will have significant impacts on the coastal landscape. As the coastline moves inland, floodplains will rise, salt marshes will change, and erosion will worsen.

6.4.1 The Town of York shall review its floodplain management ordinance and land use ordinance to strengthen standards for new or replacement construction located in vulnerable tidal areas, or areas subject to freshwater flooding. The Town of York shall also review these ordinances provisions and enact amendments to protect existing properties and direct owners over time to modify their structures so that they are more resilient to sea level rise, storm surges, and rainfall events. This may include requiring additional elevation of the base floor of reconstructed buildings after flood damage, or in all cases of new or replacement construction.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6.4.2 The Town shall incorporate sea level rise into its decision-making and design of transportation improvements, such as increasing road surface elevations and improving road subsurfaces, increasing the capacity of all stormwater management and drainage systems, and adjustment of bridge heights.

IMMEDIATE & ON-GOING PRIORITY – DEPARTMENT OF PUBLIC WORKS TAKE LEAD ROLE

6.4.3 The Town shall identify its public investments and infrastructure at risk from sea level rise impacts, and update this assessment every 10 years. Specifically, the Town shall analyze vulnerability to facilities and services, including but not limited to: town buildings; water and wastewater treatment plants and pumping stations; stormwater systems; town roads and bridges. The Town shall coordinate with other municipalities, and water and wastewater utility districts in this effort.

ONGOING PRIORITY – DEPARTMENT OF PUBLIC WORKS AND UTILITY DISTRICTS TAKE LEAD ROLE
6.4.4 The Town shall evaluate the costs and benefits of alternative means of adaptation to sea level rise and increasing frequency of storms when considering the location and design of new infrastructure or the reinforcing or retrofitting of existing infrastructure. Such evaluations should be incorporated into the budgeting, planning, siting, construction, replacement and maintenance of public infrastructure in a manner that is cost-effective and that maximizes the use of the infrastructure throughout its expected life span. In each case, the Town should consider the three alternatives of adapting; whether to reinforce, accommodate or retreat in the face of sea level rise.

**ON-GOING PRIORITY – SELECTMEN TAKE LEAD ROLE**

6.4.5 The Town shall continue to improve analysis and mapping capabilities for identifying areas vulnerable to sea level rise and tidal flooding. The Town should acquire increasingly accurate Light Detection And Ranging (LiDAR) data, or other state-of-the-art elevation data as it becomes available from State or Federal sources, to update its vulnerability assessment and make informed decisions regarding sea level adaptation.

**ONGOING PRIORITY – COMMUNITY DEVELOPMENT DEPARTMENT TAKES LEAD ROLE**

6.4.6 Periodically, new LiDAR data and other elevation data shall be used to locate the position of the contour line at the highest annual tide level on the Town's Shoreland Zoning Map so that the Shoreland Zones are accurately depicted, as the shoreline position changes.

**ONGOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE**

6.4.7 In addition to participating in the National Flood Insurance Program (NFIP; see Policy #5.6.1), the Town should participate in the Community Rating System (CRS). The CRS is an optional program administered by the Insurance Services Organization (ISO) to help communities in the NFIP to improve floodplain management by encouraging the use of sound adaptation practices. There are a broad range of mitigation options available to communities, and each participating community gets to decide what and how much it will do beyond the basic minimum compliance requirements. The incentives for communities to participate are lower adverse impacts during floods, and lower rates for flood insurance policy holders. Scores in this system run from 10 (for minimal participation) on down. The lower the score, the better the program. For each point received, the flood insurance rates in the community drop by 5%.

As of 2010 there are 22 communities in Maine which participate in the CRS. About half of these communities, including York, have a CRS score of 8, and none in Maine have scored better. York should strive to maintain a score of 8 or better.

**ON-GOING PRIORITY – COMMUNITY DEVELOPMENT DEPARTMENT TAKES LEAD ROLE**

6.4.8 The Town should consider the use of beach nourishment and the installation and maintenance of native beach dune vegetation, along appropriate areas of beach. In the long run, healthy dune vegetation along the back edge of the beaches and on the dunes could improve shoreline stability.

**LONG-TERM PRIORITY – SELECTMEN TAKE LEAD ROLE**

6.4.9 The Town should review its Shoreland zoning and consider provisions with the objective of providing increased coastal buffer areas between developed areas and the shoreline, as properties are redeveloped, and should consider hard structures, such as seawalls, only when alternative options are unavailable.
IMMEDIATE PRIORITY – PLANNING BOARD TAKES LEAD ROLE

6.4.10 The Town should seek to allow tidal marsh areas to migrate when adjacent uplands are available for conversion to marsh, facilitating public or private land acquisition when appropriate, as sea level rise causes these vital ecosystems to move landward.

ON-GOING PRIORITY - CONSERVATION COMMISSION AND SELECTMEN TAKE LEAD ROLE

6.4.11 Where tidal flows have been restricted because of existing road crossings or other development, the Town should consider restoring more natural flows, by removing such restrictions or by expanding culverts or bridges, should engineering studies indicate that potential flooding could be mitigated and flood storage capacity and ecological health of coastal marshes could be increased. Conversely, the Town should consider tide gates, one-way valve devices on drains, or other engineered measures when appropriate, but only if engineering studies indicate that potential flooding could be mitigated and other, more passive approaches are not feasible. This will require striking a delicate balance between maximizing the extent of tidal reach for environmental purposes versus controlling the tidal influence for property protection purposes.

ON-GOING PRIORITY – CONSERVATION COMMISSION, SELECTMEN AND DEPARTMENT OF PUBLIC WORKS TAKE LEAD ROLES

6.4.12 The Town shall support and participate in the recurring and continued development of local integrated models and continuous data collection, as funding permits or as grant opportunities arise, to help predict and track the impacts of sea level rise on properties, natural systems, and road and drainage infrastructure, through enhanced development and application of local hydrologic models and the use of downscaled climate models. This work must also seek to expand understanding of the inter-relationships between freshwater flooding events, sea level rise, and ocean storms, which is an important next step.

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE

6.4.13 The Town shall develop ordinance amendments that require new construction, redevelopment, additions, retrofits or modifications of property to incorporate porous materials, reduce total impervious area, and employ other techniques to reduce or slow run-off, capture and reuse rain water. This shall be coordinated so that new requirements concurrently satisfy parallel MS4 requirements.

MID-TERM PRIORITY – PLANNING BOARD TAKES LEAD ROLE

6.4.14 To help people become more educated about coastal risks, the Town needs to effectively share with the public its growing body of information about sea level rise and anticipated impacts of storm events. Detailed information and projections should be made available via the Town web page, most likely using the Town's on-line GIS resources.

MID-TERM PRIORITY – COMMUNITY DEVELOPMENT DEPARTMENT AND SELECTMEN TAKE LEAD ROLE

6.4.15 The Town shall create and maintain effective and ongoing paths for communicating its sea level rise and storm surge preparedness needs with the public and other local, regional, state, and national agencies. The Town should participate in regional and state efforts, and partner with other entities or organizations, to plan collaboratively for sea level rise adaptation, as such opportunities arise.

ON-GOING PRIORITY – EMERGENCY MANAGEMENT DIRECTOR AND COMMUNITY DEVELOPMENT DEPARTMENT TAKE LEAD ROLES
6.4.16 The geographic analysis prepared by Peter Slavinsky, Senior Coastal Geologist for the Maine Geological Survey, identifies areas inundated by higher sea levels with and without storm impacts. Building impacts and lengths of road inundation are projected. Input data and outputs from these analyses have been provided to the GIS Manager. The Town’s Emergency Management Director should analyze this information to improve understanding of possible impacts during storm events, and to aid in preparing Town emergency response plans, and to help guide policy changes to reduce future storm impacts.

MID-TERM PRIORITY – EMERGENCY MANAGEMENT DIRECTOR TAKES LEAD ROLE

6.4.17 The Town shall encourage the school department to provide educational and outreach programs on how sea level rise and adaptation is affecting the Town of York, to involve the youth of the community in this issue.

LONG-TERM PRIORITY – CONSERVATION COMMISSION TAKES LEAD ROLE
State Goal 7: To 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.

The historical development of York reflects its coastal location along the Atlantic Ocean and the navigability of the York River, a tidal river. In the 1700’s, York was a port for the shipping of timber and agricultural products. Many residents also earned their living fishing. York is no longer a shipping port, but the marine resources industry remains a significant part of the local economy.

A 1990 study of York’s waterfront estimated that nearly 8% of persons working year-round in York earn their livelihood from the marine resources industry. Some are commercial fishermen, but others are just as likely to be a tour boat operator, a boat repairman or involved with the sale of lobsters/fish. York’s ties to the sea helps establish its character as a coastal marine community.

The major change in the waterfront over the last century has been the increasing amount of use by recreation enthusiasts. Many choose to live in or visit York because of the access it offers to the Ocean and the York River. Despite an increasing amount of recreational pressure, York has a stable waterfront; one that is heavily used but is not completely overcrowded. Natural constraints limit the number of moorings that can be located in the York River, and the Town, nearly 20 years ago, adopted strict regulations regarding the size and number of new docks. Managing York’s limited active waterfront area will be a growing challenge as the population of the Town continues to increase and more tourists eye it as a convenient get-away from Boston.

York’s beaches are also a prime marine resource and offer many casual access to the Ocean. Tourists have been flocking to York’s beaches since the 1890’s and there are few signs that the amount of use is diminishing. On a hot July or August day, 5,000 vacationers may be sunbathing at Long Sands Beach. Cape Neddick Beach and Harbor Beach, often viewed as the “locals” beaches, are also experiencing increased use. Managing York’s beaches is a major task and will likely require even greater Town financial resources in the future.

Town Goal 7.1: Manage and maintain existing harbors to provide the greatest possible diversity of use.

7.1.1 York depends on its harbor located within the York River to support its commercial fishing industry and recreational boating. The harbor regularly silts in from upriver activities and maintenance dredging is a critical issue to enable its on-going use. The Town should take the following specific actions to make best use of the existing harbor facilities.

- The Town should adopt a harbor management plan that identifies how long-term needs of the harbor can best be met. York has long used the services of a Harbor Board and Harbormaster to manage harbor operations. The Town has also adopted Ordinances to regulate use of the harbor. The management plan will help identify needed harbor improvements and how best to manage competing uses.

  MID-TERM PRIORITY - HARBOR BOARD

- The Town has adopted Ordinances to assess user fees for services provided in the harbor. A portion of these fees is regularly devoted to a harbor capital improvement fund to allow maintenance of existing facilities and improvements to existing or new facilities. This is a sound practice and warrants continuation. The Town should also regularly examine its fee structure to determine if they are adequate to pay the cost of capital facility needs.

  ONGOING PRIORITY - SELECTMEN AND HARBOR BOARD TAKE LEAD ROLE
The Board of Selectmen, with support of the Harbor Board, at the 1996 Town Referendum, obtained public approval of an Ordinance to increase harbor fees with a portion dedicated to future maintenance dredging of the harbor. Regular maintenance dredging is critical to long-term and safe use of the harbor. The Town has acted wisely to set aside local funds that can be used to match monies from the Federal and/or State government to perform needed dredging. The Town should continue this current practice.

ONGOING PRIORITY - SELECTMEN AND HARBOR BOARD TAKE LEAD ROLE

The Town should adopt specific zoning for Harris Island that recognizes its use as a private marina and public dock area. Harris Island does not neatly fit in any other zoning category. The Harris Island zone should recognize its unique characteristics.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

The Town should establish a marine dependent use overlay zone for the York Harbor coastline, from the Stage Neck Inn to Varrell’s Wharf, areas that currently support marine dependent uses. This is the primary area in York that easily allows public access to the York River and the Atlantic Ocean. Establishing this as a marine dependent use zone may cause some conflicts with abutting residential uses, but it is a prime way to ensure existing public access does not disappear.

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

The Town should establish specific access points for motorized and non-motorized watercraft that use the York River and the harbor. Motorized watercraft access points should be concentrated east of Sewall’s Bridge, as motorized craft should be discouraged from using the upper reaches of the York River. There is more flexibility in locating non-motorized watercraft points, but it is critical that public parking be provided near these accesses.

The Town also should establish user fees to help pay the cost of maintaining and constructing new public accesses. Both motorized and non-motorized watercraft accesses are expensive. For example, a proposal to construct a small float facility for canoes and kayaks on existing publicly owned lands at Goodrich Park was estimated to cost in excess of $60,000; and this at a site where parking was already available.

MID-TERM to LONG-TERM PRIORITY - SELECTMEN AND HARBOR BOARD TAKE LEAD ROLE.

The Town should re-examine its current provisions regarding docks along the York River and implement changes which accomplish the following:

a. Current standards which restrict the number of properties on which a dock can be constructed should be continued. The goal should be to strictly control the number of docks along the York River, particularly west of Sewall’s Bridge. The current Ordinance only allows 1 dock per property that existed in 1977.

b. The Town should continue current regulations which strictly control the size and location of docks located west of Sewall’s Bridge.

c. The Town should allow longer docks, greater float sizes and similar measures in areas located east of Sewall’s Bridge to direct motorized watercraft use to this area. Current standards may be too restrictive in this area of high intensity watercraft use. Allowing larger floats may lessen the need for new docks.
MID-TERM PRIORITY - PLANNING BOARD AND HARBOR BOARD TAKE LEAD ROLE

- The Town should pursue installation of a boat pump-out facility as a way to increase the range of services offered in its harbor and to lessen marine pollution. To date, the York Harbor Board has not supported this proposal, but it is a needed service. The Selectmen should cooperatively work with the Harbor Board to achieve this objective.

MID-TERM PRIORITY - SELECTMEN AND HARBOR BOARD TAKE LEAD ROLE

7.1.2 The harbor at Cape Neddick has limited use as a prime recreation area. Most individuals who own moorings own residences in the area. There are also few docks located along the River because of the extent of tidal action which occurs. The following specific recommendations are noted:

- The Town should not pursue dredging of the Cape Neddick River as a means to increase the amount of moorings. The configuration of this harbor provides little opportunity for significant levels of use.
  NO ACTION NEEDED - HARBOR BOARD TAKES LEAD ROLE

- The Town should adopt standards to regulate the construction of docks along the Cape Neddick River and should prohibit docks which encourage motorized use.
  LONG-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

Town Goal 7.2: The Town should encourage public access to its coastal resources.

York has a very large coastline, little of which, however, can be used to support public access for commercial or recreational boating. Public access will largely entail visual and pedestrian access to make use of its sandy beaches, rocky coastline and its views. Specific actions the Town should take include the following:

7.2.1 The Town should adopt policies that encourage and allow public use of its sandy beaches, including Short Sands Beach, Long Sands Beach, Harbor Beach and Cape Neddick Beach. Examples of actions that are either recommended or underway are outlined below. All warrant public support.

- Cape Neddick Beach Plan - A beach management plan for the Cape Neddick Beach area (Reference Land Use Section, Cape Neddick River).
  IMMEDIATE PRIORITY - SELECTMEN & PARKS AND RECREATION TAKE LEAD ROLE

- Long Sands Beach area - The Town actively maintains this Beach and provides a wide range of seasonal services. The Town has also invested capital funds to improve the quality of steps/ramps to the beach and these have proven a success.
  ONGOING PRIORITY - SELECTMEN & PARKS AND RECREATION TAKE LEAD ROLE

- Short Sands Beach - The Ellis Park Trustees do well in maintaining this area. For example, recent improvements include a new sidewalk and gazebo and an upgraded playground.
  ONGOING PRIORITY - SELECTMEN AND ELLIS PARK TRUSTEES TAKE LEAD ROLE
• Harbor Beach - The Hartley Mason Trustees are carefully addressing public access issues in their approach to developing the Hartley Mason Reserve Park. For example, the Trustees have worked with the Town to improve the cul-de-sac for vehicular traffic near the beach and are limiting public parking.

IMMEDIATE PRIORITY - SELECTMEN & HARTLEY MASON PARK TRUSTEES TAKE LEAD ROLE

7.2.2 The Town should preserve public use and access to the entire length of Fishermen’s Walk. The Town has successfully obtained easements from several property owners along the Walk and is working to obtain additional easements. The Town has also recently funded improvements to maintain the walk. These are wise courses of action and warrant ongoing support. York’s coastal walk is a jewel that few coastal communities enjoy and warrants preservation.

IMMEDIATE & ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

Town Goal 7.3: Provide opportunities for the existing commercial fishing industry to flourish in York.

7.3.1 Recognizing most commercial fishing operations in York are small individually owned operations, the Town should take the following actions to benefit the fishermen that comprise this industry:

• The Town has adopted provisions in its home occupation ordinance to allow reasonable use of an individual's property to support a commercial fishing occupation. The Town has also adopted provisions in its Shoreland Overlay District to provide for commercial fishing, and for small boat shops. These standards should be reviewed periodically and amended as needed to help ensure the longevity and vitality of the commercial fishing industry in York.

ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

• The Town should allow multiple use of its docks for both commercial fishermen and recreational boaters and help provide adequate docking facilities for the private fishing fleet.

ONGOING PRIORITY - HARBOR BOARD TAKES LEAD ROLE

• The Town should ensure an appropriate number of its moorings are available for the commercial fishing fleet.

ONGOING PRIORITY - HARBOR BOARD TAKES LEAD ROLE
STATE GOAL 8: To safeguard the State’s agricultural and forest resources from development which threatens those resources.

Agriculture and timber harvesting remain important to individual families in York, but are no longer the cornerstones of the local economy. The number of active farms larger than 40 acres can be counted on one hand, and timber harvesting mostly occurs on small woodlots owned and managed by local residents. These activities, however, positively contribute to York’s connection with its past and are a critical element of the community’s small town character. Many persons have chosen to live in York’s rural areas because they can raise horses, cows, chickens, llamas or similar animals. The goal for York should be to ensure existing agriculture and timber harvesting operations remain permitted activities and are not “priced” out of town.

TOWN GOAL 8.1: Encourage continued use of suitable lands for agriculture and forestry.

8.1.1 Consistent with direction identified in the Future Land Use Section, the Town must ensure its Zoning Ordinances allow agricultural and forestry uses on appropriate lands. Agriculture and timber harvesting are proposed as permitted uses in the Rural Zones and the Natural Resource Protection Zone. These zones include nearly 80% of York’s total land area. The Natural Resource Protection Zone is specifically being proposed as a way to encourage sustainable small scale timber harvesting activities and to reduce the likelihood of incompatible development.

An additional policy recommended in the Future Land Use Section that should help preserve agricultural and forest lands is the open space provision. A parcel currently used for agricultural purposes could be developed as an open space subdivision while still preserving the existing agricultural use in the required open space set aside. A good example of how this approach could work is the “Smith Field Subdivision”. This 20 acre tract located off Route 91 near Maude Muller Spring was a former pumpkin field that was developed in 1994 as a 6 lot traditional subdivision. The resultant lots all are 3 acres in size with 200 feet of frontage on Route 91 which eliminated the former pumpkin field. An open space layout could have resulted in six 1 acre lots with about 100 feet of frontage and 12+ acres of the land being reserved for use as a pumpkin field.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

8.1.2 The best single tool the Town now uses to preserve agricultural and forest resources is to tax land by its current use and not its highest potential use. This practice results in agricultural and forest land being assessed as open space, which usually has a value of about $500/acre; a tax bill of $7.30/acre at 1998 property tax mill rates. If the Town truly values its agricultural, forest and open space resources, it is critical this local practice remain in effect. If not, individual property owners may be forced to develop their land as house lots simply to pay the tax bill.

The Town may also want to pursue a more adventuresome approach to further protect agricultural, forest and open space resources; an avenue which may require an amendment to State law. The phrase that is being used to describe this approach is “transitory development rights”. The approach involves the “set-aside” of development rights for a minimum period of time, perhaps twenty years. During this time a property owner could virtually avoid a tax bill if the owner agreed to “set-aside” their land for an open space use. However, if the owner chose to develop their property, they would be subject to all back taxes and a stiff penalty. Enrollment in the transitory development rights program would be renewable. This approach is similar to the current Maine Tree Growth Program.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE
8.1.3 The existing Town Zoning Ordinance only regulates timber harvesting activities that occur in the Shoreland Overlay Zone. This approach does not serve the Town well. The Town should prepare new timber harvesting standards that apply to all lands and which fairly regulate sustainable harvesting operations. Clear-cutting land parcels prior to selling the land for house lots should be discouraged. Measures to be considered are a timber harvesting permitting process, reforestation and landscaping standards for subdivisions built on land which has been clear cut.

York is fortunate that most property owners who now periodically timber their property are doing it well. A well managed timber lot keeps the property as open space which supports both wildlife habitat and outdoor activities. In addition, open space lands require minimal town services. The proposed zoning ordinance provisions should encourage timber harvesting activities performed in accordance with a forest management plan. Persons who choose to clear-cut their property should be subject to a change in tax status; from open space use to highest and best use. Woodlot owners should be involved in preparing the Ordinance.

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

8.1.4 The Town should recognize “right to farm” provisions and require disclosure statements to this effect in the proposed Rural Zones and Natural Resource Protection Zone. These provisions will allow an existing farmer to continue to farm regardless of the type of development that may occur on a neighboring property. For example, the Planning Board, in its 1996 approval of the Jeffrey Drive Subdivision on Southside Road, required a deed covenant for all lots that recognizes the existence of the Blaisdall Farm and precludes a subdivision lot property owner from acting to curtail farming operations. Farming operations, like most businesses, may change to address market conditions. In short, the neighbors may have liked looking at the cows grazing in the field, but could be less than thrilled if the farmer chooses to slaughter the cattle and raise hogs.

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

8.1.5 The Town should encourage existing enterprises which benefit local farmers, such as the local Farmers Market which was established in 1995. The Farmers Market has created an avenue for small local farmers to sell their goods and produce. Town support includes measures such as allowing temporary directional signs steering visitors to the Market.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

8.1.6 The Town should consider buying the development rights for selected large tracts of land.

ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE
STATE GOAL 9: To preserve the State’s historic and archaeological resources.

York, which will soon be celebrating its 350th anniversary as an incorporated municipality, has a rich archaeological, cultural and historic heritage. Homes built in the mid-to-late 18th century still proudly stand along York Street, and historic homes and sites can be found throughout the Town. Many local families descend directly from the early settlers, some from the 17th century, who helped found and develop York. Quite simply, York’s history helps shape the community’s present small town character and create a distinctive sense of place.

The goal should be to ensure York’s past as an essential part of the community’s future. Participants at the Comprehensive Plan Neighborhood Meetings spoke positively of York’s historic character and identified it as a resource and presence that warrants preservation. This interest was perhaps best acknowledged by one participant who stated: “I get much of the same feeling in driving through the center of York Village today as I did in 1935.” York residents, through groups such as the Old York Historical Society and its predecessor organizations, have banded together to protect the Town’s past and increase local knowledge and awareness of the community’s roots. History is alive in York and the decisions and actions of the local government can either support or neglect this rich heritage.

TOWN GOAL 9.1: Encourage the preservation of York’s historic and cultural resources, including historic and archaeological sites, historic buildings and architectural styles, and to make these resources a vibrant part of community.

9.1.1 Town voters adopted a Historic District Ordinance in 1985. The State of Maine approved it and the Town of York was one of only eight Maine towns designated as a “Certified Local Government”. A CLG can locally regulate historic preservation activities and the Town is eligible for and regularly receives assistance from the State and Federal government in its preservation activities. The Ordinance creates specific procedures for designating historic sites, sets standards for preservation and establishes the “York Historic District Commission”. It is considered a model Ordinance because it contains all the elements for effective management and designation of historic districts, sites, and landmarks. Currently York Village has a designated Historic District and there are five additional sites and landmarks. Preservation of York’s heritage in the fact of major population growth presents a significant challenge. It is premature to describe potential historic expansions until significant planning and community participation is undertaken. Route 1A from York Corner to the Village, Lindsay Road, and York Harbor, however, have an abundance of historic properties which have been identified in preliminary historic surveys.

The Town is fortunate that past and present owners of the many historic structures located in York have voluntarily chosen to retain the classic architecture of their homes. These individual efforts are commendable and should form the backbone from which to encourage other preservation minded owners of historic properties to become more active with the Historic District Commission. The Historic District Commission should develop a list of those structures with significant historic architectural content for the purpose of developing a high level of awareness among owners and the public alike of the historic value of properties so identified.
The implementation of this Town goal should include:

- Maintaining the York Historic Preservation Ordinance in a manner to retain CLG status.
- Increasing the number of designated York Historic properties.
- Exploring the possibility of rewarding owners who allow their properties to be officially classed as “Historic Sites” with tax relief of some appropriate type and amount as allowed pursuant to MRSA 30-A §5730.
- Providing a disclosure statement to potential purchasers of HDC designated Historic properties as to the status of the property.

IMMEDIATE PRIORITY - HISTORIC DISTRICT COMMISSION TAKE LEAD ROLE

9.1.2 The Historic District Commission, working in cooperation with Old York Historical Society, should prepare an inventory of historic structures and sites located outside of the proposed historic districts that could be nominated for potential designation as historic sites. Historic sites and buildings occur throughout the Town, however, they are rarely as concentrated as in the areas proposed as historic districts. Individual historic sites located outside a district can best be protected through the efforts of current owners and designation as historic sites. The Historic District Commission has the same regulatory authority for historic sites as historic districts.

Vandalism of remote historic sites has been a problem. All historic sites should be marked so the public is aware of their significance, and vandalism should be dealt with harshly.

MID-TERM PRIORITY - HISTORIC DISTRICT COMMISSION TAKES LEAD ROLE

9.1.3 The Historic District Commission and Old York Historical Society have both regularly engaged in studies of York’s history to prepare a better quality inventory of York’s past. The Commission and the Society should continue these efforts so the Town is better aware of buildings and sites which have historical significance. The Planning Board and other Town bodies, as well as the public, can use this information to assist in making decisions.

ONGOING PRIORITY - HISTORIC DISTRICT COMMISSION TAKES LEAD ROLE

9.1.4 The Planning Board should amend its Planning Board Subdivision and Site Plan Regulations, and recommend amendments to the Town Zoning Ordinance, as appropriate, to require proposed developments, as an element of the project review process, to identify archaeological and historical resources. In the event that such resources are identified, the applicant should be required to present appropriate documentation describing how such resources will be effected and what might be done to protect these resources, including but not limited to modification of the proposed design of the site, timing of construction and limiting the extent of the excavation or ground disturbance. The Subdivision Regulations and Ordinances generally address these concerns, but the requirements are sketchy. State law requires a municipality that wants to perform Department of Environmental Protection Site Location development reviews to adopt definitive guidelines to address archaeological and historic resources. The Town should do that which is necessary to obtain the review authority from the Department of Environmental Protection because its allows greater local control and streamlining of the development review/permitting process.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

9.1.5 In 2005 the Town adopted new cluster subdivision standards that expressly permit a cluster development to be designed to protect historic or archaeological resources by placing these resources in the open space areas and forcing the development to other portions of the property. The Planning Board also has the authority to require protection of a portion of the land of conventional subdivisions. Where significant historical or
archaeological resources are identified on a property by the Historic District Commission, the Maine State Historic Preservation Commission or other experts, the Planning Board should ensure the protection of such resources to the maximum extent possible utilizing the provisions available under Town ordinances and regulations.

ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

9.1.6 The Town and School District should be a leader in safeguarding the historic character of the community by ensuring public buildings, when appropriate, reflect surrounding architecture and sites. Several buildings now used for public purposes are important historic sites, particularly the Town Hall, York Public Library, York Beach Fire Station and York Middle School (5-6 building). New facilities or renovations of these existing buildings are either being proposed or may soon be needed. The character of a community’s public buildings can help set the tone for private developments and make all aware that the Town is prepared to meet the same standards it requires of others.

This can also be a difficult challenge for a local government. More stringent architectural standards may lead to increased construction costs and the need for greater financial support from local taxpayers. The Town recognized historic considerations in the method it used to dispose of the Brixham Grange Hall, acquired through a property tax lien, and in the renovation of Grant House at Goodrich Park. It also appears the York Library Trustees are designing a new Library that respects surrounding historic structures and keeps the Library in the Village Center, its traditional location. Public buildings in traditional public areas, such as the Town Hall in the Village Center are important elements in keeping the historic character of the Village. The Selectmen and Town voters should respect tradition and historic character in building new public facilities.

ON-GOING PRIORITY - SELECTMEN TAKE LEAD ROLE

9.1.7 The York School District and Old York Historical Society have long combined their resources to integrate York’s history into the regular school curriculum. The experience enjoyed by 5th graders who live the life of colonial children at the buildings managed by the Historical Society in the Village Center best illustrates how education can be a prime benefit in advancing historical knowledge and concern. Parents also often participate in this exercise. The Town and School District should continue working with Old York Historical Society and others to promote local awareness of York’s rich historical heritage. This statement is more a heartfelt acknowledgment of a current practice rather than a description of new efforts which must be launched.

ON-GOING PRIORITY - SCHOOL DISTRICT & OLD YORK HISTORICAL SOCIETY TAKE LEAD ROLE
STATE GOAL 10: To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters.

The Town owns little land that specifically has been set aside for parks or recreational use. Its largest park is the top of Mt. Agamenticus, about 175 acres, which the Town purchased in the early 1970’s. The second largest, Goodrich Park, offers frontage on the York River and nearly 37 acres of mostly undeveloped forested land sandwiched between Route One and I-95. This Park was a gift to the Town in the early 1970’s by Mary Marvin Breckenridge Patterson. Other publicly accessible lands are much smaller in size, but are significant because of their location. Long Sands Beach, Cape Neddick Beach, Harbor Beach, Harmon (Moulton) Park, and York’s Community Gardens are some of the better known and most used by the public. The athletic fields at York’s four public schools are also heavily used, particularly for organized recreation programs.

The Town has fewer parks and athletic fields than recommended by State guidelines for a community of its size. While State standards rank the Town as being fairly “park poor”, the community affords abundant other opportunities for outdoor recreation. Collectively, the York Water District, Kittery Water District and State of Maine own nearly 5,000 acres of open forest land in the Mt. Agamenticus area. In addition, many private landowners allow their land to be used by hunters, fishermen, hikers and others. These recreational opportunities are available at little taxpayer expense.

Many participants at the Comprehensive Plan Neighborhood Meetings cited access to open lands and the diversity of recreational opportunities as a key reason why they chose to live in York. York offers access to the Atlantic Ocean and its coastline, fishing and boating in the York River, the forest lands surrounding Mt. Agamenticus, and well organized recreational programs for both children and adults. Golf, tennis, horseback riding and similar pursuits are also available at both public and private venues. York’s goal is to retain the quality of existing recreational programs and ensure present opportunities remain available to future generations.

TOWN GOAL 10.1: To provide and enhance recreational areas and opportunities for York’s residents and property owners.

10.1.1 Many of the measures identified in the Future Land Use Section of this Plan and the recommended actions the Town should pursue to address the guidelines of other State Goals (Goals 1-9), also identify how the Town should meet the community’s recreational needs. These approaches include the following:

- Establishing the Natural Resource Protection Zone for the Mt. Agamenticus area to help preserve these forest lands for outdoor recreation.
- Pursuing a cooperative management plan with the York Water District, Kittery Water District, State of Maine, Nature Conservancy, Town of South Berwick, private property owners and others for the use of lands in the Mt. Agamenticus area.
- Encouraging use of the open space design approach for new subdivisions to help ensure large amounts of presently open land subject to development as a new residential subdivision will remain undeveloped. For example, the Whippoorwill Subdivision located off Route One and approved in 1997, allows 99 houses to be built on 98 acres of land, provided the applicant dedicated nearly 170 acres of other buildable land to permanent protection as open space. Walking/biking trails will also be built in the open space so it can meet the recreational needs of homeowners in the subdivision.
- Establishing an Open Space Acquisition Fund and regularly appropriating Town funds to allow Town purchase of important open lands. One of the prime ways to
enable ongoing recreational uses is simply to buy the land or development rights to the land on which the activity occurs. This is the approach the State of Maine used through the Land for Maine Future Board to purchase lands such as the 1,200+ acres it now owns in the Mt. Agamenticus area.

- Retaining the existing Route One-4 zone, also known as the “tourism/recreation zone”, allows a diversity of uses involved with outdoor recreation.
- Ensuring most rural zones allow recreational uses such as golf courses, cross-country ski trails, horseback riding, hiking trails and similar opportunities.
- “Identifying” access points for both motorized and non-motorized watercraft along the York River and constructing needed parking facilities to better manage access.
- Supporting improvements to Fishermen’s Walk to allow coastal access.

In short, the above approaches and others are intended to meet various community objectives, including the recreational needs of York residents. Reference other sections of this Plan to identify the respective priority and lead party to perform this action.

10.1.2 The York Parks & Recreation Department offers a wide array of recreational programs for both adults and children. Special events sponsored by the Department, such as the Nubble Light 5K Run and the Mt. Agamenticus Mountain Bike Rally, provide opportunities for York residents and visitors to compete and enjoy their sport. The Department is also responsible for maintaining York’s parks and beaches and providing services such as lifeguards. Most regular programs and special events the Department operates are paid directly by user fees charged to program participants. The Town has established an enterprise fund to help the Department provide services and manage its budget. This approach appears to be working well. No specific new actions are recommended for the Parks and Recreation Department except to continue its current efforts and pursue new approaches to providing recreational programs which participants are willing to support through appropriate user fees. The overall goal is to create a self-sustaining program.

ON-GOING - PARKS & RECREATION DEPARTMENT TAKES LEAD ROLE

10.1.3 The community now relies on the athletic fields at its four schools to meet the organized recreational needs of its residents, particularly its youth. There is too little land remaining at these four sites to allow expanding the size of the fields to meet the community’s need for more fields. The Town should actively pursue identifying new sites for additional athletic fields and appropriating Town funds to construct the fields.

MIDTERM PRIORITY - PARKS & RECREATION DEPARTMENT TAKES LEAD ROLE

10.1.4 Town voters, in November 1997, authorized establishment of an impact fee to help pay the cost of needed new school construction. The York Board of Selectmen, in August 1998, adopted regulations to implement the impact fee. The impact fee ordinance adopted by the voters grants the Selectmen the authority to establish a separate impact fee on new construction to pay capital facility costs for other Town services, such as new parks. The Board of Selectmen should study this option. Some of the need for additional park and athletic facilities is being generated by new residents, and an impact fee can be a prime tool in raising the funds needed to pay this capital construction cost.

MIDTERM PRIORITY - BOARD OF SELECTMEN TAKE LEAD ROLE

10.1.5 The Town, in its response to State Goal 7, Marine Resources, and other sections of this Plan, describes efforts it should take to best manage its public beaches. York’s beaches attract a large number of users on a hot summer day and also receive year-round use by walkers, surfers, pet owners and others. It is critical the Town manage its beaches well for their natural resource, tourism and recreational value. Refer to State Goal 7 and several of the individual land use area descriptions (Long Sands Beach, York Beach Village Center and Cape Neddick River area) for more specific direction regarding this action.
10.1.6 Few of York’s Ponds allow multiple recreational opportunities. The York and Kittery Water Districts do not allow watercraft, fishing, swimming, ice skating or similar activities in the ponds used as municipal water supplies. Two ponds in York now used for multiple forms of recreation are Scituate Pond and Lake Carolyn. The Town should pursue acquiring waterfront land, and in the case of Lake Carolyn ownership of the Lake itself, to offer expanded recreational opportunities for York residents. Purchase of these lands will likely require Town appropriations, but the operation and maintenance of the small parks and parking areas can likely be supported directly by user fees. The goal is to establish small scale recreational use facilities at both lakes/ponds.

   MIDTERM TO LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE
TOWN OF YORK COMPREHENSIVE PLAN
CAPITAL INVESTMENT PLAN

Introduction
The State Growth Management Act requires all communities to prepare a Capital Investment Plan that establishes a framework for identifying and undertaking capital improvement projects identified in the Comprehensive Plan. York’s Capital Investment Plan contains a summary of major capital improvement project needs, a general cost estimate for each capital project, and likely funding sources.

The main tool the Town will use to accomplish identified improvements is to seek appropriations through its Capital Improvement Program. York’s Home Rule Charter requires the Selectmen and Budget Committee to prepare annually a Five Year Capital Improvement Program and to present this Plan for voter adoption. York, since 1991, has annually prepared a Five Year Capital Improvement Program and sought voter approval of the Program. The Selectmen and Budget Committee have usually reached consensus regarding the projects that warrant funding consideration, but several high priority projects have not yet been built because they did not receive voter support at the Town Budget Referendum.

The Fiscal Year 1999 Five Year Capital Improvement Program adopted by the voters is included at the end of this Capital Investment Program. The FY 99 Request column identifies the project and amount of funds requested by the Town Manager. The FY 99 column identifies the amount approved by the voters at the May 1998 Budget Referendum. Less than half of the monies requested by the Town Manager were approved by the voters. The School Committee was successful in obtaining support for all requested maintenance projects and a major renovation of York High School, but its requests to construct a new Middle School and renovate Coastal Ridge Elementary School were defeated.

Capital Investment Needs
York’s Capital Investment Plan includes a list of projects under the major headings of solid waste, sewage disposal, transportation, housing, water quality, municipal buildings/facilities, education, recreation, open space, and marine resources. The individual projects within these categories range from playing fields to transportation improvements to new schools. A capital project is a capital item that costs $10,000 or more, that is durable and will last more than five years, and that is not needed annually. These capital items will become a fixed asset for the Town of York.

The investment plan also identifies actions the Town can implement to lessen the need for a specific capital facility. For example, using good quality standards to regulate the use of subsurface wastewater disposal systems (septic) lessens the public expenditure on sewer extensions and treatment. In short, avoiding the need for a capital facility expense is often as critical as providing a new capital facility or upgrading an existing facility.

SOLID WASTE/RECYCLING
The Town should not require any new solid waste or recycling facilities over the 10 year planning period. The Town contracts with Waste Management to provide residential curb-side trash, recycling and bulky waste collection and disposal. The Town also operates a metals/white goods recycling facility at its former landfill site. The 1996 State approved closure of the Town’s former landfill located off Witchtrot Road satisfied the most pressing solid waste capital facility need. The Town’s decision to enter a long-term contract with Waste Management for collection and disposal services has stabilized the cost of solid waste services, allowed the Town to offer a premium quality service and greatly reduced the need for funds to construct capital facilities. In fact, the Town spends less on waste services now than it did in 1990.
PUBLIC SEWER SERVICE AND SEWAGE TREATMENT

The York Sewer District, a quasi-public corporation managed by a publicly elected Board of Directors, and not the Town, is responsible for the public sewer collection and treatment system. The York sewer treatment plant was recently upgraded and there is sufficient estimated capacity to effectively handle York’s sewer waste through at least the year 2010 and likely longer. The Sewer District also regularly works with private developers and property owners to extend sewer service to previously unserved areas.

Several needs exist, including the following:

1. Extending public sewer to existing areas of higher density development to lessen the likelihood of public health problems. The most needed extensions are in the proposed Residential zones and include the following areas: the unserved areas on the Nubble; the area east and west of Ridge Road from Weber Road to Mary Street; the Roaring Rock Road/Wavecrest Drive area; the Long Sands Road area, from York High School to its intersection with Ridge Road; the Heights; and the Abbey Road, Rt 1A and Main Street area near the Cape Neddick River. The Sewer District should prepare feasibility studies to identify the cost to deliver sewer to these areas and then work with local property owners to pay the cost of the needed extension. The Town should not directly commit local government funds to pay the cost of these sewer extensions.

2. Extending public sewer to areas located in the Route One-3 zone between the Spur Road and Fieldstone Estates is a high priority. This is the main commercial/nonresidential growth area for York. The lack of public sewer hurts both existing uses and the potential of attracting new uses. The cost to extend sewer to this area, about $1.2+ million, exceeds the ability of existing property owners to pay. The Town should pursue grant funds and commit local tax revenues to help pay the extension cost. This extension will also benefit adjacent residential areas.

3. The York Sewer District should explore options to provide expanded/future sewage treatment services. The existing site likely offers few opportunities for additional treatment, unless improvements in technology decrease current space needs for treatment. York has given little thought to long-term treatment alternatives and direction from the Sewer District would be beneficial.

4. The Town should adopt Zoning Ordinances and Subdivision Regulation standards that defray the need for future sewer treatment plant expansions. The best method is to rely upon individual subsurface wastewater disposal systems (septic) to support residential development in the proposed Rural areas. Planning for individual treatment on-site makes sewer service an individual responsibility rather than a public or town-wide responsibility. Septic wastes will need to be treated at the sewer plant, but these wastes have low water demands and can be processed during periods of low flow from the public sewer system. Individual treatment systems to be built to more stringent design flows than State standards; encouraging regular maintenance pumping of individual systems; and discouraging sewer extensions in Rural zones.

PUBLIC WATER SERVICE AND WATER QUALITY TREATMENT

The York Water District, Kittery Water District and KK&W Water District all provide public water service to York residents. All are quasi-public districts managed by a publicly elected Boards of Trustees and operated in accordance with Public Utilities Commission guidelines. The Town of York is not responsible for water service or treatment, but the Town is a major customer of the
York Water District for fire protection services (hydrants). The Town should assist water service by implementing the following approaches:

1. The Town should encourage the respective Water Districts to extend public water service to high priority areas. Water service extensions ensure a potable source of water and greatly aid in fire protection. Extensions are needed in unserved areas located in the proposed Residential zones and in some Rural areas. The Town should not commit public funds to pay the cost of the extension. The properties served by the extension should pay the cost of this new service.

2. The Town should strengthen existing Zoning Ordinances to aid in watershed protection as a means of helping to defray potential future capital facility costs associated with water treatment.

3. The Town should adopt Zoning Ordinances and Subdivision Regulation standards that lessen potential adverse impacts on groundwater quality which lessens potential future capital facility costs associated with water extensions and treatment. The intent is to rely on individual wells for water service in selected Rural areas; a private user responsibility rather than a municipal/public responsibility.

TRANSPORTATION & PEDESTRIAN AMENITIES

The Town is responsible for maintaining over 115 miles of public roads in York. The State remains responsible for maintaining other public roads, including sections of the following: Route 1, Route 103, Route 91, Beech Ridge Road and Shore Road. The Maine turnpike and accompanying toll booths are maintained and operated by the Maine Turnpike Authority, and there are about 35-40 miles of private roads that are the responsibility of homeowners associations and individual property owners. Road construction and maintenance is one of York’s 4 highest municipal expenditures.

1. The Town has annually appropriated between $300,000-$350,000 to resurface existing paved roads as part of a regular pavement maintenance program. The goal is to annually resurface 8-10% of York’s roads to lessen their deterioration and long-term need for reconstruction. This is a good quality approach and warrants ongoing municipal expenditures.

2. A number of intersection improvements are identified in State Goal 2 of this Plan. The Town should work with the State and private developers, when appropriate, to accomplish these improvements. Town funds will be needed, likely $250,000 over the next 10 years.

3. The Town should pursue the construction of new roads to enhance existing traffic circulation. The Bog-Spur Road connector can be accomplished by the expenditure of $100,000+ in Town funds and should be pursued as a mid-range priority. Establishing a new access between Route One and York Beach, possibly through the Wild Animal Kingdom property, but will require cooperation with the property owner. This road construction project warrants exploration if the land can be acquired.

4. The Town should pursue sidewalk/pedestrian/bicycle improvements to high priority areas. The areas most in need include York Village Center, Woodbridge Road and the Nubble. Many area residents have requested sidewalks; the cost and feasibility of sidewalks in these areas should be explored.

5. The Town should replace existing road maintenance equipment in accordance with its replacement schedule, and acquire new equipment, when needed, to meet additional maintenance needs associated with Town acceptance of more public roads. The Town
annually appropriates $80,000-$150,000 to meet equipment replacement needs. The equipment reserve fund is a good approach to help “level” these costs.

6. The Town of York Planning Board has adopted Zoning Ordinance standards that require applicants for new projects to construct roads, drainage and other infrastructure to minimum Town standards. Town voters have also adopted a Road Ordinance that establishes minimum construction standards for a road to be considered for public acceptance. These approaches are important tools the Town can use to avoid capital facility expenditures for new projects. No public expenditure needed for facility construction.

7. The Town of York should encourage and on occasion require the creation of a capital improvement district to enable the construction of needed infrastructure - roads, drainage, sidewalks and similar facilities - in an existing densely developed area that lacks needed facilities. The cost of the improvements would be paid by annual assessments on all property owners in the area in which the facility is constructed. The Nubble, Long Sands Beach and Ridge Road area are prime candidate sites to be established as improvement districts. The Town may want to commit a limited amount of public funds to assist in the construction of improvements in selected areas, such as drainage along Long Sands Beach.

PUBLIC SAFETY

Public safety includes the police, fire and rescue squads operated by the Town of York. The Town has two separate fire departments, the York Beach Fire Department and York Village Fire Department and each relies on separate paid firefighters and volunteer members. The York Volunteer Ambulance Association is an independent organization that is privately funded, but the Association coordinates its activities with York’s public safety personnel.

1. The Town should regularly replace the vehicle fleet used by the police department to ensure all vehicles are in good operating condition. The Town annually spends $60,000-$80,000 to replace aging vehicles.

2. The Town, in 1994, conducted a municipal facilities study. The study recommended the Town construct a new public safety complex - fire, police and ambulance facility - as a high priority. The existing police station is located in a former school that was not designed to serve as a public safety facility, and the police share this inadequate facility with the York Senior Center. The Town has frequently updated this facility, but it simply lacks appropriate space and lay-out to well serve its intended purpose. A new police - public safety facility is needed within the next 3-8 years. The estimated cost of new public safety complex is $2,000,000+. The Town will likely need to bond this expenditure. The new complex should be more centrally located than the current facility in York Beach. The Police, however, should always retain a satellite facility in the York Beach area to deliver services during the summer tourism season.

3. The Town, in 1997 and 1998, committed needed funds to upgrade the police dispatch service system. The Town should commit future monies that may be needed to ensure the system technology remains current and meets the needs of York’s citizenry. No cost estimate available.

4. The Town, in 1995, conducted a study to identify how best to deliver fire protection and emergency services. Construction of a new facility at a more central location to either replace both existing Fire Stations or only the York Village Fire Station was recommended as a high priority. The Town should likely retain the existing Beach Village Fire Station, but abandon and relocate the existing York Village Fire Station. The new Fire Station should be part of a public safety complex (reference 2 above) or at least
provide facilities for the Ambulance Association. The proposed location is on Route One, between Route 91 and Nason Road. A potential cost estimate (fire & ambulance only) is $900,000-$1,200,000. Partial funding could be obtained from the sale of the existing Village Fire Station and Volunteer Ambulance facilities, but most monies would need to be raised through a local bond proposition.

5. An additional recommendation in the 1995 Fire Study was to construct a satellite volunteer fire station in the Route 91/Beech Ridge Road area. It was recommended the Town pursue this as a cooperative approach with the towns of South Berwick and Eliot. This is a long-term priority and the cost is likely $300,000-$600,000 and should be bonded.

6. Both Fire Departments are generally well equipped for the respective size of the Departments, but existing equipment and vehicles should regularly be replaced. Prime fire vehicle needs in the next five years include 1 fire engine at each Department. Equipment reserve funds and additional Town appropriations will be needed to pay this cost.

**Municipal Facility Needs**

Municipal operations include the services offered at the Town Hall; Town Manager, Assessing, Town Clerk, Finance and Code and Planning. It also includes the York Senior Center housed in York Beach at the Police Station.

1. The Town, in 1994, conducted a municipal facilities study. The highest priority was construction of a new Town Hall. The existing Town Hall has inadequate space, poor utility services, and it is not handicap accessible. In addition, the First Parish Church, not the Town, owns the land and it would likely be difficult to expand the existing building. The Selectmen, in 1996, proposed purchasing the Veile property located in York Village to serve as a new Town Hall site, but Town voters rejected this purchase. It is recommended the Town either construct a new facility or renovate the existing Town Hall to meet pressing facility needs. This project will likely cost a minimum of $1,500,000 and could cost $2,500,000. It is a mid-range priority. The cost of construction will likely need to be bonded. It is recommended that Town Hall remain in the Village Center area.

2. The Town, in 1998, entered a cooperative agreement with the York Water District and York Sewer District to implement a Geographic Information System (GIS). Preparing the needed data base and integrating Town operations with this system will likely require minimum capital appropriations of $50,000 for each of the next 5-8 years. This amount can likely be funded by annual appropriations.

3. A recommendation in this Plan is to conduct a Village Center planning project that can be used to identify facility improvements and guidelines needed to direct future development in this area. The estimated cost of this project is $30,000-$40,000. The Town can likely obtain grant assistance and private donations to complete most of this project, but will also need $10,000 in Town funds as match. York citizens defeated this request at the ballot in May 1998, but it warrants future requests for Town assistance.

4. Conducting additional inventories of wetland resources to determine their functional values is recommended in this Plan. To date, the Planning Board and Code and Planning Department have performed an inventory of all resources located between the York River to the south, the Cape Neddick River to the north, the Atlantic Ocean to the south, and I-95 to the west. Four future study areas likely remain and each will cost $25,000-$30,000 to inventory. The first study area should commence as a mid-range priority. Town appropriations is the most likely funding source.
RECREATION AND OPEN SPACE

The York Parks & Recreation Department is responsible for providing recreational programs to York youth and adults and maintaining Town parks, beaches and playing fields and most public facilities. Its role in the maintenance of public facilities has increased dramatically over the past 4 years as it assumed tasks previously performed by the Highway Department, School Department and private contractors. Issues involved with retaining open space are also identified under this category.

1. York lacks the number of athletic fields recommended in State guidelines to provide for the recreational needs of a community of its size. Most athletic fields are located at 1 of York’s 4 existing schools and the sites are being overused. The Town should increase the number of athletic fields and locate the facilities at sites other than the school grounds so these limited areas can best be used to meet educational needs. Estimated cost of $75,000/field. Town capital appropriations, Parks and Recreation Department enterprise funds and private donations are the recommended approaches to obtain needed funds. It is also recommended that the Selectmen examine the establishment of an impact fee on new residential construction to help pay the cost of these improvements.

2. The Yorks Park & Recreation Department has assumed the prime responsibility of managing facilities such as the Mt. Agamenticus Lodge, Grant House at Goodrich Park and Sohier Park. The main capital needs at these facilities are building maintenance. The Town has established reserve and enterprise funds to assist with providing needed funds to maintain existing facilities. This is a good approach and should be continued.

3. The Yorks Park & Recreation Department is responsible for maintaining York’s beaches. This Plan recommends a specific study be undertaken regarding management of Cape Neddick Beach, a project which will require assistance from the Department and minor Town funding. Improvements are needed at York’s other beaches. Long Sands Beach requires at least two more additional steps, and Harbor Beach needs better quality restroom facilities. Fortunately, the Ellis Park Trustees construct most improvements at Short Sands Beach using revenues from the parking meters at the Beach. Town voters will also be asked in May 1999 to approve the establishment of a Beach Reserve fund to pay the cost of beach facilities through revenues obtained from parking meter receipts.

4. The York Parks & Recreation Department has required a growing fleet of vehicles to meet its regular maintenance responsibilities. It is critical the Town establish a regular equipment replacement program for the Department and annually seek Town appropriations to pay required costs.

5. The preservation of open space was ranked as a high priority at many of the Comprehensive Plan Neighborhood Meetings. Town voters, in May 1999, will be asked to establish an Open Space Protection Reserve Account. This Account will initially include funds from the sale of Town tax lien acquired property; likely $80,000-$100,000 by the June 1999. It is also recommended the Town request voter support of $200,000 in annual appropriations to this account for a minimum of the next 5 years to support the purchase of significant natural areas. These monies can be used to leverage additional state, federal and private funds. The initial appropriation should be requested in May 2000. Potential targets for land purchases are identified in other sections of this Plan.

MARINE RESOURCES

The York Harbor Master and York Harbor Board oversee operation of York’s harbor and docks located in the York River channel. There are few immediate major capital needs as the most critical project, a maintenance dredge of the Harbor, was completed in 1996.
1. The York Board of Selectmen, in 1997, established a reserve account that can be used to provide monies to help pay the cost of future harbor dredges. Deposits to the fund are obtained from use fees on vessels using the harbor. This is a far-sighted approach to meet future capital facility needs and warrants continuation. No annual appropriations of Town funds needed at this time. Next maintenance dredge likely needed in 12-20 years.

2. The Town, in the 1980’s, established a Harbor improvement reserve account that can be used to pay for needed improvements to existing facilities. These funds have been used to expand existing dock facilities and purchase a vessel for the harbormaster. No new major capital costs are anticipated at this time. This fund also warrants continuation.

3. The Town should pursue constructing one or more access points to the York River for nonmotorized watercraft. A prime location is at Goodrich Park. The estimated cost of this facility is approximately $55,000. Town appropriations, harbor capital reserve funds and potentially new user fees can be used to pay this cost. This is a mid-range priority.

4. A harbor pump-out facility should be provided to improve water quality in this area, and to discourage the practice of marine overboard discharges. To date, York’s Harbor Board has resisted efforts to construct a facility. This approach, however, is not in the Town’s best long term interest. The cost to construct a pump out facility is likely less than $20,000. This is a mid-range priority.

EDUCATION FACILITIES

The York School Committee, in late 1997, prepared a 10 year capital improvement program to meet the facility needs for York’s student population. The plan recommended the following:

- Significant renovations to York High School to accommodate a student enrollment of 840. Cost estimate of $5.5 million. This project was approved by York voters in May 1998 and construction will begin in 1999 with completion in the year 2000.
- Significant renovations to Coastal Ridge Elementary School to help house a total elementary school enrollment of 800. Cost estimate of $3.5 million. This project was defeated by York voters in May 1998. The School Committee is revisiting this need and is preparing a project to meet ongoing needs. No specific time line available.
- Construction of a new Middle School at a cost of about $14,000,000 to accommodate a student enrollment of about 840. This project was also defeated by York voters in May 1998. The School Committee is now examining potential renovation of the existing facility on Organug Road as well as a new facility, and will likely propose a new project proposal for Town consideration in May 1999. The existing Middle School is very overcrowded and additional classroom and core space is needed to meet both existing and future needs.
- Minor improvements to Village Elementary School consisting mostly of parking lot improvements. Cost estimate of $100,000 was approved by York voters in May 1998 and the improvements should be completed in 1999. Additional site improvements are also likely needed at this school but no specific plans are now available.

The School Committee has requested these projects be funded entirely at the local level as the School does not believe State funds will be available. Town voters, in November 1997, and the Board of Selectmen, in August 1998, also approved the establishment of an impact fee on new residential construction to assist in paying the cost of this new construction. The impact fee will likely generate $150,000+ annually to assist in paying the debt service the Town will incur to construct the school improvements. It is also recommended the School Committee aggressively pursue potential State funding to meet local facility needs. State funding programs are in
transition and its also appears limited federal funds may become available and these could be used to defray the direct cost to York taxpayers.

OTHER FACILITIES

1. The York Public Library, in 1998, purchased land at the Veile property in the Village Center to construct a new library. The existing library is simply too small to meet the needs of York’s citizenry. The library will be raising some funds through private donations, but will likely approach the Town for a significant contribution. A public library is a critical public service and the Selectmen and Budget Committee should provide York voters the opportunity to decide if they want to contribute to its construction. The estimated construction cost of the Library is $3,000,000, and the funding request to the Town will likely approach $1,500,000.

2. The York Housing Authority operates Yorkshire Commons, the only public housing available in York. There is a crying need for additional public housing, particularly for the elderly and the Housing Authority has been working to locate a site and secure public funds for a new project. The Selectmen and Budget Committee should support requesting Town voters to provide Town funds to assist the Housing Authority in constructing a new facility. A recommended appropriation is $100,000 to $200,000 and this is an immediate priority. This amount can likely be paid back to the Town over the long-term through the Authority making a “payment in lieu of taxes”.

Financing Mechanisms and Funding Sources TO CONSTRUCT CAPITAL IMPROVEMENTS

A community should consider using a variety of approaches to pay for desired capital projects. Approaches recommended for the Town of York are outlined below. Many of these approaches are also described in the Town's response to State Goal 2, Public Facilities and Services.

"PAY-AS-YOU-GO" - 100% CURRENT YEAR FINANCING

The "pay-as-you-go" method of funding capital improvements is the equivalent of paying cash, with the local property tax the usual revenue source. Thus, only projects a community can afford in a given year are funded. York routinely uses this approach to fund many of the capital improvements identified in its annual Capital Improvement Program. The "pay-as-you-go" approach ensures the maximum cost of projects undertaken does not exceed the Town’s willingness and ability to pay. It, however, can foster postponement of "minor" capital item purchases that can result in greater future costs. It also does not work well for expensive projects because of the significant one year impact on the tax rate. The recommendation is to continue using the "pay-as-you-go" approach for appropriate capital projects.

"PAY-AS-YOU-USE" - DEBT FINANCING

This debt financing approach typically involves issuing bonds to pay for a capital improvement. The cost of the improvement and debt interest are calculated in the debt repayment schedule, which is typically spread out in even increments over a specified period of time, usually from 5 to 20 years. This approach enables a community to use a capital improvement while it is paying for it, thereby avoiding a large municipal expenditure in a single year. It also offers predictability to the municipal budgeting process, since the annual amount needed to pay for the capital item(s) is known. Disadvantages to this approach include: payment of interest on the bond amount, costs associated with issuing a bond, and the fact that the annual debt payment amount must be repaid, regardless of a community's financial ability to make the payment in any given year.
York presently has a very low amount of bonded indebtedness; $4,615,000 as of June 30, 1997, or less than 3% of the maximum amount permitted by State law. State law allows a municipality to incur 15% of its stated assessed valuation in long term debt, about $180,000,000 for York. The only project for which York now owes debt is the 1990-1992 construction of Coastal Ridge Elementary School. The Town’s debt load likely will increase significantly over the next several years because of the voters decision in May 1998 to renovate York High School ($5.5 million), the pending need to expand both the Middle School and Coastal Ridge Elementary School, and the desire to construct new or renovate existing municipal facilities. The Town should be prepared to assume a greater debt load as it is the only way to pay for such “big ticket” expenditures.

LOW INTEREST LOANS

Low interest loans are often available for infrastructure financing, development of affordable housing, and similar types of projects. The Town should investigate these loan programs on a case-by-case basis as possible sources to reduce the cost of financing capital projects. York Housing Authority used this approach to construct York’s only existing low income elderly housing complex.

IMPACT FEES

The capital cost to provide new infrastructure to meet service demands caused by new development can be partly financed through the assessment of an impact fee. An impact fee can only be used to pay for capital items, and not replacement or maintenance costs. Town voters, in November 1997, granted the Board of Selectmen the authority to establish impact fees. The Selectmen, in August 1998, adopted Regulations to require an impact fee on new construction to help pay the cost of new school facilities. This fee will likely raise a minimum of $150,000 in annual revenues that must be dedicated to pay specific school construction costs. It is also recommended that the Selectmen explore using impact fees to defray the capital cost of constructing new parks and recreation facilities and potentially municipal building needs.

Impact fees are not a panacea to pay the cost of all new infrastructure needs. The amount of the fee must carefully be calculated to reflect only the amount of demand caused by the new development, and the Town must strictly administer the fees collected. The Town Impact Fee Advisory Committee that worked in 1997 and 1998 to draft the Impact Fee Ordinance and subsequent Regulations recommended the Selectmen not pursue an impact fee to pay road construction costs because of difficulties in establishing a fair and equitable assessment formula.

EXACTIONS

The Town of York Planning Board routinely requires applicants for new projects to construct the needed infrastructure to serve their project and to upgrade off-site facilities to meet new demands associated with their development. The common word for this is an exaction. For example, the Planning Board in its 1998 approval of Hannaford Brother’s proposal to build a new grocery store required all on-site roads, parking, drainage, lighting, utilities and similar infrastructure to be constructed to Town standards. Off-site improvements were also required: payment of $200,000 to the Town to reconstruct the Route 1/Route 91 intersection, extension of the public sewer via Route 1 so existing businesses could also be served, and additional road improvements to Route 1. Reconstruction of the Route 1/Route 91 intersection was identified as a high priority Town improvement and the funds secured from Hannaford will help address this need.

GENERAL RESERVE FUND

A general reserve fund is the municipal equivalent of a savings plan. Once the purchase of a capital improvement has been planned and its cost has been estimated, a reserve fund is established to help pay for the capital item(s). A set amount of Town general fund revenues is deposited annually in the reserve fund and the improvement is purchased or undertaken when
there are sufficient funds in the account. This approach helps to equalize the annual cost of paying for a capital improvement rather than paying the full amount in a single year. It also eliminates the interest and administrative cost of borrowing monies. York has long used general reserve funds to aid in the purchase of equipment and other capital improvements that have a known service life. The Town should continue this practice.

DEDICATED RESERVE FUND

A dedicated reserve fund involves setting aside user fees collected for a specific service to pay for capital facility improvements. York now uses this approach at its boat harbor as a percentage of the fees collected for harbor services are dedicated to harbor improvements. This is sound fiscal policy and warrants further exploration to determine if it may make sense for other programs. The Board of Selectmen have recommended two additional funds for voter approval in 1999 and both warrant support. These are:

- The Open Space Acquisition Program Fund whereby revenues from the sale of tax acquired property will be dedicated to the purchase of significant natural areas.
- The Beach Reserve Fund whereby a portion of the monies collected from parking meter fees will be dedicated to beach improvements.

A dedicated reserve fund is consistent with the overall Town goal of making persons responsible for causing a service demand to pay the cost of the service. The approach, however, has several shortcomings which should always be considered in establishing a new fund, including:

- The amount of fees collected can vary from year to year which lessens the predictability of using this source of funds to retire long term debt.
- Voters/taxpayers may be less willing to appropriate needed additional general fund revenues to construct a project if a dedicated reserve fund exists.
- The public may want to raise fees above acceptable levels simply to fund a desired project.
- Depositing user fees in a dedicated reserve fund decreases the Town’s ability to use its revenues to help pay the cost of the highest priority need.

CAPITAL IMPROVEMENT DISTRICTS & SPECIAL ASSESSMENTS

The Town should support the establishment of capital improvement districts to obtain monies from the direct beneficiaries of the improvement to pay the cost to construct needed improvements. The York Water District and York Sewer District routinely use this approach to fund the cost of public water and public sewer extensions. The Town government has not established specific capital improvement districts because of questions regarding the legality of this approach. In the late 1970’s the Town assessed property owners on Airport Drive the cost to construct road and drainage improvements. The State Supreme Court subsequently ruled local governments like York could not use this approach. The Town abandoned its plans to upgrade Nicole Road using the same approach.

A specific recommendation in this Plan is to reexamine how and where capital improvement districts should be used to fund specific improvements. Examples of recommended areas and projects include: drainage in the Long Sands Beach area, sidewalks and drainage in the Nubble area, and public parking in the Village Center area. This approach is a key element of York’s strategy to manage future growth. The Town also recognizes changes to State law may be needed to allow York to implement this approach.

GRANTS

There are few significant grant programs and cost-sharing funds available to York through State and Federal agencies. The limited funding sources available, however, can reduce the municipal
fiscal burden of undertaking certain capital improvements. Recent examples of grants the Town has received include: State Community Development Block Grants (CDBG) to extend water, sewer and road improvements to the Cormier Textile facility, Stonewall Kitchen, a Greater Piscataqua Community Foundation Grant to renovate the Grant House, and State monies to purchase a DARE vehicle for the Police Department. The Town should be prepared to pursue grant programs that can help pay the cost of needed facilities. Local adoption of a Comprehensive Plan that is consistent with State requirements will make the Town eligible for certain grant sources that are now off-limits.

DONATIONS

Donations of funds, equipment, or property by an individual, corporation, or foundation are rarely major or consistent methods of financing capital improvements, but they are an important sources that have greatly benefited the community. Many of the Town’s most cherished areas, such as Steedman Woods, Goodrich Park, Ellis Park and now Hartley Mason Park, were either donated to the Town or are managed by non-profit entities for public use. The York Public Library is looking to private contributors to fund as much as $1,500,000 of construction cost of the new library. Smaller scale projects have also happened because of the generosity of donors and volunteers. The playgrounds at York’s elementary schools, restoration of the Grant House, and maintenance of flower gardens in the traffic islands at numerous intersections are but some of the donations. The role of the Town should be to encourage private donations that benefit the public and to acknowledge the efforts of those who contribute.

NEW FINANCING AUTHORITY

State law greatly restricts the taxation options a municipality can use to pay service and capital facility costs. The Town should pursue amendments to State law to provide municipalities greater flexibility in raising revenues. Specific recommendations include the following:

- Granting municipalities the aforementioned authority to establish capital improvement districts and to assess property owners who receive a benefit to pay the cost of the project improvement.
- Granting municipalities the option to assess real estate transfer taxes on all real estate transactions and to use these funds to pay specific capital costs, such as school construction and open space acquisition.
- Granting municipalities that deliver services (mostly rescue services) to the Maine Turnpike Authority the authority to assess a fee on the Turnpike for the cost of the service. These funds could be used to defray the capital cost of needed emergency equipment.

Allowing municipalities greater authority to establish new forms of taxation raises the obvious concern that Towns will simply increase taxes. This authority, if used wisely, could lessen the reliance on the property tax and enhance a municipality’s ability to better assess fees and taxes on the party that is causing the demand for the service.
York is a home rule municipality governed by a Town Charter. It is not, however, an island onto itself. York’s local government and its businesses and residents regularly work with neighboring communities to deliver services, manage natural resources and address economic needs, particularly tourism. The State Planning Office has also recognized York’s role as an economic and service hub for surrounding rural communities and identified the town as one of the State’s 95 regional service centers.

York shares its municipal boundaries with five other Maine communities, including Kittery to the southwest, Eliot to the northwest, South Berwick to the north, and Wells (less than 1/10th mile of common boundary) and Ogunquit to the east. Most of York’s easterly and southerly boundary is formed by the jagged coastline of the Atlantic Ocean. Some of York’s closest ties are with the communities it directly abuts.

York is also considered part of the greater seacoast area that includes coastal communities in both Maine and New Hampshire. This area is identified by the U.S. Census Bureau as the Portsmouth (New Hampshire) Metropolitan Statistical Area (MSA). Many residents in York routinely commute to Portsmouth or further south to the Boston area for employment. In addition, York’s proximity to “tax-free” New Hampshire helps shape much of its local economy as retailers of items such as electronics, appliances and furniture rarely locate in town.

York has regularly demonstrated that it is willing to work with neighboring communities to address both common service needs and issues that transcend individual boundaries. This is perhaps best illustrated by the 1975 decision of the York Harbor Village Corporation and 1977 decision of the York Beach Village Corporation to dissolve their respective governments and merge with the Town of York’s local government. There is no plan at this time to recreate independent village governments.

Approaches the community has undertaken or should implement to integrate regional concerns with local needs are highlighted below. Most of these actions are also identified in the Town’s approach to address the objectives of the ten State Growth Management Act Goals, or in the Future Land Use Section.

**TOWN REGIONAL COORDINATION APPROACH**

**PUBLIC SERVICES & FACILITIES**

**APPROACH #1:** The community should routinely explore alternative ways, including regional approaches, to deliver existing and new services to provide the best quality service while helping to control costs.

Regional approaches the Town government and other community groups now use to deliver services include the following:

- Mutual aid for fire and rescue efforts with neighboring towns;
- York and Ogunquit, effective August, 1998, have entered a contract through which York provides public safety dispatch services for the Town of Ogunquit;
- York and Ogunquit summer seasonal police officers receive training through the same training program;
- York participates in the regional cooperative purchase program for photocopy paper sponsored by Southern Maine Regional Planning Commission;
- Town residents who live in the Rt 91 and Beech Ridge Road areas receive public water from the Kittery Water District rather than the York Water District;
• Town residents who live in the Shore Road area receive public water service from the Kennebunk, Kennebunkport & Wells Water District rather than the York Water District; and
• York is part of the York County government and receives jail and court services through the County.
• The Town contracts with a private company to collect and dispose of its trash, recyclables and bulky wastes. This private company delivers services to many communities in the seacoast area.
• Providing Town funds to support social service organizations that deliver services on a regional scale, such as Red Cross, Aids Awareness, Visiting Nurse Association and others.
• York works with several neighboring communities to negotiate terms of a cable television contract with a private vendor.

Town service and facility needs the Town should consider addressing through interlocal agreements with neighboring Towns include the following:

• Construct a fire station in the Rt 91/Beech Ridge Road area that can serve the needs of York, Eliot and South Berwick residents. This is a rural area for all 3 towns, and each experiences problems in providing good quality fire protection. A single centrally located and equipped fire station could best serve the needs of all 3 communities at a lesser capital and operating cost to each of the communities. This approach was recommended in a 1995 Fire Study conducted by the Town of York.

• York now operates a once per year program to accept hazardous wastes from its residents. The frequency of this service could likely be upgraded at no greater cost to the community by combining York’s hazardous waste collection program with those sponsored by other neighboring communities.

• Expand areas in York now served with public water or public sewer by neighboring districts. Prime opportunities include the following:
  • Public water service extensions by the Kittery and York water districts in the Route 91 area. This will aid fire protection and facilitate inter-connection with the water system in South Berwick.
  • Public water service extensions by KK&W in the Shore Road area. This will aid fire protection, lessen potential public health problems associated with too much development on too small of lots, and enable a connection between the York and KK&W water supply systems.
  • Public sewer service extension service by the Town of Kittery to the area of Route One located south of Beech Ridge Road. This extension could resolve existing septic problems at the Caincrest Mobile Home Park and encourage the construction of multi-family housing on remaining underdeveloped lands.
  • Public sewer service extension by the Town of Ogunquit to residences located in the Pine Hill Road area. Many of the existing homes are built on very small lots that have or may soon experience septic problems.

• Examine potential benefits of establishing a regional housing authority to serve the mutual needs of neighboring communities; likely York, Eliot, Kittery, South Berwick and Ogunquit. Affordable housing, particularly housing to meet the needs of area seniors, is a priority in all of the above communities. A regional housing authority may enhance the area’s ability to attract federal and state funds to support the construction of well located affordable housing without diminishing the ability of the housing authorities that now exist in the individual communities to manage existing housing complexes.
• The Town should pursue an interlocal agreement with neighboring communities to provide specialized services that may not require full-time staff. Potential candidates include:
  • Animal Control Officer and Sheltering of Strays;
  • Computer/Technology services; and
  • Operating a Geographic Information System.

• The York School Department should participate in regional efforts to provide good quality vocational training programs for York students. The York County Vo-Tech College offers many opportunities and it can play a vital role in offering programs that cannot be delivered at individual schools.

• The Town recently agreed to participate in a four town effort to examine factors involved with community “wellness”. Few towns in the area are well equipped to deliver social services at an individual level and can benefit from mutual efforts to deliver needed services.

TOWN REGIONAL COORDINATION APPROACH
MUNICIPAL AFFILIATIONS & PROFESSIONAL DEVELOPMENT

APPROACH #2: The Town should regularly participate in multi-town, regional and state-wide organizations that address issues that effect the local government and the community.

York can often best advocate its interests by working with communities that share similar concerns. In addition, the participation of its elected and appointed officials and staff in state-wide and regional organizations aids in the informal sharing of ideas; what has worked and what has failed. Most professional staff participate in one or more regional or state-wide organizations. For example, the City Clerk belongs to the Municipal Clerks Association, the Town Assessor participates in the Maine Association of Assessors, and the Police Chief is a member of the Maine Police Officers Association.

Specific actions include the following:

• The Town and School Department should encourage its staff and elected and appointed officials to participate in regional and state-wide organizations involved with local government. The Town should also pay the cost to be a member in the respective organization and to participate in training and meetings sponsored by the organization.

• The Town should be an active member in the Southern Maine Regional Planning Commission (SMRPC). SMRPC consists of representatives from all towns in the York County area and offers services in the areas of economic development, transportation, cooperative purchasing, solid waste management, planning and others. Membership will require the Town to pay annual dues.

• The Town is and should continue to be an active member of the Maine Municipal Association (MMA). The organization offers opportunities for state-wide advocacy regarding issues that directly affect municipalities and also provides direct services, such as providing municipal insurance coverage, legal advice and health care insurance for employees. The Town has saved a significant amount of money by participating in insurance and health care programs offered by MMA. Membership will require the Town to pay annual dues.
• The Town should encourage establishment of associations such as recently conceived Southern Maine Coastal Coalition to help empower local legislators to pursue legislation and fiscal policy that will benefit area communities.

TOWN REGIONAL COORDINATION APPROACH
ECONOMIC DEVELOPMENT

APPROACH #3: York should embrace regional approaches to address local economic development needs.

York is part of the greater seacoast region that has a diverse and healthy economy and a very low unemployment level. Many factors contribute to the present lofty status of the economy, not the least of which are efforts area businesses have undertaken to organize and market their products. Town government, however, has had a very checkered score-card in pursuing economic development initiatives. The Board of Selectmen decided to establish a local Economic Development Council in 1990, but it never achieved its initial objectives and Town voters subsequently abolished the Council in 1995. York was also one of four members in the KEYS (Kittery, Eliot, York and South Berwick) organization and its successor, the Southern York County Business Resource Council. However, Town voters, in 1997, did not appropriate York’s requested share of $6,000 in operating funds and the participating towns decided to disband the organization.

Specific regional approaches to economic development that are recommended include the following:

• York should be an active member in the Southern Maine Economic Development District (SMEDD) that includes towns in both York and Cumberland Counties. SMEDD offers local businesses access to revolving loan funds and technical assistance that are not available through other sources. It also has the potential to spearhead regional solutions to economic issues.

• KEYS and the Southern York County Business Resource Council are no longer active, but regional approaches are the best method to address economic development initiatives. York lacks the funds, need and sophistication to operate an independent organization to address economic development needs. The Town should periodically reexamine the interest of York’s elected officials and citizenry and those in neighboring towns to reestablish an organization such as KEYS.

• The Yorks Chamber of Commerce includes many business members that are not located in York. The Chamber also participates in the Coastal Chamber Coalition that helps market tourism in communities from Old Orchard Beach to Kittery. The Chamber has been very successful in its regional approach to marketing and this effort should continue.

TOWN REGIONAL COORDINATION APPROACH
NATURAL RESOURCE MANAGEMENT

APPROACH #4: York should work with neighboring communities and regional and state-wide organizations to obtain better quality information on the areas’ natural resources and identify how to protect these resources.

York’s natural resource features rarely share the same limited boundaries as the local government. Effective long-term management and protection of significant natural resources in York will require the cooperation and participation of many local, regional, state and national organizations and agencies. York can and should take a lead role in helping its residents and
others to recognize the importance of its natural resource base, but will likely fail to safeguard these values unless others adopt similar approaches.

Specific actions that should be undertaken include the following:

The Town is engaged in a cooperative effort with the Town of South Berwick, York Water District, Kittery Water District, Nature Conservancy, State Department of Inland Fisheries and Wildlife, Southern Maine Regional Planning Commission and private property owners to develop a cooperative management plan for the Mt. Agamenticus area and its resources. This is the single most important project the Town should continue to help protect its significant natural resources. The Town should be prepared to commit local monies to this planning effort and subsequently to implement its recommendations.

The Town, throughout the 1990's, worked with the State Land for Maine Future Board to advocate for the State purchase of lands in the Mt. Agamenticus area. It appears additional funds may soon be made available to this State government organization. Also, other lands may be available for purchase in the greater Mt. Agamenticus area. The Town should commit monies in its proposed Open Space Acquisition Program fund to leverage potential State and private funds to purchase additional Mt. Agamenticus lands.

Community residents have worked with the Audubon Society to identify vernal pool resources in the Mt. Agamenticus area. This cooperative approach has furthered local and state knowledge of the importance of vernal pools and how regulations should be designed to protect the pool and the species which depend on these seasonal bodies of water. The Town should continue its participation in this study and similar research efforts.

The federal government, through the Rachel Carson National Wildlife Refuge, has purchased important coastal areas in the Brave Boat Harbor area, and also committed monies to restoring damaged salt marsh areas. The Town should advocate additional federal purchases in the Brave Boat Harbor area and should encourage these lands to be open to passive recreation use. The Town can also consider use of its proposed Open Space Acquisition Program funds to assist in this purchase, but this is a lesser priority area for the use of local funds than others.

The state government has proposed working with Southern Maine Regional Planning Commission and coastal communities to conduct a research program to heighten knowledge and management of coastal resources in southern Maine, particularly area beaches. York should pursue participating in this program, if it provides the Town an opportunity to play an active role in developing regulations to manage local beaches. York’s participation in this project will likely require a financial contribution.

The Town should periodically invite residents and community leaders in neighboring towns to meet with York organizations to assess the status of information regarding natural resources and approaches and regulations each community uses to manage these resources. A conference sponsored once every two years could aid in furthering effective resource management.

REGIONAL COORDINATION PROGRAM
CONSERVATION OF THE MOUNT AGAMENTICUS REGION

APPROACH #5: The Mt Agamenticus Advisory Committee reported in 1976, that the Mt A region is “an island in a sea of development.” Thirty years since that report, and this assessment is truer than ever. The Mount Agamenticus region remains an oasis of great natural beauty and biodiversity. This, despite the fact that Southern Maine and most of New England have continued to experience massive growth pressures in the decades since that assessment.

To protect and promote greater understanding of the geographical and biological interconnections within the Mt A region, 10 conservation organizations operating in southern Maine launched The
Mt Agamenticus to the Sea Conservation Initiative – a landscape-wide conservation and planning effort encompassing the wildlife corridors and habitats and working lands extending from the hardwood forests and freshwater resources in the Tatnics Hills and Mount Agamenticus to the ecologically-rich estuaries and saltwater shorelines. These organizations have established a focus area for conservation efforts that includes parts of six towns: Kittery, Eliot, South Berwick, Ogunquit, Wells and York. A map of the area is included at the end of this Section.

In 2005, Mount Agamenticus to the Sea organization commissioned a Conservation Plan to guide and focus conservation efforts and to build on the decades of conservation work in this region. The Plan was developed with the input of more than 80 individuals, municipal officials, foresters, recreational interests and other stakeholders, so that the Plan reflects a community vision for this shared resource. The document, still an un-adopted draft as of July 2006, is available on the Internet at the following address: www.mtatosea.org. The Conservation Plan provides an assessment of important resource values, threats to these resources, and priorities for conservation.

Maine’s Growth Management Act directs communities to include in their comprehensive plans a regional coordination program. “A regional coordination program must be developed with other municipalities or multi-municipal regions to manage shared resources and facilities, such as rivers, aquifers, transportation facilities and others. The program must provide for consistency with the comprehensive plans of other municipalities or multi-municipal regions for these resources and facilities” (M.R.S.A. Title 30-A §4326.4). Planning for shared resources, such as the Mount Agamenticus region, is mandatory. Statutes also provide for tools to implement multi-municipal plans, most notably in the standards for cooperative growth management activities (see M.R.S.A. Title 30-A §4325).

It is the Town’s objective to work collaboratively with other stakeholders to sustain this region’s natural values in perpetuity. The Town of York hereby incorporates by reference the Conservation Plan for the Mount Agamenticus to the Sea Conservation Initiative (Draft 2005) into the Comprehensive Plan’s Regional Coordination Program Section. The Town requests and encourages that the other 5 communities in the Mount Agamenticus region follow suit and adopt this Conservation Plan as part of their own comprehensive plans. Further, the Town challenges all 10 partner agencies that prepared the Conservation Plan to finalize the document (it is still a draft as of July 2006), officially endorse the Conservation Plan, and to pursue and uphold its policy recommendations.

As the towns in this region endorse the Conservation Plan as part of their comprehensive plans, they should work together to coordinate regulatory and enforcement activities in a manner that is mutually agreeable and permitted under the Growth Management Act.
SECTION 3.  TOWN OF YORK FUTURE LAND USE

WHERE THE TOWN RECOMMENDS FUTURE LAND USE ACTIVITIES OCCUR AND RECOMMENDED GROWTH & RURAL AREAS

A major purpose of a comprehensive planning process is to provide direction regarding future land use. This Section, Section 3, Future Land Use, provides recommendations regarding where and how new development in York should occur.

The recommendations offered in this Section were developed by the York Comprehensive Plan Steering Committee appointed by the York Board of Selectmen. The Committee considered the views of many York residents and taxpayers and analyzed past and current land use concerns to prepare its recommendations. Approaches used by the Committee included the following:

1. Conducting Town-wide meetings and Neighborhood meetings to learn first-hand the concerns of York’s citizens. The Neighborhood Meetings, held between February-June 1998, which attracted over 1,000 participants, were particularly valuable in identifying concerns regarding specific areas in Town.
2. Using information obtained through recent land use planning efforts, such as the Planning Board’s Route One Planning Project that was conducted in 1995 and 1996. This effort culminated in Town voters adopting comprehensive revisions to the Town’s 1982 Route One Zoning Ordinance in November 1996.
4. Reviewing the effectiveness of past and present Town Zoning Ordinances and Planning Board Subdivision and Site Plan Regulations to achieve the desires of York’s citizenry and the intent of the State Growth Management Law.
5. Reviewing how other communities in Maine and in the United States have addressed land use issues similar to those which are confronting York.

The approach the Committee has used to describe future land use recommendations in this Plan is similar to the method used in the 1991 draft Comprehensive Plan. The Committee divided the Town into land use areas where existing land use activities are often similar and where proposed future land uses likely will share many commonalities. These areas were also defined by participants at the Neighborhood Meetings. Many of these areas will be synonymous with the boundaries of the proposed future zoning districts.

Similar information is provided for each of the land use areas, including the following:

1. A brief summary of past and present land use activities.
2. A synopsis of existing Town Zoning Ordinances that apply to this area.
3. A description of issues raised by participants at the Neighborhood Meetings conducted for this area.
4. A list of recommended actions the Town should implement to address issues that affect this area. Each action statement also identifies an implementation timetable, the Town body which should take the lead role in implementing the action, and the issues which this proposed action address. The schedule is specified in the introductory text of Section 2, Town Response to State Goals.

The Committee believes the recommendations identified in this Section, if implemented in conjunction with recommendations identified in Section 2 of this Plan, Town Response to State Goals, will well serve the needs of York’s citizens over the next 5-10 years. The Committee developed most of these recommendations to be implemented as a "package" which attempted
to balance the overall needs of the community. However, recommendations specific to an individual area readily could be implemented as a stand alone action.

The Committee further notes that these recommendations are just that, actions recommended at a specific point in time based upon information available at that time. Most of these recommendations will require a subsequent action of the Town—such as enactment of an Ordinance—to take effect. Town voters should look to this Plan for direction, but it is fully expected that the public debate which occurs during the public review process may alter the final shape of the recommendations in this Plan. This debate and public process should be welcomed by all as it is the constructive review of each public policy that will help ensure the will of York’s citizenry is best met. In short, this Plan makes sense, but it should not be considered the equivalent of the Ten Commandments --- it is okay to make changes.
<table>
<thead>
<tr>
<th>LAND USE AREA</th>
<th>NAME</th>
<th>PROPOSED ZONE</th>
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<tbody>
<tr>
<td>1</td>
<td>York Beach Village Center</td>
<td>-</td>
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<tr>
<td>2</td>
<td>The Nubble</td>
<td>RES-3</td>
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<tr>
<td>3</td>
<td>Freeman Street/Main Street</td>
<td>RES-3</td>
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<tr>
<td>4</td>
<td>Long Sands Beach</td>
<td>RES-5</td>
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<tr>
<td>5</td>
<td>Ridge Road</td>
<td>RES-4</td>
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<tr>
<td>6</td>
<td>York Harbor Village Center</td>
<td>-</td>
</tr>
<tr>
<td>7</td>
<td>Eastern Point/York Harbor</td>
<td>RES-1</td>
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<tr>
<td>8</td>
<td>York Village Center</td>
<td>-</td>
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<tr>
<td>9</td>
<td>York Street from Route One to the Village</td>
<td>RES-1</td>
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<tr>
<td>10</td>
<td>Orchard Farm/York River Farm/Lindsay Road</td>
<td>RES-1</td>
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<tr>
<td>11</td>
<td>Long Sands/Woodbridge Road</td>
<td>York Village Center and RES-1</td>
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<tr>
<td>12</td>
<td>Nason Road, Bluestone and Fieldstone Estates</td>
<td>RES-2</td>
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<tr>
<td>13</td>
<td>Cape Neddick River Area</td>
<td>RES-2, RURAL-1, RES-3</td>
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<td>14</td>
<td>Shore Road/Pine Hill Road</td>
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<td>15</td>
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<td>16</td>
<td>Southside Road</td>
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<tr>
<td>17</td>
<td>Beech Ridge Road/Route 91/Birch Hill Road</td>
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<td>Chases Pond/Scituate Road</td>
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<td>Mountain Road/Logging Road</td>
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<td>20</td>
<td>Mt. Agamenticus/Watershed/Clayhill Road</td>
<td>RURAL-4</td>
</tr>
<tr>
<td>21</td>
<td>Route One</td>
<td>-</td>
</tr>
<tr>
<td>22</td>
<td>Green Enterprise Recreation Overlay District</td>
<td>-</td>
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</tbody>
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A map entitled, “Future Land Use Areas: York Comprehensive Plan”, dated November 8, 2011 locates the future land use areas discussed in this Section.
York Beach Village Center is a compact extensively developed area that has long been a major summer tourist area. As early as the 1890’s residents of nearby states would flock to the area to enjoy a summer along Maine’s southern coastline. The Village Center area is comprised of restaurants, hotels, many small retail shops, an amusement park/zoo, a campground, two churches, and a mixture of single family and multi-family homes. The names of the local businesses and their owners may have changed over the last 100 years, but the reason visitors continue to vacation at York Beach remains, it is a great place to spend a day or a week next to the Ocean.

The main attraction is Short Sands Beach, a publicly owned beach managed by the Ellis Park Trustees. The Trustees maintain both the beach and an adjacent park that includes a public parking lot, a playground, shower/bathroom facilities, grassy fields and a gazebo for summer concerts. The Trust has regularly been using the proceeds from parking fees collected to fund improvements to Ellis Park.

The heart of the commercial district is less than 1/20th square mile in size. The Goldenrod, Shelton’s and Fun-O-Rama are some of the establishments familiar to both visitors and residents. Many of the structures in the area have local historic significance.

Most businesses now open only seasonally, particularly Memorial Day to Labor Day. The contrast between the peak of the summer tourist season when it is often difficult to find a parking space, and a long winter of closed shops when it is often rare to even spot a parked car is extreme. Only a handful of businesses, Garfields, the Fish Market, the Aqua Lounge, the Union Bluff hotel and a few others presently attempt to operate year-round. York Beach Village Center is the prime summer tourism area in York and will likely continue to serve this role.

Most of the area is located in the BUS-3 zoning district. The standards for this area have changed little since the York Beach Village Corporation merged with the Town in 1977. The Zone permits the following uses: single family, two family and multi-family residential development; retail stores and service businesses; hotel/motels; restaurants; and public uses. The minimum lot size is 12,000 sf with public water and sewer, and 20,000 sf without these services or if only public water is available. Maximum lot coverage is 50% impervious surface ratio. Although much of the area has been commercially developed, there are no existing performance standards to regulate potential impacts associated with such development.

All land located within 250 feet of the Atlantic Ocean is also subject to the Town Shoreland Ordinance. The Town’s decision to include this Shoreland area in the Limited Residential Subdistrict has adversely affected the expansion of existing businesses. Much of the area is also located in the Floodplain Overlay District. The Beach business area off Railroad and Ocean Avenues regularly floods during times of storm driven high tides. At present, little of the existing commercial development complies with Floodplain Ordinance requirements.
ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

There is virtually no remaining undeveloped land in the Village Center area. Redevelopment and rehabilitation of existing businesses and buildings is the most likely scenario. The long-dreamed expansion of the tourism season to make York Beach a two or more season destination is also a possibility. The York Beach Village Center area is of prime importance to the health of York’s seasonal tourism industry and the following issues should be considered in future use of the area.

1. How to maintain York Beach as a family oriented tourism area.
2. How to maintain and enhance the economic vitality of the area.
3. How to encourage and provide alternative means of access to the York Beach Village Center area.
4. How to retain and reestablish the historic/period appearance of existing structures and encourage the rehabilitation of existing structures that are in decline.
5. How to enhance the existing pedestrian amenities and ensure a pedestrian-friendly area.
6. How to provide additional parking for both tourists and employees who work at local businesses. This includes alternative transportation.
7. How to assist in providing sufficient employees to support business enterprises.
8. How to lessen the impacts of flooding on existing businesses.
9. Current zoning standards, particularly dimensional requirements, are not consistent with current types of buildings and land use.
10. There is a conflict between the underlying business zone which allows nonresidential uses and the more restrictive Shoreland Overlay zone which only allows residential uses.

Business owners and property owners who attended the June 1, 1998 neighborhood meeting identified these issues in expressing their love for the Beach area and concern for its future.

PLAN RECOMMENDATIONS

Little new development has occurred in the Short Sands Beach area over the last 20 years. There has been a significant amount of redevelopment, including projects such as the Ocean House Condominiums, Union Bluff Hotel and the Woods buildings. The recommendations in this Plan center on how to encourage further redevelopment of the area so it can continue long into the future as the heart of York’s summer tourism industry. Specific recommendations for the York Beach Village Center area include the following:

1. A zoning district specific to the York Beach Village Center area should be created. This district should recognize existing land use patterns and allow new development and the redevelopment of existing buildings to emulate existing patterns. Regulatory standards should be altered to require new development and re-development to be pedestrian-oriented rather than vehicle-oriented. This should include re-evaluation of the types of uses permitted, dimensional standards, and intensity of development. Conditional or contract rezoning may be appropriate. Emphasis should be placed on the quality of design to enhance the built environment. Municipal capital spending should be consistent with these policy objectives as well, focusing on improving the quality of infrastructure and enhancing the streetscape.

   Addresses Issues 1, 2, 4 and 9

   IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. Performance standards should be established in the Zoning Ordinance that new or renovated non-residential development must satisfy. There are no standards in the current Ordinance. Standards should address issues such as building appearance, pedestrian/visitor amenities, parking (likely off-site), signage, landscaping and drainage. The goal of these standards is to reflect the character of existing development, while ensuring desired improvements to the area and individual structures.
3. An on-going mutually beneficial working relationship should be established among the merchants in the York Beach area, the Ellis Park Trustees, the Town of York and others to achieve the common interests of the parties. This effort was initiated in the late 1980’s with work on Phase One of the York Beach Revitalization Plan, but evaporated in the early and mid-1990’s. There appears to be renewed interest in a cooperative approach and this relationship should be fostered. Phase 1 of the York Beach Revitalization Plan should also be revisited to determine its applicability to current concerns.

Addresses Issues 1 and 2

IMMEDIATE & ON-GOING PRIORITY - SELECTMEN TAKE LEAD ROLE

4. The York Beach area should be identified as a Capital Improvement District and existing development, new development, building renovation projects as well as the Town should all contribute to infrastructure improvements that will benefit the area. Prime infrastructure improvements to address include: drainage, sidewalks, streetscape features (benches, lighting, landscaping), and off-site parking. The Town should use its capital project budget to match funds generated through the proposed Improvement District.

Addresses Issues 2, 5, 6, and 8

MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

5. Town zoning should be amended to specifically encourage and allow the creation of “seasonal worker housing”, such as dormitory housing, to provide more living facilities for the employees of area businesses. This housing should be located in the York Beach Village Center area to lessen the need for transportation/parking. One way to encourage such housing is to eliminate existing residential density requirements in the Zoning Ordinance if the housing is located on the upper floor of an existing or new non-residential use.

Addresses Issue 7

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6. Existing density requirements identified in the Zoning Ordinance should be adjusted to allow additional condominium development in the area. Standards in York’s Ordinances discourage types and densities of housing that can best meet the interests of seasonal residents. Potential redevelopment of Church Street as condominium units could address this need. The size of individual condominiums should also be limited to two bedroom units if a density bonus is offered.

Addresses Issue 1 and 2

IMMEDIATE TO MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

7. The Town should pursue a long-term program to procure additional access to the York Beach area. The Wild Animal Kingdom Road has long been noted as a potential relief road and warrants further efforts to help make this approach work. An immediate approach is to create good quality and well located signage in York that clearly directs visitors to York Beach.

Addresses Issues 2 and 3

MID-TERM & ON-GOING PRIORITY - SELECTMEN TAKE LEAD ROLE

8. The Town should seek a good quality public or private transportation system that uses existing parking facilities at the various school grounds or alternate sites for visitor parking and public transportation to drop-off visitors at the Beach. This project was tried for one year in the mid-1990’s, but needs more public financial support and a longer trial period to determine if it can be successful.

Addresses Issues 2 and 6
MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

9. The Town should work closely with the York Beach Villagement Merchant’s Association to acquire new ground for parking within walking distance of the center of the Village.

IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE

10. The Town should eliminate the existing conflict between the underlying business zoning and the more restrictive Limited Residential Subdistrict for the Shoreland Overlay Zone. The Shoreland Zone should allow commercial uses. The recommended Shoreland Subdistrict is the Limited Commercial Subdistrict.

Addresses Issue 10

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE
THE NUBBLE
LAND USE AREA #2 ON FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

The Nubble, which is about 1/4 sq. mile in size, is one of the most densely developed areas of York. There are over 650 homes and cottages carved out of or cemented into this massive craggy ledge outcropping on the edge of the Atlantic Ocean. Amidst this mixture of year-round and seasonal homes are a smattering of non-residential uses; hotels such as the Cutty Sark, the Villager, and the Lighthouse Inn and Carriage House, and restaurants such as Fox’s, the Lighthouse, and Brown’s Ice Cream. The tip of the Nubble is also home to the Cape Neddick Light Station, which the Town became the owner of in 1998.

If one could be transported back in time, the image of the Nubble would be quite different from today. Several large hotels dominated the coastline of the Nubble around the turn of the 20th century. Most had vanished by the 1950’s and much of the Nubble assumed a pastoral view. There were a limited number of homes and long-term residents can remember when cows lazily grazed in the area. The Nubble was even home to a small airstrip until the early 1960’s.

Much of the current character of the Nubble was forever cast in stone in the 1950’s - 1960’s when most of the area was subdivided. The resultant lots were as small as 4,000 sf, 40 ft of frontage with 100 ft of depth (the minimum lot size then in effect), and few were larger than 12,000 sf. Small cottages soon began to dot the landscape and the Nubble began to evolve into its current maze of houses standing shoulder to shoulder. Topographic constraints, such as small wetlands, ledge outcroppings, and poor soils, do not appear to have received much consideration in the initial lay-out of these subdivisions. These oversights continue to affect current development. The infrastructure in the subdivisions was also often lacking. Roads, drainage, public water and public sewer were rarely built well by the subdivider, and many lots were simply sold as “raw” land with no services installed.

Development on the Nubble looks and is different than most other areas of York. Fortunately, recent public water and sewer extensions have lessened problems associated with this density of development. The area’s proximity to the Ocean also means much of the land is highly desired and valued and property owners have been willing to improve and invest in their houses. The existing development of the Nubble may not always have been kind to natural resource concerns, but the area is a vital and much beloved section of Town.

DESCRIPTION OF EXISTING ZONING

All of the Nubble is located in the current RES-5 Zone. The standards for this zoning district have changed little since the York Beach Village Corporation merged with the Town in 1977. Single family uses are permitted, but duplexes and multi-family housing are prohibited. A limited range of nonresidential tourism related uses are also allowed; mostly restaurants and hotels. This zone allows one of the smallest minimum sized lots permitted in York; 12,000 sf if on water and sewer, and 20,000 sf if these services are not available. All lots must have a minimum of 100 feet of frontage, and the maximum lot coverage is 30% impervious surface ratio.

All land located within 250 feet of the Atlantic Ocean is also subject to the Town Shoreland Ordinance and is in the Limited Residential Subdistrict of this Overlay Zone. Single family residences are the main permitted use, provided they are setback a minimum of 100 feet from the normal high water mark of the Atlantic Ocean. In addition, existing hotels and restaurants are permitted to expand, provided such expansion occurs within the existing lot lines and satisfies all performance standards.

Two other zoning standards warrant mention. First, many of the lots on the Nubble are subject to provisions of the Town Inland Wetland Ordinance because they are located within 100 feet of a
wetland, regardless of its size. This zoning requires connection to public water and sewer, solutions to potential stormwater drainage concerns and restricts the filling of wetlands. Secondly, the Town has enacted a prohibition on new wells as a way to encourage public water extensions. Both of these provisions have affected land use patterns on the Nubble.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

There is a limited amount of remaining raw land on the Nubble that is either undeveloped or which can be further subdivided. The area, however, is beginning to experience an increasing amount of redevelopment and the remaining unbuilt upon land is regularly being proposed for additional house development. The following issues were identified as concerns which should be addressed in considering future use of the Nubble area.

1. The existing amount of traffic on Nubble Road and Broadway and the likelihood of greater future traffic volumes. Public safety is a key issue.
2. The lack of pedestrian amenities - sidewalks - on most of the Nubble, and the need for such because of the number of people who frequently walk in the area - both residents and tourists.
3. The lack of public water and/or public sewer to all areas on the Nubble, and how the lack of these services adversely affects existing and future development.
4. The lack of a central drainage system for most of the Nubble and stormwater impacts on both developed and undeveloped lots.
5. The size, height, bulk and mass of new houses is often unlike existing homes. Concern with redevelopment of the Nubble as existing homes/cottages are demolished to construct new houses.
6. The poor quality of most remaining undeveloped/vacant lots of record (created in past subdivisions which do not satisfy current requirements regarding lot size and services) and how development of these lots may adversely affect neighboring properties. A major concern is stormwater impacts associated with the filling of areas that are small isolated drainage or wetland areas.
7. The conversion of existing seasonal homes to year-round homes and how these conversions may affect the seasonal character of existing neighborhoods and potentially the Town’s need to deliver greater services, particularly education services.
8. Current zoning which has classified many lots on the Nubble non-conforming regarding lot size, setbacks and lot coverage, and how such status may inhibit reinvestment in existing homes and cottages.
9. Existing zoning which allows both single family residential uses and tourism related nonresidential uses, mostly hotels and restaurants. Also, the conflict between the underlying RES-5 zoning which allows the above nonresidential uses and how the Shoreland Overlay Zone, Limited Residential Subdistrict, prohibits such uses. The Shoreland Overlay Zone affects all areas located within 250’ of the Atlantic Ocean.

Property owners, both residents and seasonal residents, who attended the June 8, 1998 Comprehensive Plan Neighborhood Meeting for the Nubble area, expressed a great fondness and love of the area. They identified most of the issues identified above in citing their concerns for the future.

PLAN RECOMMENDATIONS

The Nubble has attracted much residential growth since the 1950’s and 1960’s. While much of the area has been developed, there remain a large number of lots. The Town views the Nubble as a Short-Term Residential Growth Area. Specific recommendations that should be implemented include the following:
1. Existing zoning allows both residential and tourism related non-residential uses. It should be amended to create a Protected Residential area. The interests of existing non-residential uses can be recognized by adopting 2 measures: a) locating properties along Long Sands Beach Avenue, such as the Cutty Sark and the Villager, in another zone which allows both residential and nonresidential uses; and b) ensuring all existing uses which are non-conforming have the ability to expand, provided such expansion occurs within the existing lot lines and the use generally satisfies applicable performance standards. This change is recommended because the Town views the Nubble as a prime area to allow and encourage non-resident/seasonal housing.

Addresses Issue 9

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. Home Occupations should be permitted, but they should be uses which are either unobtrusive to neighbors and do not exacerbate the existing density of development (Class 1 Home Occupation) or which are compatible with existing seasonal uses, such as a bed and breakfast operation.

Addresses Issue 9

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3. The Town should address public safety and traffic circulation issues in the near-term. This includes vehicular, pedestrian and recreational (bicycle, inline skates, etc.). Various approaches warrant investigation, with subsequent implementation of the preferred approach. The construction of sidewalks, creating a loop around the perimeter of the Nubble, would greatly improve safety. A potential solution may be to implement one-way one-lane traffic on the Loop with the other lane being reserved for non-vehicular use. If this is implemented, traffic calming measures may need to be implemented on roads such as Nicole and Cycad to lessen the amount of cut-through traffic.

Addresses Issue 1 and 2

IMMEDIATE to MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

4. The Town should encourage and pursue ways to support or require the upgrade of infrastructure on the Nubble. Fortunately, great strides have been made in extending public water and/or sewer to many areas of the Nubble since the early 1990’s. These service extensions are critical to ensure the public health is not endangered from septic systems on undersized lots with generally poor soils, and to advance public safety through better quality fire protection. The Town should continue its current prohibition on new wells and to require water/sewer service connections as a condition of obtaining a building permit for a new structure.

The Town should also seek ways, such as the establishment of one or more Capital Improvement Districts, to emulate the past success of the Airport Drive road and drainage improvement project that was unfortunately ruled illegal by the courts in the 1970’s. Airport Drive is one of the few areas on the Nubble with good roads and drainage that works. A cooperative effort between homeowner’s who will pay the cost of the improvements and the Town which provides initial financing and management of the improvements is warranted. Drainage is a specific issue which could benefit from establishing appropriate Capital Improvement Districts.

Addresses Issues 4 and 6

IMMEDIATE to MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

5. The Town should explore adopting “bulk - scale” standards to more carefully regulate the size of houses which can be built. Many have expressed concern that new homes are becoming too large and are out of character with existing development. A specific concern is how the increasing size of homes along the perimeter of the Nubble may restrict current public views of the Ocean as one drives along Nubble Road. Adoption of
such standards, however, will affect individual property rights, may lessen the likelihood of future investment in individual properties and may limit future increases in property values associated with the larger more expensive home.

Addresses Issue 5

IMMEDIATE to MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6. The Town should consider tax incentives to encourage existing seasonal homes to remain seasonal, or to encourage new homes to be used only seasonally. A tax or financial incentive would require creativity in its application, but may be warranted to ensure the Nubble does not become primarily a year-round area. This approach may also require amendments to State law.

Addresses Issue 7

LONG TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

7. The Town should consider allowing structure expansions, such as pools, decks, sheds, etc., that make an existing property more attractive and do not increase the amount of living space, even if such improvements exceed the current amount of permitted lot coverage.

Addresses Issue 8

IMMEDIATE to MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

8. The filling of remaining small or isolated wetlands on the Nubble should be permitted to allow the development of existing lots of record where no reasonable alternative is possible, provided the property owner contributes to specific drainage improvements that will benefit the area and to preservation of off-site wetlands. Most of the remaining wetland value, is limited to primarily stormwater/sedimentation control and accompanying nutrient attenuation. Most wetlands have been either created or altered by past development. This policy will support the previously approved (1950’s - 1960’s) development of the Nubble, the provision of better quality services and further protection of off-site critical wetlands. This will require amendments to the Inland Wetland Ordinance. However, great care should be given to protecting those wetlands which receive high points upon evaluation or are known to harbor wildlife on a regular basis even if only seasonally.

Addresses Issues 4, 6 and 8

IMMEDIATE TO MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

9. The Town should identify those wetland areas on the Nubble which have a high value and include them among the list of those important natural resources and open areas being considered for purchase in the proposed Town Land Bank Program.

Addresses Issues 3 and 6

IMMEDIATE AND ON-GOING PRIORITY - SELECTMEN TAKE LEAD ROLE

10. See public water supply and sewer system policies in §1.1.2.
FREEMAN STREET AND MAIN STREET AREA
LAND USE AREA # 3 ON FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

This is a small area sandwiched between the York Beach/Short Sands Village Center to the south and the Cape Neddick River to the north. The land bordering Main Street, Route 1A, is its western boundary and the Atlantic Ocean its eastern boundary. This area was part of the former York Beach Village Corporation until this Corporation merged with the Town in 1977.

This is a densely developed area and little undeveloped or underdeveloped land remains. Single family housing, both year-round and seasonal, is the predominate use. There are only a few non-residential uses, including the Cape Neddick Campground, York Beach Camper Park, the Cape Neddick Lobster Pound Restaurant, Chases Garage, several small home based businesses, the York Sewer District Treatment Plant and offices, and the York Police Station and Senior Center. Most lots are quite small and are served by both public water and public sewer.

With the exception of Main Street/Route 1A, most roads/streets in the area are smaller in width than current Town minimum width requirements of 20’. These small width roads, minimal front setbacks for housing along the street, and the lack of sidewalks, contribute to the character of development and housing in the area.

This area approaches build-out and there is minimal opportunity to support additional growth unless the Town would drastically alter the current minimum lot size or density requirements.

DESCRIPTION OF EXISTING ZONING

This area is now identified as the RES-6 zoning area, a protected residential zoning district. Most of the requirements for this district have changed little since the York Beach Village Corporation merged with the Town. Single family and two-family housing is permitted, as are home occupations. Non-residential uses are prohibited. The minimum lot size is 20,000 sf without water and sewer or 12,000 sf with these services. Maximum lot coverage is 30 percent.

As much of this area borders the Atlantic Ocean, it is also subject to Shoreland Zoning requirements. The main affect of these requirements is to stipulate a minimum setback of 100 feet from the Atlantic Ocean. The Town Inland Wetland Ordinance also applies and has required water and sewer extensions to allow development of some lots.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

The extensive amount of existing housing development and lack of significant additional land to support new development lessens the effect amendments to the existing Zoning Ordinance can have on future development of the area. Most issues raised at the June 1 Neighborhood Meeting for this area centered on “livability” concerns and included the following:

1. Ensuring non-residential development does not creep into the area, and that single family housing remains the predominant use.
2. Ensuring improvements can be made to existing homes which have been rendered non-conforming as to dimensional regulations because of zoning changes. Residents expressed frustration with the inability to raze and replace an existing decrepit garage.
3. Ensuring pedestrian friendly streets that are easily walkable. Public safety was the major concern.
4. Ensuring traffic does not over-run the area.
5. Addressing drainage problems where they exist.
6. Examining the impact of converting seasonal summer homes to year-round homes.

**PLAN RECOMMENDATIONS**

The goal for this area is to refine, not overhaul, existing zoning. The area should remain a protected residential area that accommodates reasonable types of new development and renovation of existing development. Specific recommendations include the following:

1. Reemphasize existing zoning that establishes this area as a protected residential zone that allows only single family and duplex housing and low impact (Class 1) home occupations.
   - Addresses Issue 1
   - MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. The Town should adopt standards that recognize the large number of non-conformities; too little structure setback, too much lot coverage, and poor quality of existing buildings. The recommendation is to make new structure setbacks no greater than existing development and to allow an increase in lot coverage for smaller sized lots. Structure expansions, such as pools, decks, sheds, etc., that make an existing property more attractive and do not increase the amount living space, even if such improvements exceed the current amount of permitted lot coverage, should be considered. In addition, property owners should be permitted to demolish existing substandard structures that are non-conforming as to dimensional requirements and to replace them with a new structure that does not exacerbate existing non-conformities.
   - Addresses Issue 2
   - IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3. The Town, in considering infrastructure improvements (roads, sidewalks, drainage) should retain the existing types and sizes of road to help maintain the existing character of residential development and avoid/lessen potential adverse impacts on adjacent properties. The Town should work closely with area property owners and residents in considering any proposed infrastructure improvements.
   - Addresses Issues 3 and 4
   - MIDTERM TO LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

4. See public sewer system policies in §1.1.2.

5. The Town should work cooperatively with area property owners and residents to assess the desirability of implementing “bulk-scale” standards to regulate new and renovated housing development. This area is similar to the Nubble in some respects, except there are not as many opportunities for Ocean views from public roads. The “bulk-scale” of new houses may not be in character with existing development.
   - Addresses Issues 1, 2 and 6
   - MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6. The Town should explore allowing homeowners opportunities to provide living facilities for seasonal workers. A potential approach is to allow single occupancy rental rooms in a dwelling, provided there is ample parking and a provision that the rental cannot be used year-round. This may be a difficult approach to implement, but offers some resolution to the difficulties York Beach merchants are experiencing in attracting adequate employees.
   - Addresses Issue Identified in York Beach Village Center Meeting
   - LONG TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE
LONG SANDS BEACH
LAND USE AREA #4 ON FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

Long Sands Beach is nearly 8,000 feet in length and is the dominant physical feature in this area. On a hot sunny July or August afternoon there are as many as 5,000 vacationers recreating on this sandy beach. Long Beach Avenue/Route 1A parallels the entire length of the beach and separates the developed area from the Atlantic Ocean coastline. Only three uses, the Sun n’ Surf Restaurant, Libby’s Campground, and the Town’s public bathhouses are located on the ocean side of Long Beach Avenue.

A variety of land uses occur in the area. There are a large number of residential houses, numerous large and small hotels/motels, several restaurants and a few convenience stores, most of which cater to the summer tourist business. Many of the residences are also rented out as seasonal tourist houses, and these residences as well as many of the hotels/motels are boarded up during the non-tourist season.

The area is extensively developed and little undeveloped or underdeveloped land remains. Most of the lots are quite small, 3,000-8,000 sf, and have only minimal frontage on a public street. Much of the area was subdivided long before the area was subject to any zoning regulation. Most of the area is served by both public water and public sewer.

There are several significant natural resource characteristics which affect development in the area. Long Sands Beach is a sand dune which was greatly altered by the construction of Long Beach Avenue. Much of the coastal marsh behind the Avenue remains and is a very wet area that is not conducive to development. Drainage in the area, specifically the management of stormwater and flooding, is a significant concern. A 1977 Study prepared by the Town identified severe development constraints imposed by stormwater concerns and made recommendations on how to better manage stormwater. Soils in the area are also not conducive to on-site septic.

Except for Long Beach Avenue and Long Sands Road, few of the roads in the area are built to existing Town standards and many are unpaved. Traffic circulation on Long Beach Avenue is also very poor in the summer because of the long expanse of Long Sands Beach and few cross connecting roads. The Town provides metered parking along the entire length of Long Beach Avenue as the primary public parking for the Beach.

DESCRIPTION OF EXISTING ZONING

The area located north of Long Sands Road is part of the former York Beach Village Corporation and is in the RES-7 Zone, a general residential zoning district. The smaller area to the south of Long Sands Road was formerly part of the York Harbor Village Corporation and is in the BUS-2 Zone, a limited business district. The underlying zoning for these areas has changed little since the mid-1970’s merger of the York Beach and York Harbor Village Corporations with the Town.

The RES-7 zone allows single family, two-family and multi-family housing, hotels/motels, restaurants, and public uses. These uses are ones which reflect the seasonal resident and tourism use of the area. The minimum lot size is 12,000 sf with water and sewer and 20,000 sf without these services. Maximum lot coverage is 30%.

The BUS-2 zone allows a wider range of non-residential uses than the RES-7 zone, but requires a minimum lot size of 30,000 sf if water and sewer are available and 1 acre if they are not. Permitted uses include single family residential, hotels/motels, restaurants, offices, service businesses, public uses and campgrounds. The BUS-2 Zone is one of only 2 zones in York which specifically allows campgrounds. The maximum lot coverage in the Zone is 25%.
Most of this area is also subject to the Shoreland Overlay Zone, both because of its proximity to the Atlantic Ocean and the former tidal wetlands on the inland side of Long Beach Avenue. The Town, in the late 1980’s, established the area as being in the Limited Residential Subdistrict of the Shoreland Zone which restricts development to only residential uses. This causes obvious conflicts with existing non-residential uses. The Town addressed some of this conflict in the mid-1990’s by allow existing restaurants and hotels/motels to expand within their existing lot lines. Shoreland Zoning has affected the type and character of development which has occurred in the area.

The Inland Wetland Ordinance also applies to the area north of Long Sands Road. This Zone requires water and sewer connections, addressing drainage issues and avoiding wetland fill. Many lots in the area have been subject to Inland Wetland Ordinance requirements.

A final zoning requirement which has affected the area is the Floodplain Overlay District. Much of this area is subject to coastal and freshwater flooding and new development or major renovation projects must address floodplain requirements.

**ISSUES TO ADDRESS IN LOOKING TO THE FUTURE**

Most issues affecting this area directly involve Long Sands Beach. The Town conducted several neighborhood meetings that included both year-round and seasonal residents. Few of the issues raised by the participants involved areas of Town other than the Beach. Concerns that were raised at these meetings and other issues which warrant attention are as follows:

1. Management of the beach is a significant concern. Issues include but are not necessarily limited to: cleaning the beach, particularly seaweed; better dog control; the need for better public access, particularly at Webber Road, near Long Sands Road and near the southern end of the Beach; better sidewalks; better lighting; controlling jet skis and similar watercraft (noise); and trash/littering of the beach. The consensus appeared to be that area residents want the Town to do more to help manage and improve the beach.
2. The area regularly floods during coastal storms and significant rainfalls causing property damage.
3. There is a conflict between uses permitted in the underlying zoning districts and the Limited Residential Subdistrict of the Shoreland Overlay Zone and this conflict has affected the quality of development and reinvestment in existing businesses.
4. Much of the existing development occurred before enactment of past and current zoning ordinances and does not comply with present dimensional or density requirements. Current standards often cause problems in renovating existing structures, some of which involve public health and safety concerns. The issue is how to allow needed reinvestment and renovation without causing overbuilding of the area.
5. There is little remaining undeveloped land in the area and that which remains is usually a non-conforming lot of record that is mostly or entirely wetland. These undeveloped areas are also usually important stormwater/flood control areas.
6. Long Sands Beach is an important feature of York’s family oriented tourist environment, and this character needs to be retained.
7. Existing traffic circulation on Long Sands Beach is a serious seasonal problem. Public safety personnel have experienced problems in responding to emergency situations on the beach.
8. There are often conflicts between pedestrians, bicyclists, runners, in-line skaters and existing vehicle traffic. There is a sidewalk along Long Sands Beach but it is narrow and cannot accommodate all users.
9. There is often insufficient parking along the Beach to accommodate all users.
10. Many of the homes along Long Beach Avenue have been renovated, but others require rehabilitation. Concern has been expressed regarding the aesthetics/appearance of existing development.
11. The size, height, bulk and mass of new houses is often unlike existing homes. Concern has been expressed regarding how newer or renovated homes may conflict with the character of existing development.

12. Most of the streets/roads in this area do not meet current Town standards and are often in disrepair.

13. Several streets, such as most of Railroad Avenue Extension, lack public water and public sewer and this adversely affects the ability to develop the area.

**PLAN RECOMMENDATIONS**

If York had the luxury of viewing Long Sands Beach as a vacant undeveloped area and could now map out its future many of the existing concerns would be easy to resolve. This, however, is not the case. The Beach will likely always be an area that falls somewhat short of people’s dreams, but there are measures the Town can implement to address some concerns. Specific recommendations include the following:

1. Establish a single consistent zoning district for all of Long Sands Beach, and regulate this area differently than the inland side (Ridge Road area) of the Beach. The recommendation is to establish a zone which recognizes the existing dual residential and tourism use of the Beach. This district should allow single family, two family and multi family housing, and tourism related uses such as restaurants, hotels/motels, and beach related retail uses. Home occupation Class 2 should be permitted with uses appropriate to the area. The Town should retain a small minimum lot size. The maximum amount of permitted lot coverage (impervious surface ratio) should also increase from the current limit of 30% to facilitate renovation of existing structures. Front structure setbacks along Long Beach Avenue should decrease to reflect the existing development patterns of houses built adjacent to the sidewalk. The intent is to create a zone that allows the Beach to be the Beach.

   Addresses Issues 4 and 5

   MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. The conflict between the underlying zoning and the Shoreland Overlay District should be eliminated by establishing this area as part of the Limited Commercial Subdistrict of the Shoreland Overlay Zone. This change should foster reinvestment and potential expansion of existing hotels and restaurants in an area where hotels have the greatest likelihood of success in York.

   Addresses Issue 3

   IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3. The Town should enact creative measures to allow the renovation of existing houses that are non-conforming as to setbacks, lot coverage and similar standards. This is critical to the long-term health and appearance of the area. For example, an existing house can be demolished and retain its non-conforming lot coverage or setbacks if the appearance and scale of the new house reflects the character of the area. In short, a property owner can gain flexibility in use of their property provided Town guidelines are met.

   Addresses Issues 4, 10 and 11

   IMMEDIATE to MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

4. The Town should enact performance standards to manage non-residential development projects and these standards should be appropriate to this zone. At present, there are no performance standards to guide non-residential development.

   Addresses Issue 6

   IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

5. The Town should attempt to preserve as many remaining wetland areas as practical to help protect natural resource values and lessen flood control problems. This will be
difficult to achieve because most wetland areas were subdivided into small individually owned lots as long as 100 years ago. A series of measures can be implemented to help achieve this goal:

- The Town should purchase critical wetland areas.
- The Town should allow transfer of development rights in which the density from a wetland in this area can be transferred to a non-wetland lot, provided the wetland lot is permanently protected. For example, the receiving property (property to which the density is transferred) could build a duplex on what is normally considered a single family lot.
- Amend the zoning ordinance to allow the preservation of off-site wetland areas in this zone to satisfy open space requirements for new open space subdivisions in selective areas.

This is an adventurous approach to furthering wetland protection in this area but warrants full consideration and eventual implementation to help protect the greater public interest.

Addresses Issues 2 and 5

ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6. The Town should implement a good quality transportation system that uses existing parking facilities at the various school grounds or alternate sites for visitor parking and public transportation to drop-off visitors at the Beach. This project was tried for one year in the mid-1990’s, but needs more public financial support and a longer trial period to determine if it can be successful.

Addresses Issues 7, 8 and 9

MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

7. Drainage, stormwater and flood control is a significant issue in this area, both for new and existing development. The Town should pursue ways to provide or upgrade existing infrastructure in the area to better address drainage issues. A specific recommendation is to establish a Capital Improvement District for drainage improvements with fees assessed on all properties to help pay the cost to construct needed improvements.

The Town should also tackle this problem by requiring new development to construct effective on-site retention basins or use alternative construction approaches, such as homes being built on columns without basements or slabs, as a way to enhance flood control.

Addresses Issues 2 and 5

MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE ON ALTERNATIVE CONSTRUCTION

8. The Town should explore if “bulk - scale” standards are warranted to help regulate the character of new housing development in this area. This does not appear to be as great of a concern in this area as the Nubble, and the applicability of such standards to this area should perhaps follow implementation and evaluation of the effectiveness of the proposed standards for the Nubble.

Addresses Issue 11

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

9. See public water supply and sewer system policies in §1.1.2.

10. There are no easy solutions regarding how best to aid pedestrian use of the area. The sidewalks on Long Beach Avenue are narrow and there are frequent blockages as vacationers prepare to lug their day’s supplies to the beach. There is only a finite amount of area in which to build a road, allow public parking and construct sidewalks along Long Sands Beach, so creative solutions for how best to utilize and share this space are
needed. A long-term approach that may warrant consideration is to eliminate parking along most of the beach to create a pedestrian lane. In the interim, public safety is aided by the fact that peak season congestion slows the speed of traffic.

Addresses Issues 7 and 8

LONG TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

11. The Town Parks and Recreation Department and Board should be encouraged to assess how best to provide support services to the Beach area. The Town provides a wide range of existing services including lifeguards, beach clearing, trash pick-up, bathrooms and others. In addition, the Town has recently completed construction of numerous new stairway accesses to the beach and accompanying trash receptacle and lifeguard station improvements. The needs of the vacationing public are always evolving and the Town should be prepared to adjust its services to satisfy public demands.

Addresses Issues 1 and 6

ONGOING PRIORITY - PARKS & RECREATION TAKES LEAD ROLE

12. A specific need in this area is additional restroom facilities. There is now only 1 public bathroom for 8,000 feet of beach. The Town should consider allowing additional non-residential development on one or more lots as an exaction (trade-off) for a donation of land to provide new restroom facilities.

Addresses Issue 1

LONG-TERM PRIORITY - PARKS & RECREATION TAKES LEAD ROLE
RIDGE ROAD AREA
LAND USE AREA #5 ON FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

This area includes land located on both the east and west side of Ridge Road. Ridge Road is a major local road that connects the York Village Center area and Route One to York Beach. Most land abutting Ridge Road has been densely developed for residential use. Many of the existing lots range from 4,000 - 8,000 sf in size and few satisfy current minimum lot size requirements. There are few nonresidential uses, the Draft House being the largest.

Wetlands are a significant natural resource in the area and affect how development has occurred. The wetland inventory conducted for the Town by Woodlot Alternatives identifies four major wetland systems, one of which is larger than 100 acres and a second nearly 50 acres. The size and configuration of remaining wetlands has been greatly affected by the amount and location of existing development. The Town and private property owners are faced with a major problem as many of the remaining undeveloped lots that were subdivided as long as 100 years ago consist of wetlands.

The area has experienced a significant amount of both year-round and seasonal development over the last 20 years mostly because of its proximity to the Atlantic Ocean. The newer development has also included a townhouse project (Berger-Eastman Condominiums), an apartment building (Stone Ridge Apartments that are now being converted to condominiums) and an elderly housing project (Spring Pond Estates that was approved by the Planning Board in early 1997). These larger projects seem to blend well with the density of single family housing that has occurred.

DESCRIPTION OF EXISTING ZONING

The area east of Ridge Road is part of the former York Beach Village Corporation and is in the RES-7 zone. The RES-7 allows single family, two family and multi-family housing as well as restaurants and hotels. The minimum lot size is 12,000 sf with water and sewer and 20,000 sf if both services are not available. This area is included in the same zone as land located along Long Sands Beach.

The area west of Ridge Road is in the GEN-3 zone. This is a general purpose zoning district that allows most uses; residential, retail, hotel, restaurants, service businesses and industry. The required minimum lot size is 30,000 sf with water and sewer and 1 acre if these services are not available. The zoning for this area dates to the 1960’s.

Three other Ordinances also greatly affect how and where development can occur. The Ordinances are:

- The Shoreland Ordinance affects all wetlands greater than 1 acre in size and requires setbacks for wetlands greater than 4 acres in size. It is also more restrictive than the underlying RES-7 or GEN-3 zoning as only residential uses are permitted, the Limited Residential Subdistrict.
- The Inland Wetland Ordinance affects properties located east of Ridge Road that are within 100 feet of a wetland, regardless of the size of the wetland. This Ordinance restricts fill activities, requires connection to public water and sewer and stipulates no greater stormwater impacts can occur from the new development than current levels.
• The Floodplain Management Ordinance also applies as much of the area is within the federally recognized floodplain.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

The Ridge Road area often appears to be the long lost forgotten cousin of York in looking at much of the development that has occurred. Although the area offers few, if any, ocean views many of the lot sizes are as small or smaller than those adjacent to the Beach. In addition, few of the roads are paved or have any drainage facilities, and much of the area is without public water or public sewer. Despite or perhaps because of these constraints, residents who attended various neighborhood meetings spoke positively of the area. Issues which were cited include the following:

1. Most of the lots are quite small in size, from 4,000-8,000 sf, and often lack sufficient land area to support the existing use. A prime concern is the lack of public water and public sewer throughout much of the area. This adversely affects water quality which could endanger the public health. The unavailability of public water also raises fire protection issues.

2. Most of the roads are substandard. Very few are paved, many lack any drainage facilities and maintenance is often infrequent. The rights-of-way are also often too narrow to allow significant improvements. This adversely affects property values and extensive use of the area. Most of these roads are privately owned and maintained. The public roads are paved.

3. There is a significant amount of wetland constraints in the area and many of the undeveloped non-conforming lots of record have been laid out in these wetland areas.

4. Most of the soils are marginal to support a septic system. Potential development of lots without public sewer could lead to long-term water quality problems.

5. Ridge Road handles a significant volume of traffic but there are no pedestrian amenities/sidewalks to benefit people who live in the area. Many of the property owners who attended the neighborhood meetings addressed the need for safer means of access to Long Sands Beach.

6. The existing zoning for much of this area, GEN-3, allows a wide range of non-residential uses, but most of the development to date has been residential.

7. Sections of the area routinely flood during coastal storms and significant rainfalls and this flooding causes property damage.

PLAN RECOMMENDATIONS

This area can sustain additional development if there are adequate public services, particularly public water and sewer, and to a lesser extent road and drainage improvements. It is an attractive area to allow additional development, both year-round and seasonal, because of its general proximity to York’s beaches and other Town services, particularly schools. While there is little unsubdivided land remaining, that which has been subdivided, but unbuilt upon, is mostly small lots.

The overall recommendation is to recognize the Ridge Road area as a potential growth. The area is particularly well located for seasonal or second home construction. If the Town chooses to achieve this goal it will require the expenditure of public funds to both construct infrastructure improvements, and enable extensive work with the public to implement needed Ordinance revisions.

Specific Plan recommendations include the following:

1. The Town should establish a residential zoning district for this area that recognizes existing patterns of development and the area’s potential to accommodate additional year-round and seasonal growth. This recommendation identifies it as a protected residential zone, a significant change from the current GEN-3 and RES-7 zoning. High
residential density is recommended, and 2-bedroom and seasonal-only units could be offered density bonuses. The existing Berger/Eastman townhouse complex off Ridge Road is a good illustration of the type of housing which should be permitted.

Addresses Issue 6

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. Reserved.

Addresses Issue 4

MID-TERM PRIORITY – PLANNING BOARD TAKES LEAD ROLE

3. See public water supply and sewer system policies in §1.1.2.

4. Recognizing the large number of small non-conforming lots of record, future zoning should grant flexibility in the amount of lot coverage and structure setbacks to facilitate the long-term upgrade of existing often substandard housing units. The intent is to encourage a long-term increase in property values.

Addresses Issues 1 and 6

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

5. The Town should strive to preserve as many remaining wetland areas as practical as a means to protect natural resource values and lessen flood control problems. This will be difficult to achieve because most wetland areas were subdivided into small individually owned lots as long as 100 years ago. A series of measures can be implemented to help achieve this goal:

- The Town should purchase critical wetland areas.
- The Town should allow transfer of development rights where the density from a wetland in this area can be transferred to a non-wetland lot, provided the wetland lot is permanently protected. For example, this proposal would allow the receiving property (property to which the density is transferred) to build a duplex on what is normally a single family size lot.

This is an aggressive approach to furthering wetland protection, but warrants full consideration and eventual implementation to help protect the greater public interest.

Addresses Issue 3

ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6. Infrastructure in this area is very substandard. Recognizing that this is a desired growth area, the Town should establish Capital Improvement Districts to finance road, sidewalk, drainage, and flood control improvements. All properties in the district would be assessed a fee to pay costs to construct the improvements. A concern in improving many of the roads and accompanying drainage is the limited size of existing rights-of-ways. The Town should allow narrower roads, perhaps as narrow as 16’ if no curbs and 20’ with curbs, to help control traffic speeds, lessen the amount of traffic that will use these residential streets as a cut-through/short-cut to the Beach, and to minimize adverse impacts on existing properties. The Town should also be prepared to accept these narrower streets.

Addresses Issue 2, 5 and 7

MID-TERM & LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

7. Ridge Road is a heavily traveled road with dense development on both sides. This Plan also recommends encouraging additional growth. Public safety and pedestrian access would benefit by the Town using its capital funds to construct a sidewalk or bike path along Ridge Road, particularly from Webber Road to the York Beach Post Office.

Addresses Issue 5

LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE
YORK HARBOR VILLAGE CENTER
LAND USE AREA #6 ON FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

The York Harbor Village Center is a small densely developed area of York. There is a mixture of uses, including hotels, restaurants, retail stores, professional offices, service businesses, boat launching, a yacht club, condominiums, bed and breakfast operations, single family residences, and the York Harbor Post Office. Few other areas in York support the wide array of seasonal and year-round uses found in the York Harbor Village Center. The Village Center is one of the most distinct areas in York and most residents and area businesses take great pride in calling it their home.

The Village Center extends along York Street to the Lancaster Building and includes the adjacent area along the banks of the York River. York Harbor Beach is a favorite destination for both residents and visitors, although most residents consider it a "locals" beach. A recent change is the ongoing development of Hartley-Mason Park located next to Harbor Beach. This land was gift deeded to the community as a "public pleasure ground" and the former homes on the property are being torn down to create this ocean-side park.

The York Harbor Village area historically has been a very tight-knit community of seasonal and year-round residents. Many of the homes are quite large and luxurious and many have retained their historic appearance. The Harbor area is also a walkable community. There are sidewalks along York Street and many of the short sidestreets and mostly local resident traffic use the narrow sidestreets. Few of the existing lots in the area satisfy current minimum lot size requirements, but the lay-out of the existing area has contributed to its livability. Similar to the York Beach Village Center and York Village Center - few seem to want to change the York Harbor Village Center area, but it likely could not be built today under current zoning.

DESCRIPTION OF EXISTING ZONING

The Zoning that applies to the York Harbor Village Center area in 1998 is strikingly similar to the basic Ordinances established by the former York Harbor Village Corporation in the 1920's. The area is part of the BUS-1 zone which allows both residential uses and commercial establishments, including restaurants. The same uses were permitted in the 1920's code, but the minimum lot size requirement has increased over the years to 30,000 sf. An even larger lot is needed to support a duplex (1 acre), triplex (1.5 acres) or four-plex (2 acres).

Nonresidential uses must also satisfy performance standards established through the York Harbor Site Design Review Ordinance. There has been little new nonresidential development in the York Harbor Village Center since the 1980's and only minor development activities, particularly signs, have been subject to review by the 5 member York Harbor Site Design Review Board.

Shoreland Zoning also applies to uses located along the York River. All of this area is included in the Limited Residential Subdistrict which requires a minimum structure setback of 100' and restricts activities to residential uses. This Subdistrict classification has caused existing nonresidential uses along the waterfront, such as the Stage Neck Inn, Vinal's, and Varrel's Wharf to be ruled non-conforming uses. In addition, the setback requirement and maximum permitted lot coverage has caused problems for existing residential and nonresidential uses.
ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

Most residents spoke lovingly of the York Harbor Village Center area at the York Harbor Neighborhood Association meeting, but they also raised concern regarding its future. They like its appearance and the long-term ties of many residents to the area, but lament the amount of traffic, conflicts with several nonresidential uses and the changes that have occurred. Specific issues include the following:

1. How best to preserve the area’s historic character and ensure new and renovated construction is consistent with this character. Building appearance was a major concern.
2. How to lessen or better manage conflicts between residents and nonresidential uses in the area.
3. Potential conflicts between the commercial use of the area’s waterfront and the large residences that enjoy this same waterfront. This includes conflicts in zoning. Sections of the waterfront have long been used commercially, but the area is included in the Limited Residential Subdistrict of the Shoreland Zone which renders the uses non-conforming.
4. Concern that Harbor Beach was used mainly by residents, but is now experiencing increasing non-resident use, including concern that development of the Hartley-Mason Park may contribute to this pattern.
5. Fisherman’s Walk and its continuation for public use.
6. How to decrease or better manage the amount of traffic on York Street.
7. How to better address pedestrian circulation and safety - make the Center a more “people friendly” area.
8. Desire for additional police presence in the Harbor area, particularly to assist in traffic management.
9. The availability of public parking along York Street; mostly a summer issue.

PLAN RECOMMENDATIONS

The York Harbor Village Center is a mix of stately year-round and seasonal residences, year-round and seasonal small scale businesses and two thriving year-round hotels, the York Harbor Inn and the Stage Neck Inn. Many homes and businesses overlook the mouth of the York River and Atlantic Ocean. The area’s zoning has remained virtually intact for over 50 years and it is largely built out. Amidst this scenario of long-term tradition, it may to difficult for the Town to implement different approaches to address existing concerns. The Town will need to work closely with area residents in pursuing implementation of these recommendations. Specific recommendations include:

1. The Town should carefully evaluate the desirability of modifying the zoning in York Harbor. The current BUS-1 Zone includes areas such as Darcy Road and Axeholme Road that are very different from the heart of the Village Center. The zoning should recognize the interesting mix of existing uses and identify standards that ensure future new development and redevelopment of existing uses retain and complement the existing character. The scale and character of the neighborhood should be protected. Improvements to make walking and biking safer and more enjoyable should be considered. Use, dimensional, density and performance standards should all be evaluated. The extent to which significant changes are desirable is not clear at this time. Addresses Issues 1, 2 and 3

LONG-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE
2. The Town should explore ways to preserve the Village Center area’s historic character. At present, only the Lancaster Building qualifies for oversight by the Historic District Commission. Programs for consideration are: regulatory design guidelines and good quality public education and outreach efforts to encourage voluntary compliance. The Town will need to provide staff assistance (Town funding) to the York Historic District Commission, perhaps through the Old York Historical Society, to help achieve this goal. 

Addresses Issue 1
MID-TERM TO LONG-TERM PRIORITY - PLANNING BOARD AND HISTORIC DISTRICT COMMISSION TAKE LEAD ROLE

3. The Town should establish existing commercially developed areas of the waterfront, such as the Stage Neck Inn, as a Limited Commercial Subdistrict of the Shoreland Zone, and also should include several structures/properties in a Marine Dependent Use Zone. The intent is to eliminate the existing non-conforming status for Vinal’s, the Yacht Club, Varrell’s Wharf and similar businesses. This concern should be addressed during the rezoning process.

Addresses Issue 1, 2 and 3
IMMEDIATE TO MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

4. The Town and Hartley-Mason Estate should continue the current practice of limiting the amount of public parking near Harbor Beach as a means of managing the amount of use at Harbor Beach and the Hartley-Mason Estate. This current approach of establishing time restrictions for the on-street parking spaces should also continue.

Addresses Issues 4 and 9
ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

5. The Town should pursue preserving public use of the Fisherman’s Walk, and cooperatively work with private property owners to maintain this Walk and lessen potential conflicts with private property.

Addresses Issue 5
IMMEDIATE & ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

6. The Town should explore alternative means of access to the Long Sands-Short Sands Beach area to help manage the volume of traffic on York Street.

Addresses Issue 6
LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

7. The Town should install good quality signage to help direct people to the Long Sands-Short Sands Beach area.

Addresses Issue 6
IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE

8. There is a partial sidewalk system, desperately in need of improvement, throughout the Village Center area. Problems occur as people try to cross York Street. Possible improvements include installing extended curb bump-outs (narrow the width of the travel lanes) at selected locations to assist people in crossing the street, improving traffic direction legibility for drivers, and improving crosswalk placement and visibility. The Town may also need to erect more pedestrian crossing signs. The streets in York Harbor become quite narrow with parking along the street and this congestion usually forces cars to slow down which often benefits public safety.

Addresses Issue 7
ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

9. There is an absence of sufficient parking along York Street in the summer to satisfy all potential users at locations people want to park. This causes problems, but it is a way to
help manage the maximum number of users in the area. The Town’s existing approach of establishing a time limit for on-street parking appears to be the best suggestion. There is little vacant land in the area to support an off-street public parking lot, and locating such a lot could create conflicts with existing residences.

Addresses Issue 9
ONGOING PRIORITY - NO NEW ACTION LIKELY NEEDED
SELECTMEN TAKE LEAD ROLE

10. Nonresidential uses in the York Harbor Village Center area must satisfy performance standards identified in the York Harbor Site Design Review Ordinance. This Ordinance also establishes a 5 member Board to make decisions on the required permits. The current Design Review Board process should be phased out, and this responsibility should be transferred to the Town entity that is proposed to be established to administer the design review standards recommended for uses that occur in other areas of Town. This transfer of responsibility also will eliminate the redundancy and conflicts that now exist between the York Harbor Site Design Standards and the Planning Board Subdivision and Site Plan Regulations.

Addresses Issue 1
MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE
EASTERN POINT AREA - YORK HARBOR
LAND USE AREA #7 ON THE FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

This is a transition area of often large and stately homes located between the heart of the York Harbor Village Center and the beginning of Long Sands Beach. Single family homes are the predominant use, but there is also a mix of condominiums, town houses, bed and breakfast operations and several apartments. There are only a few non-residential uses; the York Harbor Home, a private 68 bed nursing home, being the largest.

The eastern boundary of this Zone is the Atlantic Ocean and many of the homes along the coastline afford stunning views of the Ocean and the Nubble. York Street, also known as Route 1A, is the main thoroughfare and most of the short subdivision access roads feed into this street. With the exception of York Street, most subdivision roads experience little traffic. There is little remaining undeveloped land in this area.

DESCRIPTION OF EXISTING ZONING

This area is located in the existing RES-4 Zone, a protected residential zoning district. The RES-4 Zone allows only single family housing, bed and breakfast operations, home occupations and public uses. The minimum lot size requirement is 30,000 sf with public water and public sewer, and increases to 1 acre if these services are not available. There has been little change to the zoning for this area for over 50 years, which includes when the York Harbor Village Corporation merged with the Town of York in the mid-1970’s. All areas that border the Atlantic Ocean are also subject to the Town Shoreland Ordinance and are in the Limited Residential Subdistrict. Few significant conflicts occur between existing uses and the Shoreland requirements.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

This is a relatively “quiet” area of York as most of the developable land has already been built upon and there are well established neighborhoods of similar homes. Most people consider this a desirable area to live. The goal for this area is to maintain the status quo rather than to pursue significant changes. Several issues, however, warrant attention.

1. How to ensure there is no significant change to existing patterns of development and the quality of neighborhoods and homes.
2. The need for public sewer to serve all homes in this area.
3. The amount and speed of traffic on York Street.
4. Pedestrian safety, particularly for people crossing York Street.
5. Status of the Fisherman’s Walk and pedestrian access along the coastline.
6. Flood control during coastal storms. Several homes, particularly in the Cow Beach area, are routinely damaged by coastal storms and resultant flooding.

PLAN RECOMMENDATIONS

The main recommendation for the York Harbor - Eastern Point area is to ensure area residents continue to enjoy their present quality of life. Zoning changes should be a fine-tuning and not an overhaul of existing requirements that have worked well over a long period of years. Specific recommendations for the area are as follows:

1. The area should remain a protected residential zone and current lot sizes and permitted uses should remain the same. Home occupations should be limited to Class 1.
   Addresses Issue 1
2. See public sewer system policies in §1.1.2.

3. Virtually all homes in this area rely on York Street as the main thoroughfare. The present volume of traffic on York Street likely will continue to increase, thus Town efforts should focus on public safety, particularly the speed of existing traffic. York Street is quite wide in several areas and there is little need for on-street public parking along most sections. Traffic calming measures, such as neckdowns where pedestrians most frequently cross the street, may aid in slowing the speed of traffic and increase pedestrian safety. These wide sections of road also could be striped as protected bicycle lanes.

   Addresses Issues 3 and 4

MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

4. The Town should explore alternative means of access to the Long Sands-Short Sands Beach area to help manage the volume of traffic on York Street.

   Addresses Issue 3

LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

5. The Town should install good quality signage to help direct people to the Long Sands-Short Sands Beach area.

   Addresses Issue 3

IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE

6. The Town should retain current street layouts, which are often quite narrow, as a way to retain existing residential character.

   Addresses Issues 1 and 4

LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

7. The Town should not pursue constructing expensive and often ineffective infrastructure to protect private and public (roads) property from coastal storm damage. Several options exist for the most impacted private properties ... the homes should be floodproofed to the maximum extent practical; homeowners will need to recognize they may suffer repetitive losses and will be solely responsible for repairs; or the structures can be abandoned and the land dedicated to the Town, with the Town paying an adjusted value for the property. The most frequently damaged public road is along Cow Beach. The Town will need to repair this road after the storm, or could consider a cul-de-sac if problems become too costly.

   Addresses Issue 6

LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE
DESCRIPTION OF PAST AND EXISTING LAND USE

The center of York Village has long functioned as the heart of the community. It has been and remains a center of the town's cultural, spiritual, economic and public life. It is also one of the most recognized and cherished features of York and helps define the town's historic character. Two comments voiced by participants at the Comprehensive Plan Town-Wide Meetings capture this sentiment well. The first, “York is the quintessential New England Village.” The second, “I get the same feeling today as I did 65 years ago in driving through the center of the village.”

The First Parish Church and the small “green” it shares with the York Town Hall is considered the center of Town. The present Church dates to the 1700’s and no one can remember when Town Hall was in any other location. The “green” is used even today as a meeting place for community events such as HarvestFest. The Church cemetery also harbors the remains if not the souls of many of the early settlers of York and their descendants.

The Center's ties to the past are forged by the grouping of historic structures managed by the Old York Historical Society. The structures include the Old Gaol, the oldest public building in America. Many cite the presence of these buildings are helping to bring history alive in York.

The Center's rank as an important area of commerce is perhaps best illustrated by noting that all banks located in York are within an easy walk of one another and the Town Hall. A blend of professional offices, retail stores, restaurants and service businesses also can be found in this compact area. York Hospital and its associated physicians have been a growing presence in the village center.

In reflecting on the above statements, a reader may assume the Village Center has been a stagnant area. This clearly has not been the case. The uses and buildings in the Village Center have constantly been adapted to meet the needs of the surrounding community. In the past 5 years alone, the former Methodist Church was converted to a craft shop, the former Powder House changed from an Attorney's office to an art gallery, a physician's office became a restaurant, and many other similar conversions of existing structures have occurred. Fortunately, in this era of change, the existing character has not been seriously harmed.

The Village Center area will likely continue to experience new and varied development pressures. York Hospital has committed to its current campus and must expand to remain competitive with other area hospitals. The York Public Library has closed on the purchase of the Emerson - Veile property and hopes to begin construction of a new 15,000+ sf library in early 1999. Town Hall is outgrowing its current quarters and needs additional room. And, it is recommended in a recent Town study that the York Village Fire Department be relocated. Even the First Parish Church, which has experienced tremendous growth in its congregation, is looking to expand. These public and community needs and those of the surrounding private businesses and residences will help shape the future of the Village Center.

DESCRIPTION OF EXISTING ZONING

The area identified as the York Village Center is regulated by three often contrasting zoning districts. The GEN-3 zone applies to most of the area along York Street and Woodbridge Road. Moulton Lane, Axholme Road and section of Woodbridge Road near the York Water District offices are in the BUS-1 zone. While the area near the Town Hall and York Hospital is in the RES-1B zone.
The GEN-3 zone, a General Purpose zoning district, allows most uses; from single family residences to large scale retail, offices and service businesses, hotels, restaurants and industry. The minimum lot size is 30,000 sf if both public water and sewer are available and 1 acre if these services are lacking. A nonresidential use in this area must also satisfy performance standards identified in Article 6 of the Zoning Ordinance -- how to address traffic, parking, lighting, stormwater and similar project impacts. Maximum lot coverage is restricted to 25% as measured using impervious surface ratio (ISR).

The BUS-1 zone, a limited business district, was initially established in the 1920's to regulate uses in this section of the former York Harbor Village Corporation. The minimum lot size is the same as in the GEN-3 zone, but a lesser range of uses is permitted. Single family, duplex and multi-family housing is permitted, as are retail stores, service businesses, professional offices and restaurants. Maximum lot coverage in this zone is 30% (ISR). There have been few significant changes to this zoning district since the York Harbor Village Corporation merged with Town of York in the mid-1970's.

The third zoning district that applies is the RES-1B zone. This is a protected residential zone that allows only residential housing, hospitals and public golf courses. The minimum lot size is 30,000 sf if both public water and public sewer is available, and 1 acre if there are no such services. The RES-1B zone allows 25% ISR as its maximum lot coverage, and the Article 6 performance standards apply to any nonresidential development.

A limited amount of land in this area is subject to requirements of the Shoreland Overlay Zone. Most wetlands are less than 4 acres in size and do not require setbacks for structures or no-cutting buffers for upland vegetation. All existing Shoreland areas, however, are identified as part of the Limited Residential Subdistrict, which creates a direct conflict with the wider range of uses allowed in the GEN-3 and BUS-1 underlying zones.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

Many York residents spoke highly of the York Village Center area during the town-wide and neighborhood meetings. They like its historic character, the small green at the First Parish Church and Town Hall, and the area’s number of shops, offices and public buildings. The main sentiment was to nurture and enhance the area’s existing character, recognizing York Village Center is special and different from any other area in York. Specific issues which warrant attention include the following:

1. How best to preserve the area’s historic character and ensure new and renovated construction is consistent with this character. Building appearance was a major concern.
2. How to decrease or better manage the amount of traffic on York Street.
3. The desire for additional police presence in the Village Center was cited, particularly to assist in traffic management.
4. How to better address pedestrian circulation and safety - making the Center a more “people friendly” area.
5. How to provide adequate public parking to support the area’s restaurants, retail shops and offices.
6. Current Town Zoning, particularly the GEN-3 zoning district, is both too permissive, such as the wide range of type of uses permitted, and too restrictive, particularly the maximum amount of lot coverage and required minimum structure setbacks. Current standards often thwart the construction or renovation of buildings which residents feel belong in the Village.
7. The need to better define the purpose of the Village Center area was cited. Is it mostly a center to meet resident needs, or should it cater to tourists? Concern was expressed that the Village Center appears to lack focus.
8. Many voiced the need for a coordinated planning approach to ensure desired development occurs and that needed services are available to support this development.
PLAN RECOMMENDATIONS

The York Village Center is viewed as a key area to forge the tie between York’s past and future. It helps create a sense of place for both York natives and new residents. In short, the Village Center helps define York. While there is little land to support large amounts of new development, there are opportunities for redevelopment of existing buildings and selective development of the few remaining parcels. The overriding goal is to ensure all new development or renovation of existing buildings contribute to rather than detract from the Center’s character.

Specific recommendations that warrant implementation include the following:

1. The Town should establish a Steering Committee of area property owners, business owners, residents and public officials to prepare a specific master plan for the Village Center area. This Plan will address issues raised at the May 6 Neighborhood Meeting including traffic, streetscape improvements (street lighting, public benches, trash receptacles), pedestrian improvements, public parking, building design and zoning ordinance revisions. An additional issue that should be explored is the feasibility of replacing existing overhead utilities with underground utilities. The goal is to gently direct future development so existing positive features of the Village remain or are enhanced and negative characteristics are improved. Implementation of this project will require Town funding. The Committee should also address the matter of new or rebuilt/renovated non-residential building size and scale, and ways to keep the existing mix of residential and non-residential uses in the Village Center.
   
   Specific response to issue 8, but also addresses issues 1-7
   IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. The Town should revise current zoning to establish a specific Village Center zoning district. Use, dimensional, density and performance standards should all be evaluated. Policies and standards should be consistent with the history of the village and appropriate to the scale of this classic New England village. Good design and pedestrian scale and orientation should be emphasized.

   The zoning district should encourage small scale street oriented offices, retail stores, service businesses, restaurants and public uses. Manufacturing uses, large scale businesses and offices, and uses which rely upon open areas for sales (auto sales and rentals, lumberyards, etc.) should be prohibited. This zone should also allow ongoing expansion of York Hospital, the Town's largest employer and a prime factor many residents cited in why they choose to move here. The intent of establishing a specific zoning district is to benefit the long-term health of the Village Center and aid in it serving as York’s downtown area.

   Specifically addresses Issues 1 and 6. Also addresses most other issues cited.
   IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3. The Town should consider ways to preserve historic structures in the Village. The current historic district is very small and includes only the buildings owned by Old York Historical Society, the First Parish Church, Town Hall, the Library and a private residence. The Town should be guided by Goal 9.1.1.

   Addresses Issues 1 and 6
   MID-TERM PRIORITY - HISTORIC DISTRICT COMMISSION TAKES LEAD ROLE

4. The Town should commit public funds to construct pedestrian, streetscape, mini-park, drainage and road improvements identified in the Village Center Master Plan. York Village Center is an area of public buildings and commerce and the expenditure of public funds is warranted to help retain and enhance the area’s character and functioning. An expanded sidewalk system will be critical to helping to tie this area together. Contributions from private property owners that construct new buildings or renovate
existing buildings should be required to support these infrastructure improvements. It is not, however, recommended that the Town establish this area as a Capital Improvement District as a way to construct all needed infrastructure improvements. These infrastructure improvements should be an outgrowth of the Plan identified in Issue 8.

**MID-TERM & LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE**

5. The Town should expand the scope of the current Village Parking Association to establish it as a mandatory Capital Improvement District, and use funds raised through this District to construct additional public parking. Potential public parking areas should be identified in the Village Center Master Plan (Recommendation #1) and this proposed Improvement district will be a tool to implement appropriate Plan recommendations. An Improvement District is recommended as an appropriate tool to achieve additional public parking, even though Action 4 above, does not suggest this as an appropriate vehicle to accomplish other improvements.

  Addresses Issue 5

**MID-TERM to LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE**

6. The Town should strive to retain the existing public presence in the Village Center area; the Library, Town Hall and a Post Office. The location of a community's main public buildings greatly contributes to defining the center of a community.

  Addresses Issues 1 and 7

**ON-GOING PRIORITY - SELECTMEN TAKE LEAD ROLE**

7. The Town should explore alternative means of access to the Long Sands-Short Sands Beach area to help manage the volume of traffic on York Street. It is also noted that alternative traffic lay-outs in the village center itself are part of the proposed Village Center Master Plan.

  Addresses Issue 2

**LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE**

8. The Town should install good quality signage to help direct people to the Long Sands-Short Sands Beach area.

  Addresses Issue 2

**IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE**

9. Shoreland areas in the Village Center area should be included in the proposed Limited Commercial Subdistrict rather than the current Limited Residential Subdistrict. This approach will eliminate the existing conflict between the Shoreland Overlay zone and the underlying zoning district. The Town, however, should examine the desirability of keeping areas within 250 feet of the York River in the Limited Residential Subdistrict.

  Addresses Issue 6

**IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

10. York Hospital and the existing Middle School are critical community facilities. The Town should recognize conflicts will likely occur between these uses and surrounding residences and should ensure future expansions meet good quality performance standards to decrease the amount of conflict. In addition, the Town should encourage ongoing interaction/dialogue among the respective parties to address the issues.

  Addresses Issue 2

**ONGOING PRIORITY - SELECTMEN & PLANNING BOARD TAKE LEAD ROLE**
DESCRIPTION OF PAST AND EXISTING LAND USE

This area includes the section of York Street from Route One to the Town Library and the adjacent side streets: Raydon Road, Raydon Road Extension, Donica Road and Hilltop. The main use in the area is single family homes. Homes on York Street often date to the 18th and 19th century, but the side streets and most of the houses on these streets have been built since the early 1970's. Most residents consider this a desirable area to live, which is reflected in how well they maintain their homes and surrounding area.

There are only a handful of nonresidential uses and most of these are on the scale of a home occupation. Parsley's Welding, Ricker's Clock Repair and an art gallery are examples of these nonresidential uses. Another major use in the area is York Village Elementary School and the accompanying athletic field. The School is shoe-horned into a small cramped site, but it seems to fit well in the neighborhood. Yorkshire Commons, the only publicly supported elderly housing in York, also operates a small elderly housing complex just off of York Street.

Most lots in the area are similar in size because most were created through fairly recent subdivisions. This results in a lesser number of nonconformities than for most areas of York. These subdivisions, however, often lack basic infrastructure that is customarily found in suburban areas, particularly public sewer and sidewalks.

Two land features also warrant noting. A 3+ acre field located off York Street that offers picturesque views of the Indian Trail area as you approach the Village Center is one of the last significant open areas in this type of location. A Town treasure, many have spoken of as a site as one the Town should acquire. The "duck pond", managed by the Abbot family, is located off Raydon Road Extension and is a haven for domesticated and wild ducks.

DESCRIPTION OF EXISTING ZONING

This area is located in two separate and wildly contrasting zoning districts. The area within 500 feet of York Street is in the RES-1B zone, a protected residential zoning district. Single family homes and home occupations are the only permitted uses. The minimum lot size is 30,000 sf if both water and sewer are available, and 1 acre if either or both of these services are lacking. Minimum setbacks and lot coverage requirements are characteristic of a suburban setting.

Most of the Raydon Road, Raydon Road Extension and Donica Road area are in the GEN-3 zone, a general development zoning district. This zone allows most uses, from single family houses to large scale industry and everything in between. Few residents likely grasp that they are living in such a permissive zone because most of the land has been devoted to housing and is protected by subdivision covenants. The minimum lot size is also 30,000 sf if both water and sewer are available, and 1 acre if either or both of these services are lacking. The GEN-3 zoning district is a carry-over from the 1960's when York only regulated the minimum lot size (20,000 sf) and prohibited only noxious uses.

Shoreland Zoning also applies to several wetlands in the area. All Shoreland areas are in the Limited Residential Subdistrict which restricts uses solely to residential development.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

Traffic is a common companion to the homes abutting the beginning stretch of York Street. York Street/Rt 1A is the main thoroughfare for both residential and tourism traffic traveling to York’s
beaches or the Village Center. Travelers are greeted by a picturesque column of historic well landscaped and maintained homes lining York Street. Many visitors likely form very favorable impressions of York because of the area’s character. The challenge confronting York is how to retain the outstanding characteristics of this area and have it remain a desirable place to live in the midst of an increasing volume of traffic. Following are issues which warrant attention:

1. How to retain the historic character and quality of existing homes.
2. Can the residential character of this area be retained, or should it be permitted to become an area that also allows appropriate scale business and office uses.
3. The amount and speed of traffic on York Street, and conflicts between the existing volumes of traffic and the existing residential uses.
4. Pedestrian safety, particularly for people crossing York Street.
5. Should the Town work to protect the last remaining open space in the area.
6. Stormwater impacts on area waterbodies, particularly Barrels Mill Pond and the freshwater tributaries that feed this Pond.
7. The need for public sewer to replace aging septic systems, particularly along Raydon Road and Raydon Road Extension.

**PLAN RECOMMENDATIONS**

The main recommendation for this initial stretch of York Street is to retain the historic character and charm of the area. Specific recommendations for the area are as follows:

1. This area should remain a protected residential zone and current lot sizes and permitted uses should remain the same. Home occupations should be limited to Class 1 standards. It is recommended that the Historic District Commission identify those properties in this area which possess historic significance and merit classification as an Historic Designated property. The Commission should develop a program to encourage the preservation of these properties.

It is uncertain, however, if the historic character of the York Street area can be preserved in the future by simply limiting uses to single family residences. Some towns have experienced much success in allowing appropriate scale office and retail uses in former historic homes along main thoroughfares such as York Street as a way to preserve their value. This has already occurred with several homes near the Rt 1/York Street intersection and others and may make long-term sense.

**Addresses Issues 1 and 2**

**ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

2. The present volume of traffic on York Street will likely continue to increase, thus Town efforts should focus on public safety, particularly the speed of existing traffic. The main means to achieve this goal will likely be police patrol and enforcement. York Street is already quite narrow to handle both vehicular and bicycle traffic, thus traffic calming (such as neckdowns) would likely have minimal benefit.

**Addresses Issues 3 and 4**

**ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE**

3. Residents of the Raydon Road, Raydon Road Extension and Donica Road area have expressed concerns regarding the amount of non-local cut-through traffic --- drivers trying to avoid the Route One signal lights. An approach that would curtail this traffic would be to establish a cul-de-sac along Raydon Road that would prevent through traffic to Route One. This proposal, however, would adversely affect traffic patterns for local residents too and could cause public safety concerns. The steep grade of Raydon Road as it approaches York Street is a particular concern, as is the amount of sight distance. Potential implementation of this proposal requires close interaction with local residents.

**Addresses Issue 3**
4. The Town should explore alternative means of access to the Long Sands-Short Sands Beach area to help manage the volume of traffic on York Street. 
   Addresses Issue 3

LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

5. The Town should install good quality signage to help direct people to the Long Sands-Short Sands Beach area.
   Addresses Issue 3

IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE

6. The Town should gauge public sentiment to spend public funds to acquire the Mary Davis field and retain it as permanent open space. The field offers picturesque views and is the last remaining open space along York Street.
   Addresses Issue 5

MIDTERM PRIORITY - SELECTMEN TAKE LEAD ROLE

7. The Town should expend public funds to ensure stormwater generated from the York Street area does not adversely impact the water quality of the beginning of Barrells Mill Pond and ultimately the York River.
   Addresses Issue 6

LONG-TERM PRIORITY - SELECTMEN & PUBLIC WORKS TAKE LEAD ROLE

8. Residents at the Neighborhood Meeting expressed interest in obtaining sidewalks. A sidewalk may make sense for the Raydon Road and Donica Road area because of the amount of cut-through non-local traffic. Sidewalks should be a lower priority for the Hilltop and Raydon Road Extension area as it mostly receives only local traffic.
   Addresses Issue 3 and 4

LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

9. The Town should pursue providing sewer to Raydon Road and Raydon Road Extension.

MID TERM PRIORITY - SELECTMEN TAKE LEAD ROLE
DESCRIPTION OF PAST AND EXISTING LAND USE

Single family housing is the predominate use in this area. Many of the houses along Lindsay Road were built 200 or more years ago as Lindsay Road was one of the first access roads between Massachusetts and the District of Maine. Few homes in the Organug and Orchard Farm area, however, have the same history. The greater Orchard Farm area contains over 200 homes and has accommodated a large share of the year-round growth York has experienced since 1970. This is one of the few areas in York -- because of the newer housing -- where most development satisfies current zoning requirements.

The York Golf and Tennis Club, York Middle School and York Hospital are the other major land uses in the area. The golf course borders the York River and is likely the only reason the entire area has not been subdivided into house lots. A school building, now the Middle School, has been located on this Organug Road site since the turn of the century. York Hospital is on the border of this area and is discussed as part of the York Village Center area. The few other nonresidential uses are very small and are operated from people's homes.

The area directly borders the York Village Center and in-town services such as schools, banks and the post office. It also allows easy access to both Route One and I-95. Current residents consider it a desirable area to live and it is rapidly approaching build-out under current zoning rules. The area clearly cannot serve as a prime growth area after the year 2000; it is now a maturing neighborhood.

DESCRIPTION OF EXISTING ZONING

This area is located in the current RES-1B zone, a protected residential area. The only nonresidential uses allowed in the zoning district are golf courses and hospitals and home occupations. The minimum lot size is 30,000 sf if both public water and sewer are available and 1 acre if the services are lacking. This area was established as a protected residential zoning district in the early 1980’s.

The land along the York River and Barrells Mill Pond is subject to the Town Shoreland Overlay Zoning Ordinance. Most of this area is in the Limited Residential Subdistrict, but some of the areas near the York Golf & Tennis Club golf course are located in the Resource Protection Subdistrict. The Resource Protection Subdistrict allows little use within 250 feet of the River and the Limited Residential Subdistrict requires a setback of 100 feet from the River’s edge.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

The prime land use in this area is year-round single family homes. Town zoning has limited use of the area to only homes for nearly 20 years and it is approaching build-out. Issues raised at the Neighborhood Meetings mostly center on those of an area that is aging well. Issues which warrant attention include the following:

1. How best to retain the existing residential character of the area.
2. Concern with how two large scale uses in the area, the York Middle School and York Hospital, cause traffic problems and conflicts with existing residential uses.
3. The volume and speed of traffic using the area's roads; including the likelihood that more cut-through traffic will occur from Route One through the Orchard Farm/Winterbrook area.
4. Pedestrian safety and the lack of sidewalks was cited by many participants in the respective neighborhood meetings as a prime concern.
5. Problems with existing stormwater drainage, both the volume and quality of stormwater.
6. Protection of water quality, particularly the York River.
7. Access to the York River, including the need for additional piers.

**PLAN RECOMMENDATIONS**

The prime goal for the Town should be to ensure the area continues to be one residents want to call home. There is little additional land to support new development, so Town should concentrate on safeguarding what now exists. This is not considered as an area to encourage new development or redevelopment (greater density of housing). Specific recommendations include the following:

1. **This area should continue as a protected residential zoning district.** Only single family housing and Class 1 home occupations should be allowed. Density should remain moderate. The Town should not consider decreasing densities as a way to encourage additional growth. The existing land use pattern is well established and appears to make sense. The goal is to reemphasize existing zoning.  
   **Addresses Issue 1**  
   **MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

2. See public water supply and sewer system policies in §1.1.2.

3. See public sewer system policies in §1.1.2.

4. The Town should use its capital project funds to construct sidewalks, bicycle paths or alternative improvements along the unserved sections of Lindsay Road, Indian Trail and Organug Road. An alternative that warrants examination, perhaps as an element of the proposed Village Center plan, is to restrict the lower end (from Indian Trail) off Lindsay Road and Organug Road to one-way traffic and to use the existing other paved lane as a pedestrian way. This approach could create a better pedestrian tie-in between the Steedman Woods and Hancock Wharf area and the center of York Village.  
   **Addresses Issue 3**  
   **LONG-TERM PRIORITY - SELECTMEN & PLANNING BOARD TAKE LEAD ROLE**

5. As residents experience an increase in non-local traffic using Orchard Farm as a cut-through from Route One to the Organug Road/Village Center area, the Town should consider implementing traffic calming measures.  
   **Addresses Issues 3 and 4**  
   **LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE**

6. Drainage, particularly in sections of the Orchard Farm Subdivision, warrants attention. The Town may need to identify and install infrastructure improvements to ensure stormwater, both quality and quantity, is better managed. Sediment collection traps are needed in several areas to better control the amount of sediments entering nearby waterways.  
   **Addresses Issues 5 and 6**  
   **MID-TERM & LONG-TERM PRIORITY - PUBLIC WORKS TAKES LEAD ROLE**

7. The Town should cooperatively work with the York Golf & Tennis Club and area property owners to educate property owners about appropriate fertilizer use and lawn care in this highly developed area immediately adjacent to the York River and its tributaries. The York Conservation Commission should be assigned this task, and they should elicit the aid of the York Rivers Association.  
   **Addresses Issue 6**  
   **LONG-TERM PRIORITY - YORK CONSERVATION COMMISSION**
8. Recommendations specific to access to the York River are described in the Marine Resources section of this Plan.
   See State Goal #7 - Addresses Issue 7
LONG SANDS ROAD & WOODBRIDGE ROAD
LAND USE AREA #11 ON THE FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

The Long Sands Road - Woodbridge Road area is a significant residential area in York. Single family homes, most of which are year-round residences, dot these streets and the accompanying side streets. The houses along Long Sands Road frequently date to the turn of the century, but most homes in the Woodbridge Road area are much newer. For example, the Hodgin Subdivision on Darcy and Eldridge Streets was established in the mid-1970's, but the last phase is only now being built. The houses along Sheru and Eureka Avenue date to the same period.

Single family housing, however, is not the only use. There is a surprising amount of nonresidential development. The Long Sands Mall is by far the largest nonresidential user and is the only mall in York not located on Route One. It is also a non-conforming use and cannot expand. Nonresidential uses along Woodbridge Road include Jenny's All-Around Shop, Paw Prints, the Little Red Hen, and the York Water District offices. This area is also one of the few in York that sports a significant amount of multi-family housing, both larger apartment buildings and converted single family houses.

Woodbridge Road and Long Sands Road both experience heavy amounts of traffic in both the winter and summer. Most recognize these streets offer short-cuts to the York Beach area by enabling a driver to avoid the York Harbor Village area. Traffic volumes on these streets likely will continue to increase as York experiences additional residential development and more tourists flock to York's beaches.

A large amount of Woodbridge Road is now connected to public sewer, but most of Long Sands Road lacks this basic service. This causes problems as many of the existing septic systems are quite old and were not built to current standards. While Long Sands Road may lack sewer, it is served by a sidewalk, a public improvement that is missing for most of Woodbridge Road.

Most of the area's available land has been purchased and developed so there is very little likelihood a significant amount of new housing will occur. Most of the remaining undeveloped land also is subject to severe wetland constraints. It is part of a large wetland complex that drains toward the Atlantic Ocean, but this wetland has been fractured by existing roads/streets. This wetland complex plays an important role in flood control and protecting water quality, and its forest resources also contribute to the area's character and sense of remaining open space.

DESCRIPTION OF EXISTING ZONING

Two separate zoning districts now apply to this area; RES-1B, BUS-1 and GEN-3. All require the same minimum lot size, 30,000 sf if both public water and public sewer are available, and 1 acre if either of these services is missing. There are, however, significant differences regarding the type of uses permitted.

Most of Long Sands Road is in the RES-1B zone, a protected residential zoning district. Only single family houses and home occupations are permitted uses. The Woodbridge Road area is in the BUS-1 zone, a district which was initially created by the former York Harbor Village Corporation in the early 1920's. The BUS-1 zone allows single family residential, duplexes, triplexes and four-plexes, restaurants, and retail and service uses. The range of uses permitted has changed little since the 1920's or since the York Harbor Village Corporation merged with the Town in the mid-1970's. The area on Woodbridge Road from Moulton Lane west to the intersection with Long Sands Road is in the GEN-3 Zone which allows most any use that is allowed anywhere in York.
All new and expansions of existing nonresidential uses in the BUS-1 zone must obtain a permit from the York Harbor Site Design Review Board. This Board reviews all proposals to determine compliance with performance standards in the York Harbor Site Design Review Ordinance. New nonresidential uses in the RES-1B zone are prohibited, but existing businesses which want to expand must satisfy the Town Ordinance’s nonresidential performance standards (Article 6).

All wetland areas greater than one acre in size are also subject to provisions of the Town Shoreland Ordinance. The Limited Residential Subdistrict, a zoning district which allows only single family residential uses and requires a minimum structure setback of 75’ to 100’, applies to all wetlands greater than 4 acres in size. This Subdistrict also restricts the maximum amount of lot coverage based on the amount of impervious surface area.

**ISSUES TO ADDRESS IN LOOKING TO THE FUTURE**

There are many similarities among the Long Sands Road, and Woodbridge Road areas. The prime land use is year-round single family residential, but the current zoning often allows more intensive uses. Much of the area has been developed, and as additional development occurs, there will be a greater need to address the demands of these neighborhood areas. Issues which warrant attention include the following:

1. Current Town zoning often allows more intensive land uses than the primary existing use, year-round single family residences.
2. There is existing nonresidential development in the area, the Long Sands Mall being the largest. The current protected residential zoning for this use (RES-1B zone) adversely impacts this development, but few citizens have spoken positively regarding several proposals to allow an expansion of this use.
3. Many existing homes rely upon septic systems, but the age of these systems and general poor quality of the soils underscores the need for public sewer and public water service. Property owners who continue to rely on substandard septic systems could contribute to long-term water quality problems as these systems fail.
4. Many residents voiced concern with the volume and speed of traffic using many of the area’s larger roads; particularly Woodbridge Road. Trucks were cited as a specific concern.
5. Pedestrian safety and the lack of sidewalks were cited by many participants in the respective neighborhood meetings as their number one concern.

**PLAN RECOMMENDATIONS**

This area forms the backbone of much of the year-round housing in York. It is viewed by most as a desirable area to live. The prime goal for the Town should be to ensure it continues as an area residents want to call home. Specific recommendations include the following:

1. Establish the area as a protected residential zoning district. Only single family housing and Class 1 home occupations should be allowed. Density should remain moderate.
   - Addresses Issue 1

2. See public water supply and sewer system policies in §1.1.2.

3. Many existing nonresidential uses in the area are conforming under current zoning, but will be rendered non-conforming if this area is established as a protected residential zone (Recommendation 1 above). The Town should grant flexibility in allowing these uses to continue and expand. A recommended approach is to allow expansions within existing
lot lines, provided performance standards are met. This flexibility, however, should not apply to non-residential uses that are now non-conforming.

Addresses Issue 2
IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

4. See public water supply and sewer system policies in §1.1.2.

5. The Town should use its capital project funds to construct sidewalk or bicycle path improvements along the unserved sections of Woodbridge Road and Long Sands Road. The Town should also explore constructing a bicycle path on the former railroad right-of-way that could become a connecting link between Woodbridge and Long Sands Road.

Addresses Issues 4 and 5
IMMEDIATE PRIORITY FOR WOODBRIDGE ROAD
MID-TERM TO LONG-TERM PRIORITY FOR OTHER IMPROVEMENTS
SELECTMEN TAKE LEAD ROLE

6. The Town must recognize that Long Sands Road and Woodbridge Road are important traffic collector roads for both resident and visitor traffic. It is unlikely the Town could or should try to significantly reduce the volume of traffic on these streets. Thus, the Town will need to rely on police patrol and enforcement to aid in safe travel.

Addresses Issue 4
ONGOING PRIORITY - SELECTMEN & PUBLIC SAFETY TAKE LEAD ROLE

7. The area along Woodbridge Road from the York Water District office to the Long Sands Road intersection should be placed in the York proposed Village Center Zone (see Land Use Area #8) to better reflect the existing uses along this stretch of road.

Addresses Issues 1 and 2
IMMEDIATE PRIORITY - PLANNING BOARD TAKE LEAD ROLE
NASON ROAD/FIELDSTONE ESTATES/BLUESTONE AREA
LAND USE AREA # 12 ON THE FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

Nason Road (a.k.a. Old Post Road) is a connecting link between Route One and the Beach and Village areas of York. Single family housing and several small nonresidential uses directly front on Nason Road. The housing is a real mixture. Most were built in the mid-1900's, but several date to the 18th century and a few were constructed in the last 10 years. Fieldstone Estates, developed in the late 1970's - early 1980's and Bluestone Estates, developed in the late 1980's - early 1990's, are the most significant subdivisions and are located on roads which connect to Nason Road. Nonresidential uses include a physician's office, a warehouse - storage building complex, a construction company, and several small home based businesses. Coastal Ridge Elementary School, one of York's two elementary schools, is also located in this area. A large amount of existing development conforms to existing zoning because it was built in the last 25 years.

Although the area is located close to the York Village Center it lacks most services and in many ways has a rural character. Public sewer is unavailable and there are no sidewalks along either Nason Road or the subdivision roads. The First Parish Church and Davis family own large undeveloped forested parcels (100+ acres) that abut the area and the Moody Farm, located at the intersection of Nason Road-Ridge Road-Long Sands Road, presents the classic New England scene of a white farm house looking out over a open field lined with stone walls and forests. These remaining open areas present opportunities for future housing development.

The Little River is the area's most significant natural resource. The River flattens out as it approaches the Atlantic Ocean, but in this area it is located at the bottom of a small valley that steeply rises to heights of 50+ feet. The area's soils are marginal to support extensive use of septic systems.

A signal light was installed at the Nason Road - Route One intersection in the mid-1990's to address public safety problems. The light has resulted in a reduction in the severity of accidents and has made it easier for traffic to turn left from Nason Road onto Route One. Traffic volumes on Nason Road likely will continue to increase as York experiences additional growth.

DESCRIPTION OF EXISTING ZONING

All of this area is included in the GEN-3 zoning district, a general purpose district. This zone allows most uses; residential, retail, hotel, restaurants, service businesses and industry. The required minimum lot size is 30,000 sf with water and sewer and 1 acre if these services are not available. The uses permitted for this zone date to the 1960's and the minimum lot size was increased from 20,000 sf to its current size in the late 1970's.

The Town Shoreland Ordinance affects development along the Little River and several inland wetlands. All Shoreland areas are located in the Limited Residential Subdistrict and structures must be setback a minimum of 75 feet to 100 feet depending on the size of the wetland. The Town Floodplain Ordinance also applies to most of the Little River corridor.
The issues identified at the Neighborhood Meeting conducted for this area often focused on those associated with a residential area that is maturing. Specific issues which warrant attention include the following:

1. Potential conflicts between the underlying zoning which is very permissive and the predominate use which is single family housing.
2. Public safety concerns associated with the amount and speed of traffic on Nason Road. Residents cited the desire for bicycle and pedestrian paths.
3. Concern with traffic that is using Fieldstone Estates as a cut-through from Route One to Nason Road to avoid the existing signal light. Similarly, traffic from the Rogers Road area that is using the subdivision roads in Bluestone as a cut-through to Nason Road.
4. Potential need for public sewer in the area.

**PLAN RECOMMENDATIONS**

Only one concrete proposal, amending existing zoning, is offered for this section of York. Other proposals will depend on the interests of area residents, how several large private landowners choose to use their property and how surrounding areas are developed. Specific recommendations include the following:

1. The zoning for this area should be changed from its current multi-purpose GEN-3 zoning to a Protected Residential zone, allowing single family residential and class 2 home occupations. Density standards would remain similar to current standards.  
   **MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

2. If current zoning is amended to allow only single family residential development, the Town also should adopt measures to allow existing nonresidential uses to expand. The recommendation is to allow any non-conforming use to expand within its existing lot lines, provided performance standards are met to the greatest extent practical.  
   **IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

3. See public sewer system policies in §1.1.2.
4. See public sewer system policies in §1.1.2.
5. If residents believe nonlocal traffic is becoming too much in either the Fieldstone Estates or Bluestone area, the Town should work with local residents to create cul-de-sacs for these streets that would prevent cut-through traffic. This measure, however, also would affect local resident traffic patterns and should not be pursued unless most area residents want the cul-de-sacs. Town Public Safety personnel also should be involved in this decision.  
   **LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE**

6. If either the Moody Farm or Davis property is proposed to be developed, the Selectmen and Planning Board should closely work with the developer and the Sewer District to accomplish a public sewer extension. The Town also may want to reconsider the required minimum lot size to better allow the public sewer extension to occur.  
   **ONGOING PRIORITY - SELECTMEN AND PLANNING BOARD TAKE LEAD ROLE**
CAPE NEDDICK RIVER AREA
LAND USE AREA #13 ON FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

The Cape Neddick River is the dominant land form that defines the character of this area. Much of the residential development has been located to allow views of this tidal river and its coastline. The dynamics and appearance of the River have also changed dramatically since the State constructed the bridge across it. Few areas on the River now afford an opportunity to moor a boat.

Single family housing is the most common development. Most housing fronts on Route 1A or one of the short streets connected to this heavily traveled road. Route 1A is a major access to the York Beach area. There are only a few non-residential developments and most of these enterprises are located on the same property where the owner lives.

The lots in this area are rarely smaller than 1/2 acre and many range to 1 acre or greater. Much of the area’s development occurred in the 1970’s and 1980’s which contributed to this pattern of lot sizes. Much of the area is served by public water, but none of the area is currently served by public sewer. The winding/curvy nature of Route 1A positively contributes to the area’s character.

DESCRIPTION OF EXISTING ZONING

Two existing zoning districts regulate land uses in this area. The RES-1A Zone, a protected residential zoning district, applies to the area located between the Cape Neddick River and 1000’ on the southerly side of Rt. 1A. The area located further than 1,000 feet off the southerly side of Rt. 1A is in the GEN-3 Zone. This is a general purpose zoning district that allows most uses, from residential to industrial and everything in between.

The minimum lot size is the same for both the RES-1A and GEN-3 zones. A lot without public water and sewer must be 1 acre in size with 125 feet of road frontage, and a lot with these services can be as small as 30,000 sf. The GEN-3 zoning district dates to the 1960’s when the Town regulated only the minimum lot size and not the type of use. It seems odd that a short residential street such as Abbey Road has houses which are located in two such vastly different zones, RES-1A compared to GEN-3.

All shore frontage along the Cape Neddick River, within 250 feet of the normal high water mark, is also subject to Shoreland zoning. The Limited Residential Subdistrict applies which limits development to residential uses and requires a setback of 100 feet of the rivers edge.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

There is a limited amount of remaining vacant land in the area and the highly valued land with views of the Cape Neddick River has mostly been developed. The dominating presence of the River and accompanying issues such as water quality, public views, and access to the River, particularly Cape Neddick Beach, all warrant attention. Many of the issues described in this section were identified at a June 9, 1998 Neighborhood Meeting involving area residents. These are:

1. The amount and speed of traffic, particularly on Route 1A, was identified as a concern. Many cited public safety as their number one neighborhood issue.
2. Closely related to the above is the need for pedestrian and non-motorized vehicle improvements. This is a residential area and many residents enjoy walking where they live.
3. Maintaining the water quality of the Cape Neddick River is a concern. Many residents noted the need for a public sewer extension.

4. The existing amount of use and what appears to be increasing use of Cape Neddick Beach was cited as a concern. Most consider this a "local" beach, but use by non-locals appears to be increasing. The main issue is how future use should be managed. For example -- Should more or less parking be provided? Should lavatory facilities be available? Should the Town clean the beach? and Are lifeguards needed? -- are some of the issues which warrant attention. Everyone appears to be interested in the same goal -- protection of the beach -- but there is much less agreement on how best to accomplish this objective.

5. It is important to retain remaining open space along the River and the area's current character.

6. There are conflicts in existing zoning, particularly the vast differences between the protected residential RES-A zone and the general purpose GEN-3 zone.

**PLAN RECOMMENDATIONS**

The main thrust of the Plan recommendation is to place the land south of the Cape Neddick River into a Residential district compatible with existing use while placing the north side into a Rural district. There is a significant amount of existing protected residential development, especially on the south side, but most has occurred on moderate sized lots that average nearly an acre. Specific recommendations include the following:

1. That area south of the Cape Neddick River, east of the Route One Overlay Zone, west of Main Street and north of York Beach Village Center's northeast boundary is to become a residential zone with moderate to low density. This lot size is generally consistent with existing standards and should help protect water quality and open space. Class 2 Home Occupations should be allowed in this zone to complement the size and character of most existing small businesses.

The area south of the Cape Neddick River, east of Main Street to the York Beach Village Center northeast boundary is to become residential at a higher density than the area to the west. Most lots in this area are already very small. Sewer is strongly urged.

The area north of the Cape Neddick River, east of the Route One Overlay Zone, bordered on the north by the Ogunquit line and on the east by the Atlantic Ocean will be zoned rural, with standards appropriate to that area.

Addresses Issue 6

**MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

2. See public water supply and sewer system policies in §1.1.2.

3. The layout of Route 1A is an important element of the area's character. This road, however, was not designed to accommodate present traffic volumes which results in public safety concerns, particularly for residents. The Town should adopt a long-term approach of attempting to divert some of the traffic by establishing an alternative access to York Beach; for example, the Wild Animal Kingdom road.

The Town and area residents, however, should not act in haste to redesign Rt. 1A. Widening or straightening the road or adding standard size (5 feet) bike lanes or sidewalks could encourage increased traffic speeds which would exacerbate current safety problems. The immediate recommended approach is to increase the amount of public safety patrol so the traveling public is more aware of the police presence. Effective management of traffic flow and public safety is a complex issue and warrants careful analysis before rushing to implement a supposed solution. Residents may also need to
accept that a growing community and healthy tourism industry means more traffic and
busier streets and roads.

Addresses Issue 1
IMMEDIATE PRIORITY FOR TRAFFIC ENFORCEMENT POLICE TAKE LEAD ROLE
LONG-TERM PRIORITY FOR OTHER APPROACHES - SELECTMEN TAKE LEAD ROLE

4. Vegetation cutting along the Cape Neddick River should be carefully controlled to ensure
stability of the river banks, maintain or improve water quality, conserve fish and wildlife
habitat, and help protect the area’s character. Protection of existing buffers should be
strengthened, and lost buffers restored where feasible, as described in Policy Section
5.2.1.

Addresses Issues 3 and 5
IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

5. The Town should pursue the acquisition of remaining open lands along the lower stretch
of the Cape Neddick River to protect this shorefront and the area’s character. The Town
should work cooperatively with other entities to accomplish this objective.

Addresses Issue 5
MID-TERM to LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

6. The Town should establish a task force to address future use and management of Cape
Neddick Beach. To date, Town efforts have often lacked focus. The task force should be
presented a specific work program and period of time to accomplish needed work. The
Steering Committee that worked to prepare this Plan adopted a specific policy of not
simply identifying the need for more studies, but management of Cape Neddick Beach is
a specific problem that warrants creation of a task force. Town funding should be
provided to support efforts of the task force.

Addresses Issue 4
IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE
SHORE ROAD/PINE HILL ROAD AREA
LAND USE AREA #14 ON THE FUTURE LAND USE MAP

DESCRIPTION OF EXISTING AND PAST LAND USE

The predominant use in this area is single family residential development, both year-round and seasonal homes. Most of the area east of Shore Road and along the Atlantic Ocean has been subdivided and developed. Some of the subdivided lands are more than 100 years old and often created very small lots, some less than 10,000 sf in size. Development in the area also includes "estates" valued at more than 1 million dollars that offer dramatic views of the Atlantic Ocean from the vantage point of houses perched above the craggy coastline. Most roads in these subdivisions are privately maintained and are constructed of gravel.

The western side of Shore Road offers only limited views of the coastline and much of the housing in this area is more modest. The main subdivision area is near Lake Carolyn. This subdivision dates to 1893, but little of the land was developed until the 1980's and 1990's. There are few other subdivision roads of any length on the west side of Shore Road from Lake Carolyn to the York-Ogunquit town line. The roads which exist are usually constructed of gravel and are privately maintained.

Development in the Pine Hill Road is similar in many respects to that which has occurred along Shore Road. Houses are densely packed together on small lots as you approach the York-Ogunquit town line, but they quickly spread out as you drive along this road to Route One. Also like Shore Road, most of the development directly fronts on Pine Hill Road and there are no major subdivision roads. The west side of Pine Hill Road is located within 500' - 700' of Route One.

This area witnessed a surprising amount of development during the late 1980's - 1990's, about 100 new homes, when coupled with the fact the York Planning Board did not approve any new lots in this area during that period. This illustrates how the area has been subdivided, but not yet fully developed. There is also a large amount of open forested land between Shore Road and Pine Hill/Route One that has not yet been subdivided. It would be expensive to create roads to serve these lands, but the strong demand for residential lots in York may foster interest in this area.

There is also a limited amount of nonresidential development. The only significant nonresidential uses along most of Shore Road are the Cliff House (restaurant and hotel), York's largest taxpayer, and the Cape Neddick Country Club. The Country Club is now (1998 & 1999) expanding its existing 9 hole golf course to an 18 hole course, and the Cliff House is pursuing the extension of public water and a private force main sewer line. The sewer extension would occur via the Ogunquit Sewer District and this proposal has spawned several lawsuits in Ogunquit. Nonresidential uses which occur along Pine Hill Road are very small scale, mostly home occupations.

DESCRIPTION OF EXISTING ZONING

This area is included in two protected residential zones, the RES-2 and RES-3 zoning districts. Single family residential is the main use permitted in both districts and there are only minor differences between the two zones, mostly the types of accessory uses permitted. The minimum lot size requirement is 2 acres with 200 feet of road frontage. The structure setback standards are 50 feet in the front and 30 feet to the side and rear. These areas were established as protected residential zones in the early 1980's. The former zoning districts required a minimum lot size of 20,000 sf and permitted most uses.
Shore Road stretches for over 3 miles between the Cape Neddick River to the south and the York/Ogunquit town line to the north and often mimics the rocky coastline of the Atlantic Ocean. This coastline and several large inland wetlands are included in the Limited Residential Subdistrict of the Shoreland Zone. This Subdistrict of the Shoreland Overlay Zone causes few use conflicts because the underlying zone is also protected residential. Structure setbacks, vegetation cutting standards and stronger septic system requirements also apply to new development.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

The existing development along Shore Road is often quite dense, includes both year-round and seasonal residents and has occurred on small lots created over 100 years ago. There is a major contrast between these developed areas and the large expanses of undeveloped woodland that often extend from about 1,000 feet off Shore Road to Pine Hill Road or Route One. Residents and property owners who attended the Neighborhood Meetings held for this area stated they like where they live, but are concerned with the amount of future development and long-term problems associated with the amount of existing development. Specific issues that warrant attention include the following:

1. The quality and character of future development. How will it blend with existing development. Concern that more nonresidential development may occur.
2. The amount of future development, particularly along Shore Road. Concern was specifically expressed regarding the loss of existing open space lands and potential adverse impacts on natural resources.
3. The amount and speed of existing traffic, particularly along Shore Road. Residents cited concern that the amount of traffic has increased because of current traffic problems trying to enter Ogunquit from Route One or I-95, and increases in the length of the tourist season.
4. How to safely provide for pedestrian and bicycle use of Shore Road.
5. Access to the coastline, including view access. This includes concern regarding the use of Cape Neddick Beach.
6. Concern regarding existing and future water quality that is associated with the extent of development. The potential need for a public sewer extension is coupled with this issue.

PLAN RECOMMENDATIONS

The goal is to ensure the Shore Road area retains its existing character and is considered a desirable area to live. The scale of development should reflect the area’s current rural character and it should not fall victim to becoming a “sprawling suburbia”. Managing future traffic increases on Shore Road will be difficult, but it is a challenge worth pursuing. Most recent development has occurred on lots that were created over 100 years ago, but which were never built upon. There is a also large amount of undeveloped land located between Shore Road and Route One/Pine Hill Road that has not yet been developed.

Specific recommendations are as follows:

1. The Town should adopt rural zoning for this area and consider implementing an explicit development control for the purpose of preserving the rural character of the area and minimizing development sprawl. Among the measures which might be considered are: the development district boundary ratio concept and a CAP, establishing specific limit(s) on the number of new residential units which could be built in this area. Measures such as this would ensure a decreasing percentage of York’s residential development occurs in this area for the period prescribed in the ordinance. This would help control future Town service costs and traffic considerations while preserving the rural nature of the area.

Addresses Issues 1 and 2
MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. The area is presently a protected residential zoning district that requires a minimum lot size of 2 acres. The recommended zoning district is rural, with standards appropriate to the area.
   
   Addresses Issues 1, 2, and 6

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3. Open space (cluster) layout should be the norm for new subdivisions, with a requirement that up to 50% of the “buildable” land and all significant natural resource areas remain as permanently protected open space. Although little unsubdivided land remains east of Shore Road, how the subdivision may impact Ocean views from Shore Road and how it looks when viewed from Shore Road is also a concern.
   
   Addresses Issues 1 and 2

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

4. The Town should analyze existing traffic patterns on Shore Road and establish a program that limits the amount of annual new subdivision and single lot development which is permitted to add traffic to Shore Road. If new subdivision activity occurs in this area, the subdivision roads should be encouraged to connect to Pine Hill Road or Route One. This is an adventurous approach that may be difficult to implement.
   
   Addresses Issues 2 and 3

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

5. The Planning Board should encourage new subdivision proposals it reviews to include covenants to require new homes to be the size and quality of homes which are prevalent in the surrounding area.
   
   Addresses Issue 1

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6. See public water supply and sewer system policies in §1.1.2.

7. See public sewer system policies in §1.1.2.

8. Many residents who attended the area Neighborhood Meetings expressed interest in obtaining bicycle and walking paths in the Shore Road area. The preferred approach is to pursue the ongoing acquisition of land along the former railroad right-of-way to create a trail from the Cape Neddick River to the Ogunquit Town Line. This path could present 4 season recreational opportunities. The Town should explore the potential for the construction of a sidewalk or bike path along Shore Road, keeping in mind expense and consistency with area character in determining the project’s feasibility. Shore Road is narrow in width with many blind curves and houses often are located at the road’s edge. The Town can also benefit pedestrian and bicycle use of the area’s main roads by strictly enforcing current speed limits and posting signage that these roads are used for these purposes.
   
   Addresses Issue 6

ONGOING PRIORITY to ACQUIRE LAND

LONG-TERM PRIORITY TO CONSTRUCT PATH

SELECTMEN TAKE LEAD ROLE AND WORK WITH PUBLIC SAFETY

9. The Town should establish a task force to determine future use and management of the Cape Neddick Beach area. Issues include: the need for public facilities, including parking, restrooms, and sidewalks; the level of services to provide the beach, such as lifeguards, cleaning, and trash collection; traffic/pedestrian patterns on Shore Road near the beach; and conflicts with private property owners. The task force should be presented a specific task and period of time to accomplish this task. We note a specific
goal of this plan was not simply to identify the need for more studies, but to view this as specific problem area which warrants attention. Funding should be provided to support the task force’s efforts.

Addresses Issue 5
IMMEDIATE PRIORITY
SELECTMEN TAKE LEAD ROLE & WORK WITH PARKS & RECREATION

10. The Town should pursue acquiring ownership of Lake Carolyn and establishing this a low intensity use park. Unlike most open bodies of water, the subsurface estate of Lake Carolyn is privately owned by a single family. In addition, there are limited opportunities for public access. The existing dam at Lake Carolyn also warrants repair. The proposed Town Open Space Acquisition fund could assist in this purchase.

Addresses Issue 2
MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE
HARRIS ISLAND
LAND USE AREA #15 ON FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

Harris Island and Bragdon Island and their connecting causeways jut out into York harbor creating a sheltered mooring basin. It is proposed that Bragdon Island remain a part of the underlying zone but that Harris Island because of its existing uses be made a separate zone. The Town’s only two municipal docks are located off the causeways which connect the two islands and are not affected by any of the proposed zoning changes.

The Dockside Restaurant and Guest Quarters (a hotel), owned and operated by the Lusty family, occupies most of Harris Island. The Lusty’s also own and lease out land and facilities to York Harbor Marine, a privately operated marina. The marina has boat slips for rent and offers marine repair services, fuel sales and boat sales. The main uses on Bragdon Island are two single family residences.

Adjacent to Harris Island is a protected area known as the Wheeler Wildlife Refuge. Dredge spoils were deposited in this former salt marsh area in the 1970’s, but tidal waters have again breathed life into this once barren area. It is now prime habitat for migrating waterfowl such as Great Blue Herons.

DESCRIPTION OF EXISTING ZONING

Harris Island and Bragdon Island are included in the RES-1A zone, a protected residential zoning district that allows only single family houses and home occupations. The minimum lot size is 2 acres. Harris Island, however, is subject to a special clause for the RES-1A zone that specifically allows marinas, hotels and restaurants, (the existing types of uses). These special provisions do not apply to Bragdon Island.

The area is also subject to the Town Shoreland Zoning. Harris Island is the only area in York outside of Route One that is included in the General Development Subdistrict, the most permissive of the Shoreland Subdistricts. This Subdistrict allows most uses, requires a minimum structure setback of 35 feet from the Ocean and restricts lot coverage to 70% of impervious surface area. Bragdon Island is included in the Limited Residential Subdistrict which requires structure setbacks of 100 feet and limits lot coverage to 20%. The State and Town Floodplain Ordinance also applies to most of the area’s shoreline.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

The Comprehensive Plan Steering Committee did not conduct a neighborhood meeting specifically for the Harris Island area. The issues noted as warranting attention were identified through a variety of sources, including but not limited to: participation by the Lusty family in past planning projects, Town efforts to prepare a harbor management plan and the opinions of the Code and Planning Department and the Steering Committee. Issues regarding operation of the harbor, moorings and docks are addressed in State Goal 7, Marine Resources. Identified issues are:

1. The RES-1A zone, a protected residential zoning district, does not reflect the type of use that occurs on the Island.

2. Uses on the Island rely upon subsurface disposal systems to handle wastewater. This could lead to water pollution and it causes problems for proposals to further develop the Island.
3. The Shoreland Zoning Subdistrict, General Development, is very permissive, but it fails to recognize marine dependent uses. This Subdistrict classification could cause problems relative to minimum structure setbacks.

4. The area lacks adequate parking to handle the amount of people who use the docks and harbor in the summer. Vehicles park along Route 103 which raises public safety concerns.

5. The quality of the Wheeler Refuge as a wildlife preserve appears to be improving, but its location causes the area to be prone to chronic pollution problems.

**PLAN RECOMMENDATIONS**

The recommendations in this Plan are intended to focus more attention on Harris Island and Bragdon Island as a discrete area in York. Specific recommendations include:

1. Harris Island should be included in a separate zoning district rather than regulated as a footnote to the current RES-1A zone. The proposed zone would allow the type of uses that now occur; hotels, restaurants, single family residences, marinas, boat sales and service, and public marine facilities. Density should be low without public water and public sewer, and high if these services are provided. Special dimensional requirements should be applied to marine dependent and marine related uses. Creating a specific zone should decrease the conflicts that now occur between existing uses and zoning district standards that have been designed for a protected residential zone.

Addresses Issue 1

**MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

2. The Town should develop a Subdistrict of the Shoreland Zone that is specific to this area. The current General Development Subdistrict is too permissive and does not recognize marine dependent uses. The proposed Subdistrict - the "Harris Island Subdistrict" - would allow the same type of uses as permitted in the underlying zone. Most uses should setback a minimum of 50 feet from the normal high water mark, but marine dependent and marine related uses should not require a minimum setback. This is a unique area of York and the Town should ensure its zoning standards recognize and support existing uses, particularly marine oriented uses.

Addresses Issue 3

**IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

3. The Town should encourage the York Sewer District to extend public sewer to Harris Island. Sewer would make it easier to offer marine pump-out facilities and would lessen potential problems associated with the amount of use that occurs on this small area.

Addresses Issue 2

**LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE**

4. The lack of adequate parking in the summer is a chronic problem for this area. The Town has used signage and marked spaces to regulate existing parking in the area as best as possible. The presence of the Wheeler Refuge and lack of land area along Route 103 limits the Town's options.

Addresses Issue 4

**LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE**

5. The prime tool the Town has to protect the Wheeler Refuge is public ownership. Public ownership lessens the likelihood of use disputes. Unfortunately, few other inexpensive tools are available to protect this area that was designed to hold dredge spoils rather than support wildlife. For example, the banks to the Refuge are quite steep, the area is surrounded by roads, and there is little or no vegetated upland buffer between the road and the marsh. The Town also has little information regarding the "health" of this area.
No specific recommendations are offered. The focus should be to monitor the area to ensure chronic pollution does not adversely impact its environmental health.

Addresses Issue 5

ONGOING PRIORITY - NO SPECIFIC ACTION REQUIRED

SELECTMEN AND CONSERVATION COMMISSION TAKE LEAD ROLE
SOUTHSIDE ROAD/SEABURY ROAD/ROUTE 103/BRAVE BOAT HARBOR & WESTERN POINT AREA
LAND USE AREA #16 ON THE FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

This is a rural area framed by Route One to the west, the Atlantic Ocean to the east, the York/Kittery town line to the south and the York River to the North. It is nearly 6 sq. miles in size, about 10% of the total land area in York. The area’s many waterbodies, particularly the Atlantic Ocean, York River and Brave Boat Harbor, and to a lesser extent Indian Pond, Godfrey Cove Pond, Dolly Gordon Brook and Southside Brook, have influenced historic and current land use patterns. Many of the area’s homes have been located to allow dramatic views of these natural resources.

Natural resource dependent activities, agriculture, timber harvesting and commercial fishing, were some of the mainstays of early development in the area. These past uses continue to have a significant affect on current land use patterns as much of this area is owned by several large property owners, most of which were former farms. To date, many of these land owners have chosen not to sell or subdivide their land which has resulted in the many remaining areas of open land. The Blaisdell farm on Southside Road is also one of York’s last remaining larger active farms.

This has never been an area of intense development such as has occurred in the York Village - York Street area, but it has experienced significant amounts of construction over the last 20+ years. Nearly 10% (106 homes) of the homes built in York since 1987 (1,200+ homes) have been built in this area of Town. New subdivisions have occurred along Pepperrell Way, Brave Boat Harbor Road, Ledgewood Drive, Deacon Road, Woodside Meadows Road and most recently Jeffrey Drive. Most of these homes exceed the median housing value in York, and most residents view this as a very desirable area to live.

Much of this area remains heavily forested as the former farm fields have been allowed to grow over and the housing development which has occurred has often been tucked away into the trees. The area’s roads are rarely straight and the thick leafy canopy of specimen trees and occasional stone wall that hug the edge of the pavement help create a mystique in traveling along these ways. This area has its own feel, and much of the past and present development which has occurred has contributed rather than detracted from the area’s character.

DESCRIPTION OF EXISTING ZONING

All of this area is included in the RES-1A Zone, a protected residential zoning district that also allows agricultural and timber harvesting activities. The minimum lot size in this zone is 2 acres with 200 feet of frontage on a road. Structure setbacks are 50 feet front and 30 feet for the side and rear. This area was established as protected residential in the early 1980’s. The prior zoning allowed 20,000 sf lots and did not restrict uses.

The Town Shoreland Zone also applies to much of this area because of the area’s waterbodies, particularly the Atlantic Ocean, York River, Brave Boat Harbor, Dolly Gordon Brook and Southside Brook. Most wetlands in the area are associated with these resources. The majority of the Shoreland areas are in the Limited Residential Subdistrict which is consistent with the protected residential underlying zone. A short stretch near Rams Head is zoned Resource Protection.
ISSUES TO CONSIDER IN LOOKING TO THE FUTURE

Most of the area has a very rural and often secluded character because of the low density of existing homes and the significant amount of undeveloped open areas. It is uncertain, however, if present and future owners of these large tracts will continue to maintain these undeveloped areas as open land. The challenge confronting York is how best to retain the area’s existing character as more property owners choose to sell their land, which may be their primary asset, and allow it to be developed. Specific issues confronting this area include:

1. How best to retain the area’s “rural” character. This issue includes the preservation of existing open (undeveloped) lands.
2. How to preserve or support the remaining agriculture which occurs in the area, particularly the Blaisdell farm on Southside Road.
3. How to protect significant natural resource features that exist throughout the area, particularly the York River, Brave Boat Harbor, Southside Brook, Dolly Gordon Brook and area ponds.
4. How to ensure the quality of new development equals that of existing homes. For example, many of the existing homes in the Western Point/Brave Boat Harbor/Godfrey Cove area are among the best (highest value) in York.
5. How to foster public safety, particularly vehicular travel. The Route One/Beech Ridge/Southside Road intersection and Brave Boat Harbor/Route 103/Seabury Road intersection are problem intersections.
6. How best to benefit pedestrian/bicycle safety and access, including access to public lands, without adversely impacting area’s character.
7. Potential conflicts between ongoing development and traditional land use activities such as hunting.

PLAN RECOMMENDATIONS

It is often a daunting task to preserve what now exists without overly infringing upon an individual’s right to reasonable use of their property. The recommended approach is to use a variety of tools to manage the intensity of future development and to best protect significant natural resources and open areas. This will likely involve the expenditure of public funds in addition to adopting stronger zoning standards. Specific recommendations include the following:

1. The Town should adopt rural zoning for this area and consider implementing an explicit development control for the purpose of preserving the rural character of the area and minimizing development sprawl. Among the measures which might be considered are: the development district boundary ratio concept, and a CAP establishing specific limit(s) on the number of new residential units which could be built in this area. Measures such as this would ensure a decreasing percentage of York’s residential development occurs in this area for the period proscribed in the ordinance. This would help control future Town service costs and traffic considerations while preserving the rural nature of the area.

   Addresses Issues 1 and 2
   MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. The current zoning for this area is RES-1A, a protected residential zoning district that requires a minimum lot size of 1 acre with public water and sewer and 2 acres for all other situations. The recommended zoning district is rural, with standards appropriate to the area. For wooded lots along the existing main roads (except Western Point Road and Southside Road) incentives should be offered to maintain existing wooded areas along these roads.

   Addresses Issue 1
   MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE
3. Open space (cluster) layout should be the norm for new subdivisions, with a requirement that up to 50% of the buildable land and all of the significant natural resource areas remain as permanently protected open space. If the applicant agrees to retain 60% - 75% or more of the “buildable” land as permanent open space and the developed area is not readily visible from the main road, the applicant can receive a density bonus of 1 unit/lot for every 5 lots in the subdivision. The goal is to preserve existing character and natural resources while still allowing development of suitable lands.

Addresses Issues 1 and 3

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

4. The Town should encourage protection of the Blaisdell Farm, Rams Head Farm and Rams Head area on Southside Road by using the following approaches. The Rams Head area is the last large unspoiled open area adjacent to the York River located east of Route One.

- The Town should use its Open Space Acquisition Program funds to purchase these lands or the residential development rights to these lands.
- The Town should permit the transfer of development rights from these areas to developable areas along Bartlett Road on a 1 unit for 1 lot transfer basis.
- The Town should establish a “right to farm” program that allows significant property tax deductions for lands in these areas that are used for agricultural or open space purposes. This approach also prohibits neighbors from interfering with customary agricultural practices. This approach may require changes to State law. While many may view the current tax bill on these properties as minimal, taxes remain a significant expense.

Addresses Issues 1, 2 and 3

MID-TERM PRIORITY - SELECTMEN & PLANNING BOARD TAKE LEAD ROLE

5. See public water supply and sewer system policies in §1.1.2.

6. The Planning Board should encourage new subdivisions to include covenants requiring the size and quality of homes which is consistent with the neighborhood.

Addresses Issue 4

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

7. The Town should encourage the Federal government to continue to add to its existing holdings in the Rachel Carson National Wildlife Refuge as a way to protect this area, and consider using Town Open Space Acquisition Program funds to complement Federal dollars. The Refuge is a rich natural area that has experienced little recent disruption. The Town, however, should also encourage the Refuge to allow more regular passive public use (mostly walkers) in the reserve. Public access will help raise local consciousness of the need to financially support future acquisitions.

Addresses Issues 3 and 6

MID-TERM/LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE
8. The Town should ensure Town Shoreland Ordinances are strengthened to accomplish the following:

- Establish areas along Brave Boat Harbor as Resource Protection Subdistrict.
- Provide protection for all area streams as these are either direct tributaries to the York River or Brave Boat Harbor area as well as critical wetlands.
- Increase vegetation cutting standards along currently undeveloped areas of the York River and Atlantic Ocean to a minimum of 100 feet.
- Prohibit septic systems within 250 feet of the York River and 150 feet of any tributary stream.

   Addresses Issue 3

IMMEDIATE TO MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD

9. Many residents who attended the area Neighborhood Meetings expressed interest in obtaining bicycle and walking paths. The Town should strive to retain the existing character of these rural roads by not widening or straightening them or unnecessarily cutting or damaging the trees that line the roads. The Town should explore use of the former trolley right-of-way as a potential off-road bicycle path.

   Addresses Issue 6

   IMMEDIATE & ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

10. Investigate and then implement improvements to the Route 103/Brave Boat Harbor/Seabury Road intersection to lessen accident problems. Realignment of this intersection may be difficult, but neckdowns on Route 103 could reduce the speed of traffic as it approaches this intersection which could increase safety.

    Addresses Issue 5

   MID-TERM TO LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

11. Investigate and then implement improvements to the Beech Ridge Road/Southside Road/Route One intersection. MDOT has concluded this intersection meets signalization warrants, but installing a signal may be a drastic solution. There may be opportunities to realign some of Beech Ridge Road to improve the angle of the intersection.

    Addresses Issue 5
DESCRIPTION OF EXISTING AND PAST LAND USE

The York River is the dominant land feature in the Beech Ridge Road and Route 91 area. Both roads parallel its course and many area homes have been sited to enjoy views of or access to the River. The River’s navigability led to this section of Town being one of the first area’s beyond the Village Center that was inhabited. A significant number of the area’s historic structures remain, such as McIntire Garrison, which is in a beautiful field next to the River and served as a fortress for area residents to ward off Indian attacks.

Current land use in the area is quite mixed. It is one of the few areas that is not located on Route One or in a Village Center that has a significant amount of nonresidential development. Most nonresidential uses are less than 10,000 sf in size and involve manufacturing, particularly making wood products. There are also two new golf courses, a 9 hole course at Highland Farms that opened in 1996, and the Ledges located off Witchtrot Road that opened in 1998. Other nonresidential uses include a few retail establishments, such as the Brixham Grange Hall and Cider Hill Greenhouses, several bed and breakfast operations, and several of York’s last active farms, including the Zacharias farm.

An increasing number of new residents have also been attracted to the area’s rural character and have chosen to call this expansive area of York home. In the 1950's and 1960's most homes were built immediately along Beech Ridge Road or Route 91. This changed through-out the 1970's, 1980's and 1990's as former forest lands and agricultural fields were sold and developed as residential subdivisions. Riverwood, located along Salt Water Drive, is one of the larger subdivisions approved in the last 25 years. Other developments of 10 or more lots include: Payneton Hill, Hemlock Ridge, High Pine Road, Thomas Road, York Shores and Tide Meadows. The ongoing development of this area as residential housing has lead to some conflicts with existing and new nonresidential uses.

Beech Ridge Road and Route 91 also differ from most other "rural" areas of York because large sections of both roads are maintained by the Maine Department of Transportation. Rt 91 is a significant east - west travel corridor and is the road many residents of the Dover-Rochester area take to visit York's beaches. The dual nature of these roads - winding narrow country roads that also serve as major transportation routes - leads to additional conflicts with area residents.

DESCRIPTION OF EXISTING ZONING

Two zoning districts, the GEN-1 or GEN-2 zones, apply to this area. These are multi-purpose zoning districts that allow most uses; residential, retail and service businesses, offices, restaurants, hotels, industry, agriculture, and recreation. There are only minor differences between the GEN-1 and GEN-2 zones, such as gravel pits being permitted in GEN-2. The current minimum lot size requirement is 2 acres if either public water or sewer is available, and 3 acres if these services are lacking. All lots must have a minimum of 200 lineal feet of road frontage. All non-residential development must also satisfy applicable non-residential performance standards.

The Town Shoreland Ordinance also regulates activities in many areas, particularly the York River and many of its tributaries. Sections of the River that are presently undeveloped and most of the tidal flats near its headwaters are in the Resource Protection Subdistrict. This Subdistrict prohibits most development within 250 feet of the normal high water mark of the River. Other sections are in the Limited Residential Subdistrict. This zone limits the type of use to single family residential and requires a minimum setback of 100 feet from the River's edge. Use
conflicts occur between the more permissive underlying zone and the more restrictive Shoreland Overlay Zone.

The Watershed Overlay Protection Zone is on the boundary of this area. This district generally limits uses to residential and agricultural and also requires a 3 acre minimum lot size. The intent of this district is to protect the drinking water supplies for both York and Kittery.

**ISSUES TO ADDRESS IN LOOKING TO THE FUTURE**

This area has experienced a significant amount of residential growth over the last decade, about 15% of all homes (187 homes) built in York. This additional development has resulted in the ongoing loss of former open fields and woodlands, led to more traffic on these rural roads and spurred the need for additional town services. Most area residents, including the many who moved there within the last 10 years, view this as a desirable area to live. A large amount of open land remains, but the spread of houses has fostered conflicts with some traditional land uses, such as hunting. Concern has also been raised regarding the current “general purpose” zoning.

Specific issues that warrant attention include the following:

1. The amount of future development that will occur in this area and its impact on remaining open space, the character of existing development and the need for additional town services.
2. Potential conflicts between current zoning that allows most uses and the desire of some residents to limit future uses to mostly residential. Concurrent with this, the need to allow a wider range of uses in some section(s) of the community to provide opportunities for manufacturing and traditional industries.
3. The appearance of future development, both residential and nonresidential. Buildings need to “look good”.
4. Potential conflicts between ongoing development and how many locals have traditionally used this area for activities such as hunting.
5. The amount and speed of existing traffic, particularly along Route 91.
6. The desire for more pedestrian and bicycle path improvements.
7. The need to protect the area’s natural resources, particularly the York River and its tributaries.
8. The interest in better public access to the York River, but ensuring such access does not compromise the health of the River.
9. Water quality was cited as a concern. Most of this area is not served by public water.
10. The need for better quality fire protection was cited by many.

**PLAN RECOMMENDATIONS**

It is impossible for the Town to fully resolve the wide range of issues that arise in this area without seeking compromise. Some seek to change current zoning and land use to create a rural suburbia, others prefer no additional development, and strong sentiment lingers for this to be a minimal restriction area. This area warrants immediate attention by the Town as the remaining open lands will likely soon be subject to development if the economy remains healthy and people continue to flock to the seacoast area. The Comprehensive Plan Steering Committee believes implementing the recommended tools as a package will greatly help to address the issues confronting this section of Town.

1. The Town should adopt rural zoning for this area and consider implementing an explicit development control for the purpose of preserving the rural character of the area and minimizing development sprawl. Among the measures which might be considered are: the development district boundary ratio concept, and a CAP establishing specific limit(s) on the number of new residential units which could be built in this area. Measures such
as this would ensure a decreasing percentage of York’s residential development occurs in this area for the period prescribed in the ordinance. This would help control future Town service costs and traffic considerations while preserving the rural nature of the area.

Addresses Issue 1

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. The area is presently a general development district that allows most uses. The recommended zoning is rural, with standards appropriate to the area.

The intent is to allow a mix of uses while controlling the scale and impact of both residential and nonresidential uses. Residential development should have a rural character. All nonresidential uses must meet performance standards that regulate impacts such as traffic, parking, noise, lighting, appearance and litter.

Addresses Issues 1, 2, 3 and 4

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3. Manufacturing uses should be permitted in this zone. However, a new manufacturing use shall conform to strict performance standards. Performance standards shall manage impacts associated with the use, and aid in it being compatible with adjacent development. In addition, traffic impacts, particularly trucks, will be strictly regulated and an applicant may be required to fund road improvements.

Addresses Issues 1, 2, 3 and 4 (Implement with Recommendations 1 & 2 above)

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

4. The Town should give consideration to reserving an area for locating low impact nonresidential uses such as light manufacturing and service businesses. In doing so the Town should take into consideration the impact on the York River Watershed, the local road system and any existing adjacent residential development.

LONG-TERM PRIORITY – PLANNING BOARD TAKES LEAD ROLE

5. Reserved.

6. The Town should encourage new homes along Route 91 to meet increased front setback requirements. A setback of 100 feet or so would help preserve the rural flavor of this major east-west connector. Many of the newer homes along Rt 91 have voluntarily been set back at least 100 feet. This appears to be much less of an issue along Beech Ridge Road as many of the existing homes directly abut the road.

Addresses Issues 1 and 3

LONG-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

7. The open space (cluster) layout should be strongly encouraged for new subdivisions.

Addresses Issues 1, 3 and 7

ON-GOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

8. Residents who attended area Neighborhood Meetings expressed interest in obtaining bicycle and walking paths in the area. Walking/biking paths should be a consideration in new subdivisions. With the exception of Route 91 and Beech Ridge and Scotland Bridge Road, existing traffic volumes are low enough on the area’s rural roads to allow joint use by bicycles, pedestrians and vehicles. The Town can also benefit pedestrian and bicycle use of the area’s main roads by strictly enforcing current speed limits and posting signage that these roads are used for these purposes.

Addresses Issue 5 and 6

ON-GOING PRIORITY - SELECTMEN TAKE LEAD ROLE
9. The Town should establish additional protection for the York River watershed by including all tributary streams in the Shoreland Overlay Zone. The stream protection zone should require minimum vegetated buffers of 75 feet and strictly limit use in these areas.

   Addresses Issue 7
   IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

10. The Town should pursue acquisition of the tidal flats and headwaters of the York River and selected lands along its tributary streams by appropriate public entities such as, the Town of York or the United States Department of the Interior, Fish and Wildlife Service, Rachel Carson National Wildlife Refuge. Town monetary participation in this acquisition program should be looked at as a long term priority as these resources are less threatened than many other areas in York since much of the key river area is already protected by being in the Resource Protection Subdistrict of the Shoreland Zone.

   Addresses Issue 7
   LONG TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

11. Reference Town response to State Goal 5 and State Goal 7 for an outline of recommendations specific to allowing better access to the York River and protection of the River and its resources.

   Addresses Issues 7, 8 and 9

12. The Town should encourage the extension of public water to serve new subdivisions and existing residential areas to benefit fire protection. One tool could be to require water extensions for new subdivisions for a distance greater than current requirements; for example, 2,500 feet vs. 1,500 feet.

   Addresses Issue 10
   IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE
CHASES POND & SCITUATE ROAD  
LAND USE AREA #18 ON THE FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

Chases Pond Road and Scituate Road feature a mix of uses and lot sizes. The predominant use is single family housing, much of which directly fronts on either Chases Pond Road or Scituate Road. The larger subdivisions in the area were developed in the 1970's and occurred before the Town increased the minimum lot size from 1/2 acre to 3 acres. These subdivisions are located at Sunrise Terrace, Perkins Court, Old East Scituate Road and Preble Lane, and the Corn Swamp Road and Elizabeth Lane area. The increase in lot size often made it cost prohibitive to construct new subdivision roads and newer development has occurred on short gravel roads or directly along the main roads.

The area also includes a significant number of nonresidential uses. Examples of these uses include: public buildings such as the Town Public Works Garage, District Court House and treatment facility for the York Water District; small businesses such as Dixon Paving, Little River Auto and Bob's Auto Repair; and home occupations such as Arnold's Small Engine Repair and Windsor Hollow Farm that sells woolen products. In addition, many of the houses are small homesteads that raise small numbers of farm animals; horses, cattle, chickens and even llamas. These uses are consistent with the area's rural character.

Much of the area is forested. Fortunately, stretches of both Chases Pond Road and Scituate Road have not been developed and the forest lands directly abut the road, which creates a very rural character. In addition, some of the newer homes have been built far back from the main road and the property owners have chosen to leave a buffer of natural trees. Stone walls that harken back to when farming was the prime use also occur along stretches of the main roads.

Chases Pond Road and Scituate Road also lie at the base of Mt. Agamenticus and represent the eastern most reaches of the watershed for the public water supply. The York Water District obtains all of its water from Chases Pond and owns much of the surrounding land. The amount of District owned lands will help limit the maximum amount of development which may occur. Scituate Pond is not a public water supply and is one of the few larger ponds in York that is used for recreation.

Many of the area's parcels have poor soils or are wet. As the area also lacks both public water and public sewer these natural constraints must be recognized in considering the type and density of development which is appropriate. Scituate Road also follows its original lay-out and its many twists and turns and narrow width positively contribute to its character, but lessens the desirability of it safely supporting significant development.

DESCRIPTION OF EXISTING ZONING

All of the area is in the GEN-2 Zone, a General Development Zoning District. The district allows most uses; single family housing, service businesses, retail, hotels, restaurants, industry and public uses. The only uses prohibited are noxious activities such as junkyards and landfills. The Town adopted performance standards in the mid-1980's that all nonresidential uses must satisfy.

The minimum lot size is 2 acres if the parcel has either or both public water and public sewer, and 3 acres if both of these services are lacking. The minimum lot frontage is 150 feet if services are available and increases to 200 feet if there are no services. As noted, the current lot size has had the net effect of reducing the number of new subdivisions developed on new roads, but it has not curtailed new housing starts.
Shoreland Zoning also applies to all wetlands greater than 1 acre. Most wetlands and waterbodies are included in the Limited Residential Subdistrict and require a minimum structure setback of either 75 feet or 100 feet. Most of Chases Pond and a section of Scituate Pond, however, are included in the Resource Protection Subdistrict. This classification prohibits most uses from locating within 250 feet of the normal high water mark.

Areas that directly abut Chases Pond are also included in the Town's Watershed Protection Overlay Zone. This zone limits most uses to residential activities and requires a use to satisfy a wide range of performance standards.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

The future use of Chases Pond Road and Scituate Road present many challenges for the Town. This has traditionally been an area where most uses could occur, and few such areas remain in York. In addition, while residents of this area have expressed concern regarding potential overdevelopment, some residents who live east of I-95 who participated in their respective Neighborhood Meetings suggested this as a good area to allow more growth. Issues which likely warrant attention include the following:

1. The amount of residential development has been increasing and residents at the area’s Neighborhood Meetings suggested the Town should reexamine the current GEN-2 zoning. Participants stressed the need to protect residential uses.
2. Participants at the Neighborhood Meetings expressed concern regarding the amount of development that has occurred in the area and would like the Town to limit future development.
3. Concern was raised regarding the area’s character and how new development has not always blended in well with this character. Several noted that Chases Pond Road serves as a gateway to Mt. Agamenticus and buildings along the road should "look good".
4. Concern was expressed regarding the area’s natural resource base and how additional development could adversely affect these resources. The main concern was harm to the Mt. Agamenticus area.
5. Public safety was a major concern, both the amount and speed of traffic and the lack of pedestrian amenities.
6. Many stated they regularly use the woods and open lands around Mt. Agamenticus and they want to ensure these lands remain open to the public.
7. Water quality was cited as a concern. Most of the concern centered on the use of septic and the potential for overdevelopment.
8. Residents expressed interest in receiving better quality fire protection.

PLAN RECOMMENDATIONS

How best to manage land use in this area likely will present a major challenge for the Town. Many residents stated they would prefer the area be primarily residential, but the community also needs lands that can be used for multiple purposes. The Comprehensive Plan Steering Committee believes the thoughtful implementation of recommendations in this section can achieve the goal of this being an attractive area to live while still allowing nonresidential uses. Specific recommendations include the following:

1. The area is presently a general development district that allows most uses. The recommended zoning is rural, with standards appropriate to the area. The intent is to allow a mix of uses while controlling the scale and impact of both residential and nonresidential uses. Residential development should have a rural, not suburban character. All nonresidential uses must meet performance standards that regulate impacts such as traffic, parking, noise, lighting, appearance and litter. Addresses Issues 1, 2, 3 and 4

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE
2. The Town should adopt rural zoning for this area and consider implementing an explicit development control for the purpose of preserving the rural character of the area and minimizing development sprawl. Among the measures which might be considered are: the development district boundary ratio concept, and a CAP establishing specific limit(s) on the number of new residential units which could be built in this area. Measures such as this would ensure a decreasing percentage of York’s residential development occurs in this area for the period prescribed in the ordinance. This would help control future Town service costs and traffic considerations while preserving the rural nature of the area.

Addresses Issue 1
MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3. Manufacturing uses should be permitted in this zone. However, a new manufacturing use shall conform to strict performance standards. Performance standards shall manage impacts associated with the use, and aid in it being compatible with adjacent development. In addition, traffic impacts, particularly trucks, will be strictly regulated and an applicant may be required to fund road improvements.

Addresses Issues 1, 2, 3 and 4 (Implement with Recommendations 1 & 2 above)
IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

4. This area borders the municipalities only public water supply. It is critical future development does not adversely impact water quality.

Addresses Issues 2, 4 and 7
ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

5. The Town should encourage new homes along both Chases Pond Road and Scituate Road to meet increased front setback requirements. A setback of 100 feet or so would help preserve the rural flavor of these roads. In addition, incentives to conserve naturally wooded buffers along these roads should be offered.

Addresses Issue 3
MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

6. The open space (cluster) layout should be strongly encouraged for new subdivisions. The recommended open space standard is up to 50% of the “buildable” land and all significant natural resource areas remain as permanently protected open space. A key issue in this area is the preservation of existing forest lands and the character of the major roads.

Addresses Issues 1, 3 and 4
IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

7. The Town should encourage the York and Kittery Water District’s to continue their current approaches of purchasing undeveloped lands in their respective watersheds. This approach will help protect important natural resource areas.

Addresses Issue 4
ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

8. The Town should strongly encourage and fully participate in efforts to prepare and implement cooperative management planning for the publicly owned lands in this area. Planning efforts should include:

• How to minimize potential conflicts regarding the various approaches used to manage lands owned by different public entities.
• How to address potential conflicts between use of these public lands and adjacent private lands. For example, use of a path that crosses both public and private land.
• How best to protect vulnerable natural resources.
  Addresses Issues 4 and 6
IMMEDIATE & ONGOING PRIORITY
SELECTMEN TAKE LEAD ROLE & WORK WITH PARKS & RECREATION

9. Participants at the Neighborhood Meetings cited public safety as a concern and stated they would like the Town to construct bicycle lanes in the area. The approach recommended in this Plan is to install signage and conduct public information efforts that emphasize Chases Pond and Scituate Road are multi-use roads and that pedestrians and bicyclists have equal access to the road. The Town should explore the potential for the creation of a bicycle lane, keeping in mind expense and consistency with area character in determining the project’s feasibility.
  Addresses Issues 5 and 6
ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

10. The Town should explore the feasibility of establishing a fire station in the area west of I-95 and should consider relocating one of the existing fire stations to decrease the response time to this area. In addition, the Town should require the construction of fire ponds and dry hydrants where possible to provide more water sources for fire protection.
  Addresses Issue 8
MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE
DESCRIPTION OF EXISTING AND PAST LAND USE

Mountain Road, Logging Road, Clay Hill Road and the surrounding roads definitely have a rural feel. Most roads are fairly narrow in width with only minor shoulders and trees frequently overhang or cast shadows on the road. Single family housing is the predominant use and most houses directly front on one of the area's main roads. Most homes are lived in year-round and are more modest than in other sections of Town. Few subdivisions have been developed that involved the construction of new subdivision roads.

Most nonresidential uses are quite small in size and operate as home based businesses. Exceptions include Clay Hill Farm (restaurant), Arrows Restaurant and Linney's Nursery. Most existing nonresidential uses blend in well and cause few if any adverse impacts. The most common problem is the need for local residents to help struggling out-of-towners to find their way to Arrows or how to get back to Route One. Navigating the roads in this area is a learned experience.

Most land in the area is heavily forested which is a sharp contrast from the 19th century when farming was the common land use. There are many large tracts of undeveloped land which are forested, and several landowners practice timber harvesting as the main land use. A series of streams, such as the Josias River and Clay Hill Brook, cut-through the area and drain most of the water easterly toward Ogunquit. Soils mostly consist of ledge and clay and there is little top soil. Many sections are also quite steep as the three hills of Mt. Agamenticus form the area's northwestern boundary.

Traffic in the area mostly consists of local residents, but more nonresident traffic appears to be on the increase. South Berwick's recent action to upgrade Berwick Road from a very poor quality gravel road to asphalt has resulted in more east -west travel along this route and more nonlocals are using Mt. Agamenticus for short-term duration recreation, particularly mountain biking. The Town also will soon complete the rebuilding of the lower section of Clay Hill Road which leads to Ogunquit and is nearly 50% complete with the upgrade of Josiah Norton Road from dirt to pavement. These later actions likely will spur additional housing development along these roads.

DESCRIPTION OF EXISTING ZONING

This area is now included in two very different zoning districts. The section of Chases Pond Road in this area and the area north of Clay Hill Road (from the intersection of Clay Hill Road and Mountain Road to the intersection of Clay Hill Road and Josiah Norton Road) and North Village Road is in the GEN-2 Zoning District. Most areas along Mountain Road, Logging Road, Greenleaf Parsons Road and the lower section of Clay Hill Road are in the RES-2 Zone, a protected residential zoning district.

The GEN-2 zone allows most uses, single family, retail/service businesses, offices, industrial, auto sales and repairs, indoor and outdoor recreation, gravel pits, agriculture and timber harvesting. The minimum lot size is 2 acres if either public water or sewer is available, and 3 acres if these services are lacking. This compares to the 20,000 sf minimum lot size permitted in the early 1980’s.

The RES-2 zone only allows single family residential, home occupations, nurseries, agriculture and timber harvesting. The minimum lot size is 2 acres, regardless if public water and sewer
services are or are not available. This area was established as a protected residential zone in the early 1980’s.

There are several significant swamps and numerous small streams also subject to provisions of the Town Shoreland Overlay Zone. The wetlands are in the Limited Residential Subdistrict which restricts the use to single family housing and requires a setback from the wetland edge for all structures. The regulated streams are in the Stream Protection Subdistrict which stipulates no use within 75 feet of the stream’s edge.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

A significant number of homes were built in this large and meandering area over the last 10 years, most within eyesight of the area’s major roads. This amount of development has caused concern among area residents. It also raises issues regarding the Town’s cost of service delivery because of the distance to Town service centers. There are, however, many large tracts of undeveloped land remaining and most of these are heavily forested. Development in this area is mostly residential with some small scale nonresidential uses.

Specific issues which warrant attention include the following:

1. The amount and character of future development. A large percentage of new development has occurred along the major roads in the area which can cause problems with residents backing out of their driveways into the roadway, and which often adversely affects the presently forested roadside appearance.
2. The type of new development, particularly if nonresidential development occurs in a primarily residential area. Mixed use development was cited as a concern.
3. Conversely, the ongoing creep of suburbia into what is mostly a rural area and how this development pattern and the mindset of the people who often live in such developments adversely impacts (differs from) traditional land use activities.
4. The ability to recreate on the surrounding public and private lands, particularly those in the watershed and Mt. Agamenticus area. Many residents stated they routinely walk, bike and hunt in the Mountain area, and its presence is a key reason why they chose to live in this section of York.
5. The quality of drinking water and how it could be adversely impacted by additional developments.
6. The amount and speed of traffic on local roads.
7. The need for better quality fire protection.

PLAN RECOMMENDATIONS

The main goals are to effectively manage the amount of new development and ensure it does not detract from the area’s existing rural character. Much of this area has long been designated a protected residential zoning district and the existing nonresidential uses are small in size. Home scale businesses should be encouraged throughout this area, but larger scale uses should continue to be prohibited. The hope is the implementation of the approaches recommended below will achieve the main goals. Specific recommendations include the following:

1. The Town should adopt rural zoning for this area and consider implementing an explicit development control for the purposes of preserving the rural character of the area and minimizing development sprawl. Among the measures which might be considered are: the development district boundary ratio concept, and a CAP, establishing specific limit(s) on the number of new residential units which could be built in this area. Measures such as this would ensure a decreasing percentage of York’s residential development occurs in this area for the period prescribed in the Ordinance. This would help control future Town service costs and traffic considerations while preserving the rural nature of the area.
2. The area should be established as a rural zone. Permitted uses include single family, class 3 home occupations, agriculture/animal husbandry, and timber harvesting. Class 3 home occupations will allow homeowners to operate small scale businesses. The current “forested” character of the undeveloped roadside should be conserved by offering incentives to maintain the naturally wooded buffers along the roads.

Addresses Issues 1, 2 and 3

3. The Town should adopt provisions to allow existing non-conforming uses to continue and to expand. Expansions must occur within existing lot lines and must satisfy performance standards that are designed to control nuisance concerns; noise, odors, lighting, and similar impacts.

Addresses Issue 2

4. New houses which occur on lots along major roadways should be required to construct driveways with turn-arounds on their property, and the Code Enforcement Officer should have the authority to stipulate driveway location. The intent is to improve public safety on the frequently traveled major roads.

Addresses Issue 1

5. Open space (cluster) layout should be encouraged for new subdivisions.

Addresses Issues 1, 3 and 7

6. The Town should support resident use of the Mt. Agamenticus area for recreational purposes by pursuing the acquisition of additional lands in this area and encouraging low intensity recreational use of these areas (reference Mt. Agamenticus/Watershed area discussion).

Addresses Issue 4

7. The Town should further protection of the area’s natural resources by ensuring all streams are included in the Shoreland Overlay Zone. Many of the areas small streams are now unprotected.

Addresses Issue 1 and 5

8. There is little opportunity to reduce current traffic volumes and to control the speed of what is mostly local resident traffic. The best ways to aid this approach is to retain the current character of existing roads, to require similar road lay-outs in new projects and to encourage police patrol and enforcement of current speed limits.

Addresses Issue 6

9. Reserved.

10. The Town should strongly encourage and fully participate in efforts to prepare and implement cooperative management planning for the publicly owned lands in this area. Planning efforts should include:
• How to minimize potential conflicts regarding the various approaches used to manage lands owned by different public entities.
• How to address potential conflicts between use of these public lands and adjacent private lands. For example, use of a path that crosses both public and private land.
• How best to protect vulnerable natural resources.

Addresses Issue 4
IMMEDIATE & ONGOING PRIORITY
SELECTMEN TAKE LEAD ROLE & WORK WITH PARKS & RECREATION
DESCRIPTION OF PAST AND EXISTING LAND USE

The Mt. Agamenticus area mostly consists of forested lands that have experienced only minimal development. This was not always the case as small farms with grazing animals was the predominant use less than 100 years ago. A walk through the woods reveals the stone walls that were used to identify property lines and coral livestock and the cellar holes of former farmhouses. There are also a large number of private (family) cemeteries that bear witness to the struggles of former residents to earn a living from this rocky land.

The lack of development in the area partly reflects the difficult (steep) terrain, the distance from Town roads and services and the interest of private land owners to use the land for timber harvesting activities. The amount of development also has been curtailed by the large amount of land in public ownership. Combined, the York Water District, Kittery Water District, State of Maine, Nature Conservancy and Town of York own over 5,000 acres. The Water Districts have improved their water reservoirs and impoundments, but have left most of the land in its natural state. Public ownership of this area has created an outdoor recreation area for hiking, mountain biking and hunting that is unequaled for any town located along the coast.

The little development which has occurred consists of single family houses, several of which also operate small home based businesses. Many of these lots comply or nearly comply with current minimum lot size requirements, 3 acres. To date, existing residential development has posed few significant threats to the area's natural resources. Greater problems have occurred through the indiscriminate abuse of the land by visitors, such as people who have chosen to illegally dump their household and business waste along one of the narrow gravel roads.

Mount Agamenticus and the surrounding land is clearly a local, regional and state treasure. It is an area where the northern forest meets the southern forest to create a unique mixture of plant species, some of which are endangered. Recent research efforts to identify vernal pool locations and blanding and spotted turtle habitat identified Mt. Agamenticus as prime habitat for these rare turtles. The view from the top of the fire tower at the Mountain spans from Mt. Washington to coastal Massachusetts, and gives the observer a better sense of how short the distance is from the coastal lowlands to the Mountain.

The presence of these fragile resources and the increasing amount of visitor use is also raising growing concern that the Mountain may be becoming overused. Recent efforts have been undertaken to get a better handle on the types of activities which are occurring at the Mountain and how they can best be managed.

DESCRIPTION OF EXISTING ZONING

The underlying zoning district for all of this area is the GEN-2 Zone, a general purpose zone. This zone allows most uses including residential, commercial/service businesses, restaurants, hotels, offices, industrial, auto sales and repairs, outdoor and indoor recreation, gravel pits, agricultural and timber harvesting. The minimum lot size is 2 acres if either public water or sewer is available and 3 acres without these services. The zoning changed in the early 1980's by requiring an increase in minimum lot size.

Much of this area is also included in the Watershed Overlay Protection Zone. This Overlay Zone was established in 1987 to better regulate uses that occur in the respective watersheds for the York and Kittery Water Districts. The minimum lot size is 3 acres and the range of permitted uses is more restrictive than in the underlying GEN-2 Zone. Only single family houses, agriculture,
timber harvesting and home occupations are permitted, and all uses must meet strict performance standards.

All major ponds, including Bell Marsh Reservoir, Boulter Pond, Folly Pond, Welch's Pond, Middle Pond, nearly all of Chases Pond, and nearly half of Scituate Pond, are also located in the Resource Protection Subdistrict of the Shoreland Zone. This zoning status prohibits any development within 250 feet of the normal high water mark of the waterbody. There are other large wetland systems in the area and these are included in the Limited Residential Subdistrict of the Shoreland Zone which limits the type of use to residential and requires a setback from the wetland edge.

**ISSUES TO ADDRESS IN LOOKING TO THE FUTURE**

To date, little residential development and virtually no nonresidential development has occurred in this area that encompasses roughly 12 square miles, or over 20% of York’s total land area. Many factors have contributed to this lack of development, including but not limited to, the remoteness of the area from town service centers, the large amount of publicly owned lands, the decision of current large land owners not to sell their vacant land and the topography of the area including poor soils. The undeveloped state of this area has presented York the opportunity to further protect and save an area which warrants saving. Identified issues include:

1. Water quality, particularly protection of York’s and Kittery’s water supply, is a prime concern.
2. Protection of the area’s natural resources, including its forest lands, wildlife habitat, rare and endangered plant species, and wetlands, including vernal pools.
3. Concern regarding how future residential or non-residential development could adversely impact this area.
4. The relatively scattered pattern of existing development and its remoteness from Town centers greatly increases the cost to deliver Town services.
5. There are at least four public entities which own land in this area, the Town of York, York Water District, Kittery Water District and the State of Maine, Department of Inland Fisheries and Wildlife. There is a need for cooperative management of these public lands and an ongoing program to acquire additional land.
6. Potential conflicts between use of the area’s public lands and adjacent private lands.
7. The need for better timber harvesting standards to regulate on-going timber harvest operations.

**PLAN RECOMMENDATIONS**

The small amount of existing development of the area’s natural resources underscores the need for the Town to act now to further protect this area. The past efforts of the State, town, the York and Kittery Water Districts, and many York residents has resulted in the public or quasi-public ownership of nearly 5,000 acres on the Mountain and surrounding watershed. The focus of the recommendations in this Plan is how best to achieve land and natural resource protection while preserving reasonable use of privately owned lands. Specific recommendations include the following:

1. The Town should establish this area as a rural zone, with standards focused on protection of the important natural resources which abound in this area. This proposed zone should require very low density and strictly limited uses. Performance standards similar to those now in effect for the Watershed Overlay Protection Zone would also apply to all development.

Addresses Issues 1, 2, 3, and 4

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

2. The Town should adopt standards to expand the number and type of wetlands included in the Shoreland Overlay Zone, particularly significant vernal pools and all area streams. Also,
additional wetlands and waterbodies in this area should be considered for designation in the Resource Protection Subdistrict.

Addresses Issues 1 and 2
IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE

3. The Town should actively pursue the purchase of additional privately owned lands in the Mt. Agamenticus area. The Town's efforts require close cooperation with the ongoing efforts of the Nature Conservancy, York Water District and others who are working to purchase area lands. The proposed Town Open Space Acquisition fund could assist in accomplishing these purchases.

Addresses Issues 1, 2, 3, 4, 5 and 6
IMMEDIATE AND ONGOING PRIORITY - SELECTMEN TAKE LEAD ROLE

4. See public water supply and sewer system policies in §1.1.2.

5. The Town should strongly encourage and fully participate in efforts to prepare and implement cooperative management planning for the publicly owned lands in this area. Planning efforts should include:

- How to minimize potential conflicts regarding the various approaches used to manage lands owned by different public entities.
- How to address potential conflicts between use of these public lands and adjacent private lands. For example, use of a path that crosses both public and private land.
- How best to protect vulnerable natural resources.

Addresses Issues 1, 2, 5, and 6
IMMEDIATE & ONGOING PRIORITY
SELECTMEN TAKE LEAD ROLE & WORK WITH PARKS & RECREATION

6. The Town should adopt reasonable timber harvest standards to regulate these activities, both inside and outside the Shoreland Overlay Zone. Sustainable timber harvesting is currently being practiced by local landowners and this use should be encouraged. A permitting process should be implemented for proper review.

Addresses Issue 7
MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

7. The Town should ensure privately owned lands that are devoted to sustainable timber harvesting practices are assessed at a rate that fosters the long-term use of the property for this purpose. A companion method is to encourage the conveyance of the residential development rights to a non-profit entity through a conservation easement in return for the property owner retaining the timber harvesting rights. The intent is to encourage environmentally sound timber harvesting standards and to encourage the long-term preservation of open space..

Addresses Issues 6 and 7
MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

8. The Town should discourage the extension of additional service/access roads into the area, particularly paved roads, as a means to manage development sprawl. The Town should also deliver emergency services only and not regular services such as trash/recycling pick-up to residences located on very substandard roads in the area.

Addresses Issue 2
MID-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE
9. Consideration should be given to implementing a transfer of development rights program directed at further preserving desirable forest area in this proposed natural resource protection area.

MID TERM PRIORITY - PLANNING BOARD TAKE LEAD ROLE
ROUTE ONE AREA
LAND USE AREA #21 on the FUTURE LAND USE MAP

DESCRIPTION OF PAST AND EXISTING LAND USE

Route One is a major north - south highway. Until construction of Interstate-95 in the late 1960's - early 1970's, it was the main highway that connected York to its southern and northern neighbors. Route One spans over 10.5 miles in York and it and I-95 form the boundary that separate the village area (eastern York) from the rural area (western York). Retail and service businesses choose to locate along the Route One corridor because of the heavy amount of seasonal and year-round traffic it experienced.

York's Route One corridor, partly because of its length, has many different characters. Unlike many Maine towns, including neighboring communities such as Ogunquit, Wells and Kennebunk, Route One does not pass through or form York's "downtown". There is a sharp contrast between Route One in Ogunquit that is intensely developed and where cars rarely travel more than 25 mph and the last 2 mile stretch of Route One in York that leads into Ogunquit. In York, this section is little developed and features an open 2 lane road with wide shoulders and a maximum speed limit of 50 mph (many treat 50 mph as a minimum speed limit).

The most densely developed areas along Route One in York are from Brickyard Court (Mic-Mac Hotel) to the south to Fieldstone Estates Drive to the north, and in the Cape Neddick Village area. The former area is the site of 2 shopping malls, the Meadowbrook Plaza, the new Hannaford Shop n' Save grocery store (opening in 1999), and 2 office parks, Cottage Place and Bragdon Commons. Several restaurants, convenience stores/gas stations, individual offices and retail stores, hotels and small industries are also located in this area. There are, however, many remaining open areas, particularly near the I-95 Spur Road. Many residents feel the "bovine field" next to the Spur Road and the Chamber of Commerce Visitors Center at the intersection of the Spur Road and Route One help define York's rural and historic character.

The Cape Neddick Village area is the one section of Route One in York where the highway narrows and the houses and businesses are built immediately along the road shoulder. These businesses are small locally owned enterprises such as Flo's Hot Dog Stand, Cranberry Hill Antiques, Pie-in-the-Sky bakery, Cat n' Nine Tails convenience store and Franey's Landscaping and Garden Center. Most of the homes are quite modest and are built on rather small lots with little road frontage. In the summer, the amount of traffic often makes it difficult to turn onto Route One from side roads such as Clark Road, Route 1A and River Road.

A frequent statement uttered by many York residents is that Route One in York does not look like Route One in other towns. Residents say this proudly and often oppose development they do not feel is consistent with York's character. For example, York is likely one of the few towns in Maine and perhaps along the eastern seaboard that does not allow fast food restaurants along Route One. How best to manage development along Route One is a complex challenge confronting York. It is an area where larger uses should locate, but it is equally important the area retain many of its current rural characteristics.

DESCRIPTION OF EXISTING ZONING

The Town of York Planning Board, in 1995-1996, conducted a comprehensive planning process for the Route One area that led to the preparation and Town adoption of revised zoning ordinances. Over 65% of the electorate voted in favor of the Route One Ordinance amendments. Six zoning districts were established for this 10+ mile corridor as were performance standards to better manage impacts associated with nonresidential projects.
The Town adopted its initial zoning ordinances specific to the Route One area in 1982. The 1982 Ordinances divided Route One into three zones: HWY-1, a medium intensity use zone; HWY-2, a high intensity use zone; and HWY-3, a fairly low intensity use zone. Most HWY-1 and HWY-2 land use located between the Mic-Mac hotel to the south and the Wild Animal Kingdom Road to the north. Performance standards were also established. The zoning districts, however, did not limit the amount of lot coverage or the number of housing units on a lot (density).

The Ordinances adopted in November 1996 reflected the direction provided during the Route One planning process. The goals were to ensure all uses along Route One "look good", are located in appropriate areas and reflect the character of surrounding development. All nonresidential uses must satisfy extensive performance standards that address the impacts caused by a use (traffic, landscaping, lighting, etc.). Key features include requiring most parking being located to the side and rear of a structure and the need for good quality landscaping. In addition, density standards of 1 residential unit per minimum lot size were adopted. The general requirements of the six separate zones are outlined below.

Route One-1, the River Zone: This district includes the area on the east side of Route One from the York/Kittery Town line to River Bend Road, and the Goodrich Park area on the west side of Route One. It allows only single family residential, home occupations and small professional offices. The minimum lot size is 2 acres. This is a very low intensity use zone.

Route One-2, the Small Makes Sense Zone: This district allows a variety of small scale nonresidential uses; offices, retail stores and service businesses under 5,000 sf, restaurants and hotels, and single family residential. The area includes the west side of Route One from the York/Kittery Town line to Brickyard Court (except Goodrich Park), the area from Fieldstone Estates to Rogers Road on the east side of Route One, and the area from Nason Road to directly across from the Woods to Goods on the west side of Route One. The minimum lot size is 1 acre.

Route One-3, the Big Makes Sense Zone: This district requires a 2 acre minimum lot size and allows most uses, industrial, retail (less than 20,000 sf), service business, professional office, restaurants, hotels, and single family residential. This area allows the greatest amount of lot coverage of all zones on Route One and also the largest scale and greatest variety of uses. It is the zone where the Town wants large scale activity to occur. It includes from the Mic-Mac Hotel to Fieldstone Estates Drive on the east side of Route One and from Brickyard Court to Nason Road intersection on the west side of Route One.

Route One-4, Tourism/Recreation: This zone was designed to allow recreational and tourism related uses, including amusement parks, hotels, motels, small scale retail stores and small scale professional offices. It includes all of the York Wild Animal Kingdom and surrounding land on the east side of Route One, and from Woods-to-Goods to Randy Small’s Fitness Center on the west side. The minimum lot size is also 2 acres.

Route One-5, Cape Neddick Village: This zone was established to allow new structures and uses to reflect the character of the existing village. The zone allows the following; small front and side setbacks; a moderate amount of lot coverage (50%); and small scale retail, office and service businesses, restaurants, and single family residences. The minimum lot size in this zone is 1 acre rather than the 2 acres required in most other Route One zones. It includes the land along both sides of Route One from where the road narrows from 4 lanes to 2 lanes to the Mountain Road area.

Route One-6, Rural Mixed Use: This zone includes the land along both sides of Route One from Mountain Road to the York/Ogunquit border. The area west of Route One approaches 1,200 feet in depth, but the area on the east side is only 500 feet in depth because of the large number of residences along Pine Hill Road. The zone allows industrial uses and small scale commercial uses, if the use is setback more than 100 feet from Route One and retains a naturally vegetated
buffer that is 100 feet in depth, and it also allows single family residences. The minimum lot size is 2 acres.

**ISSUES TO ADDRESS IN LOOKING TO THE FUTURE**

The Comprehensive Plan Steering Committee did not conduct a specific Neighborhood Meeting for the Route One area. The Committee followed the Planning Board's lead and decided the 1995-1996 Planning Board's comprehensive Route One planning project greatly lessened the need for an additional public participation program. The Committee, however, received comments regarding Route One at the January-February 1998 town-wide meetings and at subsequent Neighborhood Meetings conducted for other areas of town. The issues described in this section were identified through the above processes:

1. The Town should manage land use along the Route One corridor to ensure appropriate scale uses occur in desired areas. All businesses should "look good" and cause minimal adverse impacts so they can be considered an asset to the community.
2. The Town should protect specific resources and areas along Route One, including the Spur Road entrance to York, the York River, the character of Cape Neddick Village and the rural character of the area leading into Ogunquit.
3. The Town should manage future traffic use along Route One and encourage the Maine Department of Transportation to recognize that Route One is a major local road artery and not simply a highway to move traffic to Ogunquit.
4. Public sewer service is needed for areas where development should occur that now lack this service.

**PLAN RECOMMENDATIONS**

Specific recommendations include the following:

1. The Town should retain the comprehensive revisions to the Route One Zoning Ordinance adopted by voters in November 1996. The Planning Board engaged in a 2 year process of working with the public to identify a vision for Route One and prepare zoning ordinance amendments to implement this vision. The Board, during this process, also noted that this area Plan and the subsequent Ordinance amendments was being conducted as an element of the upcoming (1998 - 1999) Comprehensive Plan. The Route One area is divided into 6 zones which allow differing types and scales of uses. Detailed performance standards were adopted to manage the appearance, service demands, traffic impacts and similar issues associated with these uses. The Town, however, should regularly monitor the effectiveness of this Ordinance to achieve the stated goal - Route One should look good and serve the needs of both residents and visitors - and amend it as warranted.

   Addresses Issue 1
   **ON-GOING PRIORITY - NO SPECIFIC ACTION NEEDED**
   PLANNING BOARD TAKES LEAD ROLE

2. The Town should amend the current Route One Zoning to establish a protective visual overlay zone for the area bordering the Spur Road. This area is currently zoned Route One-3 which allows large scale uses. For example, the proposed visual overlay zone could allow a use no greater than 5,000 sf per minimum lot size as determined by the amount of buildable land, and require effective screening from the Spur Road to help protect the existing visual character.

   Addresses Issue 2
   **IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE**

3. The Town should actively pursue the purchase of lands bordering both sides of the Spur Road to help protect the rural character many residents have spoken of fondly - the
“bovine factor”. This land should be a prime candidate for use of the proposed Open Space Acquisition Program funds.

Addresses Issue 2

IMMEDIATE TO LONG-TERM PRIORITY - SELECTMEN TAKE LEAD ROLE

4. See public sewer system policies in §1.1.2.

5. See public sewer system policies in §1.1.2.

6. The Town should adopt new sign standards for Route One. This is an issue which was not completed during the Route One Zoning Ordinance revisions adopted in 1996. The sign standards should recognize the character of the area, a high travel highway corridor. Signage, however, should complement the desired appearance of the area. For example, larger signs may be appropriate if standards such as the following are met: signs must be made of wood, brick, or metal; no plastic materials; no interior lighting, only indirect lighting; and no lighted signs when a business is not open. The Town should also consider achieving this appearance for both existing and new businesses by establishing a time limit, perhaps 5 years, on how long a non-conforming sign can be used. This time limit should allow existing businesses to amortize the cost of the non-conforming signage before being required to erect new signage.

Addresses Issue 1

MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE

7. The Town should address increasing traffic volumes on Route One by requiring new developments to provide center left/right turn lanes in the area from the Mic-Mac Hotel to the south to Abbot Brothers to the north. The ongoing development of businesses in this area will create additional turning conflicts. The Town and State should also consider paying the cost of selected public improvements. Conversely, the other sections of Route One should maintain the current drive/traffic patterns that contribute to the area’s character, particularly the center of Cape Neddick Village, and which help keep down speeds.

Addresses Issue 3

ONGOING PRIORITY - PLANNING BOARD TAKES LEAD ROLE

8. The Town should install good quality signage to help direct people to the Long Sands/Short Sands Beach area.

Addresses Issue 3

IMMEDIATE PRIORITY - SELECTMEN TAKE LEAD ROLE

9. The Planning Board should review the design criteria in the Route One Ordinance to improve the application or the Ordinance to different uses and structure sizes.

Addresses Issue 1

ON-GOING - PLANNING BOARD TAKE LEAD ROLE
DESCRIPTION OF PAST AND EXISTING LAND USE

The Green Enterprise Recreation Overlay District is an area in excess of 300 acres. It spans Route 1 to the West, Main Street to the north and east, Horn and Rogers Roads to the South, and Railroad Avenue in York Beach to the east. Currently held by multiple property owners, much of the land is undeveloped, with the largest exception being the inclusion of the entirety of York’s Wild Kingdom Zoo and Amusement Park. The land includes a large wetland complex, much of which is included in the Shoreland Zone. This wetland, several streams, and smaller wetlands all coalesce into a single outlet which transits through natural and artificial water channels to exit from a penstock on the popular tourist beach of Short Sands in York Beach Village. Thus, the quality and volume of the water discharge from this brook is both crucial to the tourist economy of York Beach and completely dependent on the hydrological conditions in the project area. The Town of York has recently purchased over 50 acres for municipal use, including plans for a public access road from Route 1 to York Beach, and a new police station. Currently, the property, located in the Town’s Growth Area, is one of the largest undeveloped land areas in York east of US Route 1.

DESCRIPTION OF EXISTING ZONING

This area consists of the following six base zones: Route1-4, Route 1-5, RES-6, RES-7, GEN-3, YBVC. The zones that constitute the largest portion of land are Route 1-4 and GEN-3, together comprising approximately 2/3 of the land area. The Route One district is designated for small commercial activities and limited outdoor recreation, GEN-3 and YBVC offer extremely large ranges of use possibilities, with the Residential zones being comparatively restrictive. Similarly, the dimensional standards for each zone vary considerably, from 25% to 100% lot coverage, for instance, and associated differences in setbacks and density standards.

In addition to the above base zones, this area is also partially in the Mixed-Use Shoreland Overlay District, the Wetlands Protection Overlay District, and in a floodplain.

ISSUES TO ADDRESS IN LOOKING TO THE FUTURE

This Land Use Area has been identified as a result of a thorough planning process over a two year period, after the Planning Board was given a charge in 2009, through the Board of Selectmen, to develop a vision for the land between Route 1 and the York Beach Fire Station for the maintenance and development of an attractive, economically viable, safe, pedestrian and family-oriented environment, with a vibrant mix of business uses. Towards that goal, the Planning Board identified issues through researching the history of the area, gathering vast data on existing environmental conditions, inviting in various Town Staff to share their perspectives at workshops, as well as meeting with environmental and economic development professionals for input. All of these meetings were open to the public for viewing and participation. Direct public input was solicited on various occasions through multiple public input meetings, a paper and online questionnaire, and in-person interviews conducted by the Planning Board in York Beach over the summer of 2010. In addition, the Planning Board performed a series of site visits. Below is a list of issues identified over the course of the planning process.

As the title Green Enterprise Recreation Overlay District suggests, any development of this land is to be done with the utmost consideration for the amount, type and intensity of development it can support while still meeting the goals of sustainability.
1. **Infrastructure.** This area will require costly water and sewer infrastructure, which will need to be strongly considered when considering any significant development of the property.

2. **Transportation and Parking.** The transportation and parking needs of York Beach should be strongly considered in the course of any improvements; this includes the likelihood of a new road between Route 1 and York Beach, shuttle service from parking areas, or other means of reducing the need of cars to enter downtown York Beach.

3. **Water Quality.** The existing condition of the land, with its large, healthy wetland complex, determines the quality of water entering Short Sands Beach, as well as to the ability of the area to infiltrate water. The goal of sustainability includes not impairing and protecting water quality, and not contributing to the flood risk of an already floodprone area -- critical concerns that need to figure prominently in any discussion of development or change here.

4. **Character of Development.** A goal for this area is ensuring that any commercial development that occurs be varied and vibrant mixed use and of a scale complementary with that of York Beach. Both single family housing and large, monolithic retail box stores were identified as development definitively not desired.

5. **High Value Plant and Animal Habitat.** This property has high plant and animal habitat value, as well as stormwater and flood retention value. This is evident from the research and data collected by the Planning Board on the existing conditions of this land, and reinforced by Maine Department of Inland Fisheries and Wildlife. Beginning with Habitat Maps which identify this land as important by several standards:
   a. regionally important for its place in a network of rare plant and wildlife communities, and its high wetland functions such as control of runoff and flood flow;
   b. important for its natural stormwater control, water filtration, and erosion and sedimentation retention;
   c. important to finfish habitat by virtue of the proximity of this undeveloped land to the Atlantic Ocean; its role as an undeveloped habitat block that provides support for plant and animal life has been noted;
   d. and important as the location of rare plants and rare, threatened or endangered wildlife.

Due to the high habitat values of this property, and its proximity to the ocean and other forms of outdoor activities, much of this land is most appropriate for conservation or low impact recreation and entertainment.

6. **Consistency with Historic, Pedestrian Oriented Character of York Beach.** Any development in the area should be consistent with the historic character of the area, particularly that of the distinct, walkable center of York Beach, born of its history as a seaside destination.

7. **Family Friendly Destination.** It has been repeatedly, and from many quarters, mentioned that it is important that this area remain a family-friendly destination, with food, entertainment, and amenities that continue to cater to family visits and vacations.

8. **Public/Private Partnerships and Funding.** The current ownership of this property – both municipal and private - the infrastructure needs, as well as the suitability of
much of this land for preservation and recreation, lends itself to public/private partnerships and potential support in the form of grants.

9. **Growth to Support Existing Businesses.** Whatever growth may occur in this area, efforts should be made to ensure that it supports existing businesses, rather than detract from them. To this end, efforts need to be made to have growth be contiguous with existing downtown York Beach, to not mimic the sprawling patterns emerging on US Route 1 that so sharply contrast with that of the downtown, and foster connections with York Beach in terms of the physical and architectural character of the area as well as the range of family-friendly businesses and attractions. Thus, ideally development would occur from the York Beach end of the property, outward towards US Route 1, rather than the reverse.

10. **Housing.** If housing is developed in this area, it should be housing that is integral to mixed-use development, as in apartments above ground floor commercial development, and/or of the kind that adds housing stock long identified as needed in York, such as that for seasonal workers or workforce affordable housing. It’s imperative that any housing created be consistent with the village scale and character intended for development in this area.

11. **Tourism.** Tourism is integral to York, York Beach, and the existing businesses on Route 1, and any new proposals that deal comprehensively with this area, whether development applications or Zoning amendments, should support tourism as a crucial and sustainable industry of York.

12. **Pedestrian and Non-vehicular Needs.** Comprehensive Planning for this area provides an opportunity to give pedestrian and non-vehicular needs plenty of forethought. This includes prioritizing the ample opportunities for trail development, building pedestrian and bicycle access into any new roadway(s) built in this area, making sure there is connectivity between roads and trails in the area, and pursuing shuttle or trolley service plans that will contribute to a pedestrian-friendly environment and provide alternatives to car-only access to York Beach. This property could and should serve as an excellent connector between the trails and recreational opportunities of Mt. Agamenticus and the Atlantic Ocean, and provide the potential for increased parking for York Beach center.

**PLAN RECOMMENDATIONS**

Specific Recommendations include the following:

1. A Green Enterprise Recreation overlay district should be created that employs tools that acknowledges the unique attributes of this land. To that end, the overlay should consist of four subdistricts, outlined below. Each of the recommendations below is made with the assumption that they will take place within the context of a new Green Enterprise Recreation District.

   a. Route 1 Mixed Use Area. This area should extend approximately 400 feet back from Route 1. This subdistrict would serve as one of the entrances to this property, and eventually to York Beach. Though it should be zoned for a different scale and range of uses than York Beach, all effort should be placed to ensure that this area does not develop in a single-use strip development pattern, and that it be required to develop a traditional pattern that is an organic extension of the York Beach village area, and its recently adopted Design Standards, rather than an abrupt break from it. This area has great possibility as a transportation
hub, allowing for a dense, viable mix of uses consistent with a downtown development pattern.

b. York Beach Mixed Use Area. East of the Route 1 Mixed Use Area, and south of the Shoreland Zone that is dominates the center of this overlay. This area should be most consistent with the existing York Beach area, in appearance, scale, and range of businesses.

c. Recreation Area. The land east of Route 1 and north of the areas Shoreland zone is best suited for a dedicated recreation area, providing low impact outdoor recreation areas, outdoor education opportunities, some outdoor entertainment, and with some small footprint, accessory commercial structures allowed.

d. Protected Natural Resource Area. The Green Enterprise Recreation District contains wetland, streams, and vernal pools that are protected by local, state and federal regulations. This designation seeks to reinforce this status for wherever these resources are identified, and to refine the standards for development in the immediately adjacent Shoreland Zone. Currently permissive in the range of uses permitted in Shoreland, there is an opportunity to refine the performance standards of impact of those uses as they occur, so as to be compatible with these fragile natural resource areas.

IMMEDIATE PRIORITY – PLANNING BOARD TAKES LEAD ROLE

2. York’s Wild Kingdom is important to the tourism economy of York. This operation meets the much cited goal of keeping York Beach a family-friendly destination, with food, entertainment, and amenities that cater to family visits and vacations. It is located in the Route 1-4 zoning district, which currently allows a range of recreational establishment, making the site currently conforming. York’s Wild Kingdom should continue to be supported by local regulations, with consideration given to its future maintenance and development.

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE
3. There should be coordination between the Planning Board, the Board of Selectmen, Department of Public Works, and the York Sewer Department and York Water Department to develop an infrastructure masterplan for this area. The masterplan should prioritize improvements along with estimated costs and schedules for water, sewer, drainage, roadway, sidewalk, path, public space and streetscape projects.

MID-TERM PRIORITY – PLANNING BOARD TAKES LEAD ROLE

4. The Town should pursue grants and potential partnerships with organizations such as the York Land Trust, the Nature Conservancy, The Trust for Public Land or state departments such as the State Planning Office, Inland Fisheries and Wildlife, and Maine Bureau of Parks and Lands, wherever possible for the acquisition and management of land deemed most suitable for dedicated recreation and conservation.

ON-GOING PRIORITY – SELECTMEN & PLANNING BOARD TAKE LEAD ROLE

5. The Town should support the continuing operation of existing businesses by rezoning areas within the Green Enterprise Recreation Overlay District adjacent to downtown York Beach to ensure they are complementary with existing character. Rezoning should also support the current Zoning goals for York Beach: that the area promote an attractive, inviting, safe, pedestrian-focused, family oriented environment; safeguard the historic flavor, character and diversity; safeguard clean healthy beaches; and help support coordinated improvements to businesses, residences and public places through a predictable and timely process. This goal should be expanded to all developable land in this particular area.

ONGOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE

6. Recommendations for rezoning of this land do extend to the residential areas immediately outside of the District, such as those of Main Street, Church Street, Railroad Avenue, and Rogers Road. No changes are proposed to these near or abutting residential neighborhoods, and protecting them from any negative impacts of new commercial development should remain a high priority. It is also important that proper setbacks and buffers be established between any expansion of commercial activity and existing, adjacent residential areas.

ONGOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE

7. The Town should pursue transportation and parking solutions that ensure safe pedestrian access and movement, including safe paths and roads for all users, ADA compliant sidewalks, multi-modal transportation options, and new parking programs that ease York Beach’s current parking constraints. The purchase of Town property in a portion of the study area provides the opportunity to create parking for downtown York Beach; ideally the cost of creating and maintaining new parking would be self-sustaining.

ONGOING PRIORITY – SELECTMEN TAKE LEAD ROLE

8. Mechanisms need to be implemented to ensure that new private development supports the necessary infrastructure expansion, whether in the form of off-site improvements, impact fees, or the creation of a new or modified TIF district.

ONGOING PRIORITY – SELECTMEN TAKE LEAD ROLE

9. To the extent possible, Zoning should encourage retail and restaurants geared towards families. Where Zoning cannot specify this in enough detail, it may be appropriate to begin an economic development effort to encourage the particular types of businesses seen to be most appropriate or needed here. A community economic development
corporation is one option worth exploring as a means to consistently court businesses that might be a good fit with this property.

MID-TERM PRIORITY – SELECTMEN TAKE LEAD ROLE

10. Expanded development in this area cannot be allowed to negatively impact the health of the beaches. To that end, all development should have Low Impact Development standards in place that ensure that the quantity of additional stormwater runoff is kept to a minimum and that stormwater quality is not impaired.

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE

11. New construction in this area should utilize renewable energy sources and green building technologies.

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE

12. The creation of the Green Enterprise Recreation District provides an opportunity to define and promote green recreation, eco-tourism, and a vision of sustainable tourism based around the natural beauty of York. Promoting green recreation should be prominent in all Zoning changes and land management plans for this area.

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE

13. New development proposals, public and private, should be reviewed keeping in mind the feedback received from the public of the need for more amenities to families vacationing in York Beach, providing seating, shade, bathrooms, and other facilities to make trips to York Beach more convenient and welcoming for visitors.

ON-GOING PRIORITY – PLANNING BOARD & SELECTMEN TAKE LEAD ROLE

14. The specifics of the Green Enterprise Recreation Overlay District should make clear that new residential development not be stand-alone single family housing, but rather take the form of apartments over businesses, as well as housing that addresses the need for either workforce affordable or seasonal worker housing. The District should be implemented in such a way as to grant the Town oversight as to the site layout, pattern, scale, and design of new residential development so as to be consistent with the existing built environment and optimize the protection of natural resources.

IMMEDIATE PRIORITY – PLANNING BOARD TAKES LEAD ROLE

15. A combination of existing site conditions and the many unique goals for this area demand that innovative zoning tools be implemented to produce a combination of conservation, recreation, and sustainable development not possible using conventional zoning. Below are applicable tools recommended for inclusion in the creation of the Green Enterprise Recreation District:

a) Transfer of Development Rights. TDR encourages transfer of growth from sensitive areas or areas desired for recreational space, to places that have been agreed to as desirable for more intense development or with the capacity to carry more intense development. This can create a mechanism for protection of certain lands, and an incentive for an increase in density or development options in others. Sending areas could be outside the District, while both sending and receiving areas could be within the District. Recommended elsewhere in this document, this could be an excellent opportunity to implement this tool and test its applicability in the District and beyond.
b) Planned Unit Development. Developing a Planned Unit Development option for projects proposed in the District would allow for greater flexibility in pairing of different land uses, comprehensive planning for a large area, and the ability to override dimensional requirements for individual lots in favor of an assessment of the cumulative impact over a large parcel. Current existing overlay districts in York, such as the York Village Hospital Overlay District, and the York Village Affordable Elderly Housing Overlay District, utilize some of these principles now, and provide a good starting point for creating a zone suited to the particular needs of this site.

c) Form Based Code. Implementing a form based code would provide the single most control over the character of new development. Form based code is a regulatory tool that places primary emphasis on the physical form of the built environment – including buildings, types of streets, and public spaces – with the end goal of producing a desired type of place. A form based code would be a new type of regulation in York, but not necessarily a more onerous one than the existing regulations it would supplant. Simple and clear graphic prescriptions for building height, building placement, and building elements (such as location of windows, doors, etc.) are used to ensure development respects the public realm. Highly prescriptive, much uncertainty would be removed for both the applicant and the Planning Board and Code Enforcement in determining not just minimum use and dimensional standards, but exactly what type of development the Town is striving for. Form based codes sometimes include or are paired with Design Standards to address specifics of architectural style preferences for an area, and the inclusion of Design Standards for this site is recommended as well.

This is not intended to be an exhaustive list of alternative planning tools; this land presents a unique opportunity to think outside the box of conventional development patterns and development review, with much environmentally, economically, and culturally depending on sustainable development and conservation. If other methods that allow for approaching this sensitive and pivotal land holistically are presented that further the many objectives listed above, they should also be considered, and the opportunity presented by the creation of the Green Enterprise Recreation District realized to the fullest extent possible.

ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE
Population Chapter

Comprehensive Plan
Inventory & Analysis

November 2, 2004

Planning Board of York, Maine
Barrie Munro, Chair
David Marshall, Vice Chair
Glenn Farrell
Glen McWilliams
Richard Smith
Tom Manzi, Alternate
Lee Corbin, Alternate

ENACTMENT BY THE LEGISLATIVE BODY

Date of Town vote to enact this Chapter of the Comprehensive Plan: ____________.

Certified by the Town Clerk: ___________________________ on ___________.

(signature)  (date)
This chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about the seasonal and year-round population of York because understanding of population information and trends is critical to understanding planning issues and establishing appropriate public policies.

The text of this Chapter is organized into 3 sections: year-round population; seasonal population; and characteristics of the year-round population.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others being prepared at this time, marks a change in format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep the Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section. When the entire set of Inventory and Analysis chapters is adopted, the 1999 Inventory and Analysis section of the York Comprehensive Plan can be repealed.

Year-Round Population

One of the predominant measures of the size of a community is its year-round population. It is important to understand the number of people in a community and the trends that have led to the current condition.

1. 2003 Population Estimate

The estimated 2004 year-round population of York is 13,500 people. This estimate is an update of the most recent census data based on new home construction. The calculations are presented in Appendix A. Based on this estimate, the average annual rate of population growth has been 1.23% since 2000. This is lower than the average annual rate of population growth of 2.73% experienced in York during the 1990s, and is consistent with the slower economy and imposition of the residential growth cap.
The current population density is 0.37 people per acre, or 234 people per square mile. This is based on the current population estimate and the area of York at 36,922 acres or 57.7 square miles.

2. Population Trends
While the current population is important for understanding today’s demands and issues, it is also important to understand changes experienced in the community. The best population data available is the decennial U.S. Census of Population and Housing. This is a federally compiled census of all U.S. residents. Though its primary purpose is to ensure proper allocation of congressional districts, extensive data is collected for a multitude of other purposes. The population census (there are other censuses relating to the economy, agriculture, and other such matters) is conducted once every 10 years (1900, 1910, 1920…) on April 1st of that year. Unless otherwise indicated, the term “census” in this Chapter will refer to U.S. Census of Population and Housing in general, and to a specific year when so noted.

A. YORK
According to 2000 Census figures, York’s year-round population was 12,854. York is the 4th largest town in York County. York’s year-round population was 2,668 in 1900. The average annual population increase during this 100-year period was 1.58%. The year-round population of York was relatively stable until the 1950s, then it increased dramatically. Since 1950 the number of year-round residents has quadrupled.

B. COMPARISON WITH OTHER AREAS
To set York’s situation in context, Town data is compared to neighboring communities, York County, and the State of Maine. Neighboring communities include Kittery, Eliot, South Berwick, Wells and Ogunquit.
While Wells does not currently border York, it did until Ogunquit seceded from Wells in the 1970s. For data provided prior to succession, Wells is the only Town listed. The term, “York Area” includes York and all the neighboring communities listed above.

### Year-Round Population

Source: U.S. Census of Population, 1900 through 2000

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<thead>
<tr>
<th>Year</th>
<th>York</th>
<th>Kittery</th>
<th>Eliot</th>
<th>S. Berwick</th>
<th>Ogunquit</th>
<th>Wells</th>
<th>York Area</th>
<th>County</th>
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Through the 20th Century, York County and the State of Maine experienced population growth in every decade. The York Area grew in 9 of the 10 decades, declining only in ‘20s. Each of the York Area communities grew in at least 7 of the decades. York’s most recent decade with a decline in population was the 1940s. Only Kittery and Ogunquit experienced any decades of decline in the second half of the Century.

From 1900 to 2000, York grew by 382%. This is higher than the York Area (274%), York County (188%), and Maine (84%). Among York Area towns, only Wells/Ogunquit had a higher percentage change (429%). York grew at 1.5 times the York Area rate, 2 times the York County rate, and 4.5 times the State rate.

Regarding rates of population growth, the Town of York has experienced higher rates of growth than most communities, particularly since 1950. Since 1950, the rate of growth in York was greater than the York Area and State in all 5 decades, and was greater than York County in 4 out of 5 decades. The County experienced a higher rate of growth in the 1980s.

Population density in York is higher than the population densities of South Berwick, Wells, York County and the State. Density is lower, however,
### Population Density

<table>
<thead>
<tr>
<th>Place</th>
<th>People per Square Mile</th>
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<tbody>
<tr>
<td>York</td>
<td>223</td>
</tr>
<tr>
<td>Kittery</td>
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<tr>
<td>Eliot</td>
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<td>Ogunquit</td>
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<td>Wells</td>
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<td>York Area Total</td>
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</tbody>
</table>

**Population Density**

Year-round residents per square mile. 2000 U.S. Census data.
than those in Kittery, Eliot, Ogunquit, and the York Area. The population density table and map clearly demonstrate the relatively high population densities in the southern counties in general, and within this area in particular.

Another geographic level that could be useful is the Portsmouth-Dover-Rochester NH-ME Metropolitan Statistical Area (MSA), which is the urban center closest to York. This is a Census-created geography, established to identify larger cities and their area of influence. York is a part of this MSA, which centers on the 4 cities of Portsmouth, Dover, Somersworth and Rochester, New Hampshire. The boundary for this MSA area has changed since the 1990 Census, so analysis of change through time would be time-consuming and is beyond the scope of a community plan.

It is interesting to note that York is within the northern border of Boston’s Consolidated Metropolitan Statistical Area (CMSA). The CMSA is the grouping of metropolitan areas that surrounds a large central city. The fact that York is within Boston’s CMSA indicates that York is susceptible to outside influences from as far away as Boston. The following map (from the Census Bureau’s web site) shows the extensive urban area south of York, and the smaller urban area around Portland to the north. With continued growth in the northeast, development pressures in York and neighboring towns will come from both the north and south as the area between the two urban areas gets filled in. In the foreseeable future, the gap between the Boston CMSA and the Portland MSA will close, and Megalopolis will extend through this area all the way to Portland.
Seasonal Population in York
Year-round population is only part of the story. Being an ocean-front community, York’s population swells during the summer. The overnight and daytime populations change radically from those of the off season.

1. Peak-Season Overnight Population
The peak-season overnight population is the number of people staying overnight in York during the summer. The estimated 2004 peak-season overnight population in York is 26,300 people. The calculation of this figure is presented in Appendix B. In addition to year-round residents, it includes seasonal residents staying in vacation homes and trailer parks, and people staying overnight in transient accommodations (hotels, motels, bed-and-breakfasts, and campgrounds). The size of this population impacts demands on municipal services such as emergency services, water supply, sewage treatment, and so forth, and significantly impacts community character. It is interesting to note that these calculations validate conventional wisdom, that the summertime overnight population is double that of the year-round population.

2. Peak-Season Daytime Population
The peak-season daytime population is the number of people in York during a busy summer day. This is certainly a large number for York, being a tourist destination. The size of this population directly impacts demands on municipal facilities and services such as emergency services, beach services, public parking, road capacity, and so forth. Conventional wisdom is that summer daytime population is triple the year-round population, which would be about 40,000 people. It is reported that former Police Chief Bill Foster estimated a summer peak of 65,000 people in the late 1990s, but there is no written record of this estimate.

To estimate peak daytime population, the estimate will need to consider: year-round and seasonal residents; transient overnight guests; day-trippers; out-of-town workers; travelers passing through, not stopping; and perhaps others, too. It will be a very difficult task. How many of York’s residents are in York on a busy summer weekend? How many people are on the road, stuck in the lines of traffic? How many day-trippers come to York? These and many other issues must be addressed. Because of the complexity of calculation and time it would take to accurately estimate the peak-season daytime population, the number is not estimated.

Population Characteristics
This section highlights characteristics of York’s year-round population. The Census provides the best available information about the characteristics of York’s year-round
population. It also provides information for other jurisdictions that can be used for comparison. Except as noted, information in this Section pertains to the year 2000.

1. **Age and Gender**

The median age of York residents is 43 years old. Compared to the County and State, York’s median age is noticeably older. York’s population is aging. In 1990 the percent of people 65 and over was 14.6% of the total. In 2000 the percent of people 65 and over was 17.0%. Nationally there was a slight decline, so York’s trend is unique.

The following table shows York’s population categorized by gender and age. Each age group is known as a cohort.

<table>
<thead>
<tr>
<th>Age &amp; Gender</th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cohort</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0-4</td>
<td>299</td>
<td>337</td>
<td>636</td>
</tr>
<tr>
<td>5-9</td>
<td>433</td>
<td>422</td>
<td>855</td>
</tr>
<tr>
<td>10-14</td>
<td>458</td>
<td>475</td>
<td>933</td>
</tr>
<tr>
<td>15-19</td>
<td>355</td>
<td>363</td>
<td>718</td>
</tr>
<tr>
<td>20-24</td>
<td>164</td>
<td>187</td>
<td>351</td>
</tr>
<tr>
<td>25-29</td>
<td>227</td>
<td>225</td>
<td>452</td>
</tr>
<tr>
<td>30-34</td>
<td>344</td>
<td>302</td>
<td>646</td>
</tr>
<tr>
<td>35-39</td>
<td>547</td>
<td>508</td>
<td>1,055</td>
</tr>
<tr>
<td>40-44</td>
<td>600</td>
<td>546</td>
<td>1,146</td>
</tr>
<tr>
<td>45-49</td>
<td>641</td>
<td>559</td>
<td>1,200</td>
</tr>
<tr>
<td>50-54</td>
<td>564</td>
<td>529</td>
<td>1,093</td>
</tr>
<tr>
<td>55-59</td>
<td>442</td>
<td>414</td>
<td>856</td>
</tr>
<tr>
<td>60-64</td>
<td>372</td>
<td>354</td>
<td>726</td>
</tr>
<tr>
<td>65-69</td>
<td>311</td>
<td>270</td>
<td>581</td>
</tr>
<tr>
<td>70-74</td>
<td>308</td>
<td>257</td>
<td>565</td>
</tr>
<tr>
<td>75-79</td>
<td>283</td>
<td>195</td>
<td>478</td>
</tr>
<tr>
<td>80-84</td>
<td>170</td>
<td>129</td>
<td>299</td>
</tr>
<tr>
<td>85-89</td>
<td>113</td>
<td>62</td>
<td>175</td>
</tr>
<tr>
<td>90+</td>
<td>72</td>
<td>17</td>
<td>89</td>
</tr>
<tr>
<td>Subtotal</td>
<td>6,703</td>
<td>6,151</td>
<td>12,854</td>
</tr>
<tr>
<td>Percent</td>
<td>52%</td>
<td>48%</td>
<td></td>
</tr>
</tbody>
</table>

The figures in this table are shown graphically in what is known as a population histogram. The Baby Boomers, people between the ages of 35 and 54 in 2000, are represented by the 4 widest bands in the center of the histogram. York’s age distribution is significantly different than county, state and national patterns, as shown in the age/gender histogram. York’s population is skewed towards an older mix of people, with higher percentages of people 40 and older. Younger age groups are proportionately reduced, especially in the 20 to 35 year old age groups. This shows clearly in the narrow bands below the Baby Boomers. Compare the
shape of York’s histogram to the shape of the U.S. histogram and the differences show clearly.
The gender distribution in York is not significantly different than other areas. In York, females comprise 52% of the population, while females comprise 51% of the population in the county, state and nation.

2. Population Living in Group Quarters
Because York has no colleges, prisons, military bases or other major institutions, the group quarters population is not a major influence. In York, people living in group quarters include only adults living in some form of elderly housing with medical care. Of the 186 living in group quarters, 91% are older than 64 years old.

3. Race
There is little racial diversity in York. The population is over 98% white, and no other race comprises even 1% of the population.

<table>
<thead>
<tr>
<th>Race</th>
<th># People</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>12,643</td>
<td>98.4%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>32</td>
<td>0.2%</td>
</tr>
<tr>
<td>American Indian and Alaska Native</td>
<td>14</td>
<td>0.1%</td>
</tr>
<tr>
<td>Asian</td>
<td>63</td>
<td>0.5%</td>
</tr>
<tr>
<td>Native Hawaiian, Other Pacific Islander</td>
<td>3</td>
<td>0.0%</td>
</tr>
<tr>
<td>Other Race</td>
<td>25</td>
<td>0.2%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>74</td>
<td>0.6%</td>
</tr>
<tr>
<td>Total Population</td>
<td>12,854</td>
<td></td>
</tr>
</tbody>
</table>

4. Educational Attainment
The average educational attainment of York’s residents is significantly higher than that of the county, state or nation. The percentage of adults in York that have no high school diploma is very low. On the other end of the spectrum, York has a high proportion of residents with college degrees.

<table>
<thead>
<tr>
<th>Highest Level Attained</th>
<th>York</th>
<th>County</th>
<th>State</th>
<th>U.S.</th>
</tr>
</thead>
<tbody>
<tr>
<td>No high school diploma</td>
<td>6.9%</td>
<td>13.5%</td>
<td>14.6%</td>
<td>19.6%</td>
</tr>
<tr>
<td>High school graduate (includes equivalency)</td>
<td>24.3%</td>
<td>35.0%</td>
<td>36.2%</td>
<td>28.6%</td>
</tr>
<tr>
<td>Some college, no degree</td>
<td>21.4%</td>
<td>20.4%</td>
<td>19.0%</td>
<td>21.0%</td>
</tr>
<tr>
<td>Associate degree</td>
<td>9.7%</td>
<td>8.2%</td>
<td>7.3%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Bachelor's degree</td>
<td>26.7%</td>
<td>15.6%</td>
<td>14.9%</td>
<td>15.5%</td>
</tr>
<tr>
<td>Graduate or professional degree</td>
<td>10.9%</td>
<td>7.3%</td>
<td>7.9%</td>
<td>8.9%</td>
</tr>
<tr>
<td>College Degree</td>
<td>47.3%</td>
<td>31.1%</td>
<td>30.1%</td>
<td>30.7%</td>
</tr>
</tbody>
</table>
5. Propensity to Move
The Census figures show that 70% of York’s residents were born in another state. Compared to national, state and county figures, York has experienced a disproportionate change. These figures show that York has experienced a huge in-migration of residents.

<table>
<thead>
<tr>
<th>Nativity and Place of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place of Birth</td>
</tr>
<tr>
<td>Native</td>
</tr>
<tr>
<td>Born in USA</td>
</tr>
<tr>
<td>State of residence</td>
</tr>
<tr>
<td>Different state</td>
</tr>
<tr>
<td>Born outside USA</td>
</tr>
<tr>
<td>Foreign born</td>
</tr>
</tbody>
</table>

6. Income
Considered as a whole, York is more affluent than the County or the State. Whether comparing average household income, median household income, average family income, median family income, or per capita income, York is consistently and significantly higher than the County and State.

<table>
<thead>
<tr>
<th>Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income in 1999</td>
</tr>
<tr>
<td>Average Household Income</td>
</tr>
<tr>
<td>Median Household Income</td>
</tr>
<tr>
<td>Average Family Income</td>
</tr>
<tr>
<td>Median Family Income</td>
</tr>
<tr>
<td>Per Capita Income</td>
</tr>
</tbody>
</table>

While higher average and median incomes in a community tend to be viewed positively, it is important to consider the entire range of incomes in York. York is viewed as an affluent community, but income is not evenly distributed. About 1/5th of the households in York earned less than 50% of the median household income (earned $28,086 or less in 1999). At the high end of the income range, about 1/3rd earned more than 150% of the median household income ($84,257 or more in 1999). York has a significantly larger share of wealthy households than the County and State.
Poverty status was also determined in the 2000 Census. York again fared better than the County and State, but there was still a sizeable number of people in poverty. In 1999, 480 people had income below the poverty level in York. Counted by families and households, 50 families and 189 non-family households had incomes below the poverty level. Counted by age, 65 were children, 275 were adults under 65, and 140 were adults 65 and older.

### Poverty Status of Individuals

<table>
<thead>
<tr>
<th>Category</th>
<th>York</th>
<th>County</th>
<th>State</th>
<th>U.S.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Of all people for whom poverty is calculated</td>
<td>4%</td>
<td>8%</td>
<td>11%</td>
<td>12%</td>
</tr>
<tr>
<td>Of people under 18 years old</td>
<td>2%</td>
<td>10%</td>
<td>14%</td>
<td>17%</td>
</tr>
<tr>
<td>Of people 65 years and older</td>
<td>7%</td>
<td>9%</td>
<td>10%</td>
<td>10%</td>
</tr>
</tbody>
</table>

7. **Enrollment in York Public Schools**

Because of its fiscal and policy implications, the number of students enrolled in York’s public schools is of interest. In the 2002-2003 school year, there were 2,108 students enrolled. Enrollment had been higher in three of the prior five years. The average annual enrollment growth has been 1.74% over the past 10 years, which is slightly lower than the average annual rate of population growth over this same time period (2.17% for the population at large).
## School Enrollment

<table>
<thead>
<tr>
<th>School Year</th>
<th>K - 4</th>
<th>5 - 8</th>
<th>9 - 12</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1992 - 1993</td>
<td>704</td>
<td>567</td>
<td>503</td>
<td>1,774</td>
</tr>
<tr>
<td>1993 - 1994</td>
<td>722</td>
<td>571</td>
<td>517</td>
<td>1,810</td>
</tr>
<tr>
<td>1994 - 1995</td>
<td>753</td>
<td>600</td>
<td>531</td>
<td>1,884</td>
</tr>
<tr>
<td>1995 - 1996</td>
<td>792</td>
<td>615</td>
<td>521</td>
<td>1,928</td>
</tr>
<tr>
<td>1996 - 1997</td>
<td>818</td>
<td>623</td>
<td>566</td>
<td>2,007</td>
</tr>
<tr>
<td>1997 - 1998</td>
<td>814</td>
<td>664</td>
<td>573</td>
<td>2,051</td>
</tr>
<tr>
<td>1998 - 1999</td>
<td>837</td>
<td>679</td>
<td>623</td>
<td>2,139</td>
</tr>
<tr>
<td>1999 - 2000</td>
<td>781</td>
<td>703</td>
<td>624</td>
<td>2,108</td>
</tr>
<tr>
<td>2000 - 2001</td>
<td>777</td>
<td>734</td>
<td>642</td>
<td>2,153</td>
</tr>
<tr>
<td>2001 - 2002</td>
<td>765</td>
<td>695</td>
<td>656</td>
<td>2,116</td>
</tr>
<tr>
<td>2002 - 2003</td>
<td>737</td>
<td>705</td>
<td>666</td>
<td>2,108</td>
</tr>
</tbody>
</table>

Note: enrollment as of October 1st each school year.
Appendix A
Calculation of 2004 Year-Round Population

The estimate of year-round population is 13,500. The year-round population in York is estimated by taking the most recent census count, in this case the 2000 U.S. Census, and adjusting it with other available data, in this case the number of new homes built. Data used is 2000 U.S. Census data unless otherwise noted. The following series of steps document the calculation of the estimate of the year-round population for the year 2004:

1. There were 12,854 people living year-round in York on April 1, 2000.
2. There were 1.6 year-round residents per housing unit in 2000. This is based on 12,854 year-round residents and 8,053 housing units (year-round and seasonal). The assumption is made that new housing will be mixed between year-round and seasonal use in the same proportion as the existing housing stock.
4. As of April 1, 2004, there were 603 new year-round residents. This is the product of the average number of year-round residents per housing unit times the number of new housing units.
5. The estimate of year-round population is 13,500. The sum of the year 2000 population and the new residents is 13,457. This number is rounded to the nearest 100 because the estimate is not precise, and rounding communicates this lack of precision.
Appendix B
Calculation of 2004 Seasonal Population

The estimate of seasonal overnight population is 26,300. This is calculated by adding the year-round population, the seasonal population, and overnight visitors.

1. **SEASONAL POPULATION IN HOUSING**
   
   It is estimated there were about 20,300 people staying in housing in York during the summer of 2004. This is the sum of the estimated year-round population (13,500) plus the number of people staying in seasonal housing units (6,800).

   The number of people staying in seasonal housing units was calculated by first determining the number of seasonal units, then by estimating the average number of people occupying each unit.

   The U.S. Census indicates there were 2,666 seasonal housing units in 2000, which is 33% of the housing stock. Of newly constructed housing units, it is assumed that 33% of the newly constructed units will be used seasonally. There were 377 new housing units, so 124 seasonal units are added, resulting in 2,790 seasonal housing units for Summer 2004.

   Regarding vacancy rates, there is no actual data available. For lack of better data, it is assumed that all seasonal units are full in the summer (the vacancy rate is 0%). While there will always be some units that are vacant, this number establishes an upper limit, and it is probably close to reality. Sensitivity analysis reveals the total seasonal population estimate varies by about 67 people for every percent of vacancy added. It requires a vacancy rate over 7% to significantly change the result (when the result is rounded to the nearest 1,000). This means that potential error in the estimated vacancy rate should not significantly affect the final calculation.

   Regarding the number of people occupying each seasonal unit, there is no actual data available. As a starting point, it is assumed that each seasonal unit will be occupied at a rate of 2.42 persons per household (PPH). This is the Census-derived occupancy rate for year-round housing in York in 2000. There are probably very different occupancy patterns for the seasonal residents, but until further research is completed this is the best estimate available. Sensitivity analysis reveals the total seasonal population estimate varies by 276 people for every 1/10th change in PPH (2.32 PPH reduces the total by 276 people, 2.22 PPH reduces the total by 551 people; 2.52 PPH increases the total by 276 people, 2.62 PPH increases the total by 551 people, and so forth). Persons per household in the range of 2.26 and 2.61 will not significantly change the result (when the result is rounded to the nearest 1,000). Because there is no information about occupancy of seasonal units, further research into this variable would be worthwhile. Sensitivity analysis of both variables indicates large changes of both variables at the same
time could affect the result (when rounded) by 1,000, but not likely by 2,000, so York’s summertime overnight population living in housing most likely in the range of 19,300 to 21,300.

2. **SEASONAL POPULATION IN TRANSIENT ACCOMMODATIONS**

It is estimated that 6,000 people stay overnight in transient accommodations in York on a busy summer night. This includes accommodations in hotels, motels, bed & breakfasts, campgrounds and other such facilities.

The State licenses all overnight accommodations in the State, and their data is the only source of data that is comprehensive. The Town licenses bed & breakfasts, and hotels/motels with cooking facilities, but does not annually license other types of transient overnight accommodations. Data received from the State on May 20, 2003, indicates there are a total of 1,348 overnight rooms for transient occupancy in York. This includes inns, hotels, motels and bed & breakfasts. None of these rooms would be included in the Census counts. The State data indicates there are a total of 976 campsites in York. Current Assessing records indicate 574 of these sites have camper-trailers that are located on the sites year-round, which the Census counts as seasonal housing units. The remainder of sites, totaling 402, would be available for transient use. The State data also indicates there are 106 rental cottages in York, and these, too, are included in the Census count of seasonal housing units. The total number of rooms and sites available for transient occupancy that are not included in the count of seasonal housing is 1,750.

Because the intent of this analysis is to estimate the maximum of people likely to be staying overnight, it is reasonable to assume 100% occupancy of transient units. Additionally, it is necessary to estimate the average number of people staying in each accommodation, and this certainly varies widely. A State report on tourism indicates the average travel party size in Maine is 3.4 people (Travel & Tourism in Maine: 2001 Visitor Study, Maine Office of Tourism, 9/5/2002, page 121). Using this figure, there will be about 6,000 people staying in transient overnight accommodations during the peak of the summer.
Appendix C
Consistency of Town Data and Census Count

In the draft 1990 Inventory & Analysis, a document never adopted by the Town, there is an extensive criticism of the accuracy of U.S. Census figures for York. The text compares Census counts of school-age children with enrollment figures for the public schools, and compares the Census count of adults to the number of registered voters and identified discrepancies. The 2000 Census data matches reasonably well to Town data, thereby lending credence to the validity of the 2000 Census data.

Regarding school-age children, the Census count on April 1, 2000 for children aged 5 to 17 was 2,299. School enrollment in York Public Schools on October 1, 1999 (the same school year in which the Census was conducted) was 2,108. Given the fact that some children attend private school, and the fact that the dates are ½ year off, the school enrollment figures are reasonably consistent.

Regarding voting-age adults, the Census count on April 1, 2000 for adults was 9,919. The Town Clerk’s closest statistic of the total number of registered voters dates to May 15, 2001, and her total was 11,595. On its face, the Town figures would tend to indicate a discrepancy in the Census count. However, the Town Clerk’s opinion is that the list of voters tends to over count the number of people actually eligible to vote. It is her opinion that the over count is significant. She is working to remove names of people no longer eligible to be included on the list, and her starting point is 3,600 people who did not vote in any recent elections. This means about 8,000 of the adults on the current list have voted in recent elections, which would be a high percentage of all adults in York. While York’s voter participation rate may be high, it does not refute the Census count of adults.
HOUSING

This chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about the housing stock in York. The text of this Chapter is organized into 2 section: housing stock; and housing affordability.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others being prepared at this time, marks a change in format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep the Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section. When the entire set of Inventory and Analysis chapters is adopted, the 1999 Inventory and Analysis section of the York Comprehensive Plan can be repealed.

Housing Stock

1. Composition

There are approximately 8,430 housing units in York as of mid-2004. This is based on a Census count of 8,053 units as of April 2000, and building permits issued for 377 new units from 2000 through 2003. This number must be an estimate because the dates and data sources don’t match perfectly, and because time to complete homes, once permitted, varies greatly.

Housing in York is primarily composed of single-family detached homes. As the following table of 2000 U.S. Census data indicates, 89% of all housing is classified as single-family. It is important to understand the classification system used in the Census because it includes “attached” single-family homes (condominium apartments) under the heading of single-family homes. York’s land use codes would not classify these as single-family units, but would base the classification on the number of units per building (duplex or multi-family) regardless of ownership. Using the Town’s classification system, only the 84% of York’s housing which the Census considers single-family detached would be
classified as single-family. The composition remained virtually unchanged between 1990 and 2000.

### Composition

<table>
<thead>
<tr>
<th>Type of Unit</th>
<th># Units</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family</td>
<td>7,146</td>
<td>89%</td>
</tr>
<tr>
<td>detached</td>
<td>6,775</td>
<td>84%</td>
</tr>
<tr>
<td>stick-built</td>
<td>6,520</td>
<td>81%</td>
</tr>
<tr>
<td>mfg. Housing</td>
<td>255</td>
<td>3%</td>
</tr>
<tr>
<td>attached</td>
<td>371</td>
<td>5%</td>
</tr>
<tr>
<td>Duplex</td>
<td>333</td>
<td>4%</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>556</td>
<td>7%</td>
</tr>
<tr>
<td>Other</td>
<td>18</td>
<td>0%</td>
</tr>
<tr>
<td>Total</td>
<td>8,053</td>
<td></td>
</tr>
</tbody>
</table>

In comparison, the composition of York’s housing stock is significantly different than that of neighboring towns, the County and the State. On the whole, York has a higher-than-average rate of traditionally built single-family homes, and has lower-than-average manufactured housing, duplex, multi-family and other units.

### Area Housing Composition

<table>
<thead>
<tr>
<th>Town</th>
<th>Traditional Construction S.F.</th>
<th>Manufactured Housing</th>
<th>Duplex, Multi-Family, etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>York</td>
<td>81%</td>
<td>3%</td>
<td>16%</td>
</tr>
<tr>
<td>Kittery</td>
<td>65%</td>
<td>7%</td>
<td>28%</td>
</tr>
<tr>
<td>Eliot</td>
<td>80%</td>
<td>7%</td>
<td>13%</td>
</tr>
<tr>
<td>S. Berwick</td>
<td>73%</td>
<td>5%</td>
<td>22%</td>
</tr>
<tr>
<td>Ogunquit</td>
<td>68%</td>
<td>1%</td>
<td>31%</td>
</tr>
<tr>
<td>Wells</td>
<td>61%</td>
<td>13%</td>
<td>26%</td>
</tr>
<tr>
<td>York Area</td>
<td>71%</td>
<td>7%</td>
<td>22%</td>
</tr>
<tr>
<td>County</td>
<td>68%</td>
<td>7%</td>
<td>25%</td>
</tr>
<tr>
<td>State</td>
<td>67%</td>
<td>10%</td>
<td>23%</td>
</tr>
</tbody>
</table>
2. **Seasonal vs. Year-Round Housing**

York has a significant proportion of seasonal housing. The 2000 Census indicates 1/3rd of all housing units are seasonally occupied. According to Census data, the number of seasonal units has increased modestly, but the percent of seasonal housing has been slowly and steadily declining, as the following table shows.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Seasonal Housing Units</td>
<td>1,413</td>
<td>2,251</td>
<td>2,247</td>
<td>2,666</td>
</tr>
<tr>
<td>Seasonal as % of Total</td>
<td>38%</td>
<td>39%</td>
<td>35%</td>
<td>33%</td>
</tr>
</tbody>
</table>

In neighboring communities, Kittery, Eliot and South Berwick have had constantly small percentages of seasonal housing, ranging between 1% and 6% from 1970 to 2000. York is highly seasonal, though not to the extent of Ogunquit and Wells. The York Area is more seasonal than York County or the State of Maine.

<table>
<thead>
<tr>
<th>Area Seasonal Housing Comparison</th>
<th>% Seasonal Housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>York</td>
<td>38%</td>
</tr>
<tr>
<td>Kittery</td>
<td>2%</td>
</tr>
<tr>
<td>Eliot</td>
<td>6%</td>
</tr>
<tr>
<td>S. Berwick</td>
<td>1%</td>
</tr>
<tr>
<td>Ogunquit</td>
<td>-</td>
</tr>
<tr>
<td>Wells</td>
<td>52%</td>
</tr>
<tr>
<td>York Area</td>
<td>27%</td>
</tr>
<tr>
<td>County</td>
<td>20%</td>
</tr>
<tr>
<td>State</td>
<td>-</td>
</tr>
</tbody>
</table>

Two of the Town’s past comprehensive plans state interesting perceptions about the percent of seasonal housing in York. York’s 1970 Comprehensive Plan Report indicates that 54% of housing was seasonal based on Town data. Census figures released 2 years later indicated 38% of housing was seasonal—a significantly different figure. Two decades later, York’s 1991 Draft Comprehensive Plan (completed but never adopted) concluded that 40% of housing was seasonal, while the Census figures indicate 35%. This is much closer than the perception in 1970, but it is still an over-estimate. The perception appears to be that, ‘York used to have so much more seasonal housing than it does today.’

The 1982 Comprehensive Plan expressed concern about the potential impact a loss of seasonal housing would have on the Town. Large-scale conversion to
year-round use would increase year-round population with a resulting impact on municipal services and facilities, most notably schools. This concern is still widespread today. Concern about seasonal conversions, coupled with perceptions about loss of seasonal housing are important considerations, and certainly the Town needs to be aware of the potential problems that could arise. However, the number of seasonal units in York has grown by over 1,200 units since 1970, which is an 89% increase over 3 decades. It declined only as a proportion of total housing, since total housing stock grew by 120% during this same period.

3. Home Ownership

Home ownership has been a major focus of American housing policy. In York, 82% of the year-round homes are owner-occupied. This is typical of the York Area and York County, where all towns except Kittery range from 77% to 82%. Statewide, home ownership is lower at 72%, and nationally it is lower still at 66%. Home ownership in Kittery is 64%.

There is a noticeable size difference in housing units that are owned versus rented. The 2000 Census data indicates the median number of rooms per unit is 6.5 for owner-occupied units, and 4.5 for renter-occupied units. This is consistent with the patterns in York County and the State of Maine.

<table>
<thead>
<tr>
<th>Rooms Per Unit</th>
<th>Median Number of Rooms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ownership</td>
<td>York</td>
</tr>
<tr>
<td>Owner-Occupied</td>
<td>6.5</td>
</tr>
<tr>
<td>Renter Occupied</td>
<td>4.5</td>
</tr>
</tbody>
</table>

There is a corresponding pattern with respect to the number of bedrooms per unit. In owner-occupied units, 77% have 3 or more bedrooms, while in renter-occupied units, only 41% have 3 or more bedrooms. The difference in size of renter-occupied units is less significant in York than in the County and State.

<table>
<thead>
<tr>
<th>3+ Bedrooms Per Unit</th>
<th>Ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>York</td>
</tr>
<tr>
<td>Owner-Occupied</td>
<td>77%</td>
</tr>
<tr>
<td>Renter Occupied</td>
<td>41%</td>
</tr>
</tbody>
</table>

The type of structures also vary by ownership. Approximately 94% of owner-occupied units are single-family detached homes, including mobile homes. By comparison, only 49% of renter-occupied units are single-family detached homes, including mobile homes. The significance of these differences is important because the primary type of residential construction in York in recent years is
single-family detached housing, a type of housing less likely to become rental housing.

### Single-Family Detached Units

<table>
<thead>
<tr>
<th>Ownership</th>
<th>York</th>
<th>County</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner-Occupied</td>
<td>94%</td>
<td>92%</td>
<td>94%</td>
</tr>
<tr>
<td>Renter Occupied</td>
<td>49%</td>
<td>30%</td>
<td>30%</td>
</tr>
</tbody>
</table>

4. **Age of Housing Stock**

The age of housing stock is usually used as an indicator of the condition of housing. The presumption is that older housing is generally in need of more maintenance and repair, and is often times less expensive as a result. This is not the case in York because many of the older homes are of significant historical value, and they are certainly no less valuable or expensive than new homes. While many other communities with large numbers of aging homes struggle with maintenance, safety and appearance issues, this has not proven to be a significant issue in York.

Because the issue of building maintenance is not a significant public policy issue in York, data on this issue is provided only for purposes of documenting current conditions. Data is available from 3 sources: the U.S. Census, Town building permit data, and Town tax assessing data. The following table shows significant variation in available data. Even between each Census the numbers fluctuate significantly because the data is based on the recollection or knowledge of the then-current homeowner, who doesn’t always know the actual age of their home.

### Age of Houses

<table>
<thead>
<tr>
<th>Year Built</th>
<th>Town Building Records</th>
<th>Town Tax Records</th>
<th>2000 Census</th>
<th>1990 Census</th>
<th>1980 Census</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990s</td>
<td>1,014</td>
<td>1,016</td>
<td>1,512</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1980s</td>
<td>1,549</td>
<td>1,220</td>
<td>1,722</td>
<td>1,882</td>
<td>-</td>
</tr>
<tr>
<td>1970s</td>
<td>-</td>
<td>1,209</td>
<td>1,479</td>
<td>1,244</td>
<td>955</td>
</tr>
<tr>
<td>1960s</td>
<td>-</td>
<td>-</td>
<td>772</td>
<td>829</td>
<td>760</td>
</tr>
<tr>
<td>1950s</td>
<td>-</td>
<td>-</td>
<td>586</td>
<td>588</td>
<td>374</td>
</tr>
<tr>
<td>1940s</td>
<td>-</td>
<td>-</td>
<td>318</td>
<td>426</td>
<td>331</td>
</tr>
<tr>
<td>earlier</td>
<td>-</td>
<td>-</td>
<td>1,303</td>
<td>1,497</td>
<td>1,913</td>
</tr>
</tbody>
</table>
5. Adequacy of Housing Units
In York there is very little substandard or overcrowded housing. These issues therefore warrant minimal policy attention. A traditional statistic from the U.S. Census is a count of sub-standard housing units. This was of significant interest to policy-makers in the first part of the 20th Century. Over the past hundred years there has been a monumental change in availability and use of electricity, indoor plumbing, kitchen facilities and telephones in homes across the country. These have changed from luxuries to essentials, and it is rare for housing built in the past few decades to not have all such amenities.

The Census evaluates each residence for complete indoor plumbing (piped hot and cold water), complete kitchens (stove, refrigerator and sink), and access to a telephone in the home (hard-wired or wireless). In 2000, the Census reports only 25 houses without complete plumbing facilities, 26 homes without complete kitchen facilities, and no homes without access to a telephone. Considering there are over 8,000 housing units in York, a couple thousand of which are seasonal units, these statistics indicate that substandard housing units are not a significant issue in York.

Overcrowding of residences is also not an issue in York. The general standard for evaluating overcrowding of residences is based on the number of people per room. Ratios of more than one person per room are considered overcrowded, and ratios of more than 1.5 people per room are considered severely overcrowded. The 2000 Census data indicate there are 23 owner-occupied housing units with some level of overcrowding, and 10 renter-occupied units with overcrowding. Interestingly, none of these overcrowded units was occupied by a household living below the poverty level. The average numbers of people per room for owner- and renter-occupied units are close to County, State and national levels.

6. Other Information
Other information is helpful to better understand the housing situation in York:
- The size of households in York has declined during the 1990s, from 2.57 to 2.42. This is consistent with the national trend of declining household size. The implication of this trend is that more units are needed to house a given number of people.
- The number of 1- and 2-person households increased during the 1990s, in York from 58% to 65%. This is consistent with declining average household size.
- The number of households with 6 or more people remained constant during the 1990s, remaining steady at 2% of the total households.
- The percent of non-family households increased during the 1990s, in York from 27% to 29% of all households. This is consistent with the national trend, with non-family households becoming increasingly common, though still clearly in the minority. Long-term changes in the types of households may affect the types of housing needed in a community.
Housing Affordability

Housing affordability is the most important housing policy issue in York. There are plenty of residential units in York, and virtually all are well maintained and provide safe, decent housing for the occupants. The problem is that many people can’t afford the cost of living in York.

1. Everyone’s Problem

There is a severe lack of affordable housing, not only in York or in the Seacoast Region, but throughout the State of Maine, and in neighboring states as well. The State of Maine has acknowledged, in state law, the existence of a statewide affordable housing problem. Consider the purpose statement for the State’s Affordable Housing Program:

The State is experiencing severe shortages of affordable housing in various parts of the State. The affordable housing shortage is also contributing to an increasing class of working poor people and creating severe hardships for a significant number of the State’s citizens. Municipalities feel the impact of the affordable housing shortage and find it difficult to deal with the problem with their inadequate resources. By working together, sharing resources and using more comprehensive measures, the State and its municipalities can more effectively address the shortage of affordable housing and the many other problems stemming from this housing shortage. (Title 30-A, §4751)

Another statutory reference is provided in the Findings and Purpose language in the law that creates Maine’s Affordable Housing Partnership. It reads:

There is a substantial deficiency of decent, sanitary and safe housing available at affordable costs to lower income and moderate-income households in Maine which has a detrimental impact upon the State and all Maine citizens. As a result of significant increase in land costs, the substantial reduction in the role of the Federal Government in housing and a significant increase in the working poor population of Maine, the lack of affordable housing for lower income and moderate-income households threatens the health, safety and welfare of Maine citizens.

Affordable housing solutions are possible when there is concerted action among state agencies which is coordinated with local and federal resources. Municipalities, which may make a positive or a negative impact on the cost and production of housing through local policies and regulations, need to be included in the solutions to the affordable housing crisis. … (MRSA Title 30-A, §5003)

Other organizations have also recognized the problem. The York Housing Authority, the Workforce Housing Coalition of the Greater Seacoast, the York County Initiative to End Homelessness, The Southern Maine Affordable Rental Housing Coalition, together with dozens of collaborative partner agencies and
organizations, have each recognized the social need, economic importance and the geographic expanse of this issue.

Because the problem is so wide-spread, all communities have an obligation to contribute to the solution. State policy mandates, “Any comprehensive plan… shall provide for the development of affordable housing for low-income and moderate-income households…” (MRSA Title 30-A, §4752) and that “…[each] municipality shall seek to achieve a level of 10% of new residential development… meeting the definition of affordable housing” (MRSA Title 30-A, §4326.3.G).

It is not legal for the Town to take or accept a policy position that someone who can’t afford to live in York can simply live in another community. Every town is obligated by State law to participate in the solution. Besides, the neighboring towns aren’t affordable either.

2. General Standards for Defining Affordability

Housing affordability is evaluated using economic and social data. Not only is the cost of housing important, but so is the ability of households to pay for it. While our region is held up as an example of one of the least affordable regions in the country, it is just as bad or worse in other parts of Maine. Areas of lower incomes and lower home prices can and do have more severe affordability problems than areas with higher incomes and higher home prices (see “The State of Maine’s Housing, 2002,” Maine State Housing Authority, September 2002, p.7).

There are a variety of standards that come into play as various government agencies and organizations address affordability. It is important to recognize that the range of programs and policies enacted in state and federal law establish differing standards. The following definitions provide a general overview of the terminology.

**Affordable Housing.** Decent, safe and sanitary dwellings, apartments or other living accommodations for low-income and moderate-income households. The Maine State Housing Authority may define “affordable housing” by rule. Affordable housing includes, but it not limited to: a) government-assisted housing; b) housing for low-income and moderate-income families; c) manufactured housing; d) multi-family housing; and e) group and foster care facilities. (MRSA Title 30-A, §5002.2)

**Affordability.** Housing is considered affordable when a household pays no more than 30% of its income on housing. (HUD definition)

**Low-Income Household.** A household with an income of 80% or less than the median household income. There are variations on this definition depending on the geographic reference involved—the municipality, the
metropolitan statistical area, or the county. York’s median income is significantly higher than York County’s median income, so the threshold for low-income is higher in York than in York County.

**Very-Low Income Household.** A household with an income of 50% or less than the median household income. As with low-income household, the geographic reference can vary and affect the amount greatly.

**Moderate Income Households.** Households in which gross income does not exceed 150% of the median income of the county or metropolitan statistical area in which the household is located. (MRSA Title 30-A, §5002.12)

There are also adjustments that can be applied based on number of people per household—the threshold for low-income is different for a family with 2 adults and 3 children than it is for a household with one adult. There is no single standard to address affordability, but it is not critical for the Town of York to match its policies to other government entities since each has its own specific standards.

Issues range from a basic human need for shelter (homelessness) to a need for affordable rental housing to the desirability of housing to purchase. To develop a meaningful understanding of the issues, it is necessary to categorize and group issues. Bear in mind that affordability is an issue at the lower end of the housing cost spectrum, so it isn’t about the availability of million dollar starter castles—it’s about more basic needs. The following are a few examples of measures that could be applied:

- The ability of a low-income household to rent safe, decent, year-round housing without spending a disproportionately large portion of their income to do so.
- The ability of households to purchase their first house.
- The availability of all types of housing units to ensure access to a variety of housing types throughout the range of costs.
- The legal ability to construct affordable units, which are typically smaller than average, may need to be constructed at a higher density, and of a form other than the traditional stick-built single-family detached house.
- The ability of long-time residents, especially senior citizens, to retain the houses they’ve owned for years, put in jeopardy because property values and property taxes have escalated much faster than income.

### 3. Affordable Housing Issues In York

There is a range of housing affordability issues that must be addressed. There are three basic types of affordability problems: ability to find any shelter (homelessness); ability to find affordable rental housing; and ability to purchase housing.
A. **HOMELESSNESS**

Lack of basic shelter is not a major problem in York. There are a few people each year that require some assistance. The Police and Human Services departments deal with this issue. The Town budgets for public assistance, and there is a network of private organizations to assist these folks as well. The resources available are meager and clearly need Town support.

B. **RENTAL ISSUES**

There is a significant lack of safe, decent, sanitary rental housing in York. It is difficult to quantify this problem because there is little data available about rental units. The Assessor’s database counts the number of units in structures, but doesn’t address occupancy, types of rental agreements, and similar information. The Census data is comprehensive, but is already old data—income and housing costs have changed significantly since 1999. That said, the most relevant statistic available is from the 2000 U.S. Census—36% of the year-round renters in York spend 30% or more of their income on housing. This means more than 1/3rd of the renters are not living in housing that is affordable to them.

There are 68 units of public subsidized elderly housing existing in York in 2003. There are 40 units approved by the Planning Board in November 2003. There are 8 households (in 2002) receiving Section 8 vouchers to help pay for rent in private rental units. There is no publicly-owned or subsidized housing for households other than the elderly.

An additional factor in York is the lack of housing for the summer influx of seasonal employees, many of whom are foreign workers with temporary work visas, working in the hospitality industry. Winter rentals are not available during the summer, when they are occupied by the owners or are rented by the week at very high rents. Some businesses have resorted to developing housing or dormitories to house their own employees, and there are countless stories of illegally housed workers—living in cellars, sheds, crowded into single rooms. The conditions faced by these workers today may, in fact, be quite similar to those faced by American immigrants a century ago.

The patterns of new construction seen in York are not likely to improve the rental situation. The predominant type of new housing built in York are large, single-family detached units. During the 1990s, the total number of manufactured homes declined from 305 to 255. The Town’s manufactured housing standards are more restrictive than the State standards. Few multi-family units are being built. Few small homes or apartments are being built, and in fact the Town’s minimum floor area standards prevent creation of small units such as studio apartments. The
patterns of change in York do not paint an optimistic future for the housing rental.

C. OWNERSHIP ISSUES

There are two basic affordability issues relevant to home ownership: purchase and retention.

Buying a home of your own—the American dream. This ideal has been a cornerstone of public housing policy in America for many decades. Home ownership is an important financial step for people, facilitating the building of personal wealth. It is also important to a community. Examples of the community benefits to home ownership include more stable neighborhoods (people don’t move in and out as frequently) and better property maintenance (people taking pride in their homes and yards). In York the problem is that the ability to purchase a home does not allow households across the economic spectrum to afford homes, and the Town risks a significant loss of diversity as a result. It is unlikely that a household with the median income ($56,000 in 1999) could afford to purchase a home in York.

In York this is a significant issue, as it is through the Seacoast Region. The price of housing is very high, significantly disproportionate to the incomes required to purchase houses. The National Association of Homebuilders conducted a study recently and found this region has the greatest affordability problem of any area outside California. The 2000 U.S. Census indicates that 23% of the year-round home-owning households in York spend 30% or more of their income on housing. Over 1/5th of York’s homeowners are not living in housing that is affordable to them. (When renters and owners are evaluated together, the 2000 Census figures show 26% of all year-round households, more than 1/4th, are living with a housing affordability problem.)

Retention of ownership is a very different affordability issue. Some people, already homeowners, have trouble continuing to afford their homes. This is particularly problematic for long-time residents on fixed incomes. They purchased their homes when values were far lower than current prices. As the value of their property rises, and as the Town provides more and better public services, property taxes rise, too. This becomes a problem when the increase in property taxes outpaces the growth of their incomes. At this time the problem has not been quantified in any manner, but it would be a worthwhile undertaking.
EXISTING LAND USE

This Chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about how land is used and how land use has changed because understanding of this information is a foundation for formulation of land use policies elsewhere in the Comprehensive Plan.

The text of this Chapter is organized into 4 sections: land cover (what is physically on the ground); land use (economic use of the land); new construction (buildings constructed since the adoption of the 1981 Comprehensive Plan); and unfragmented blocks (important habitat areas without roads or buildings). Following the text there is a series of appendices containing reduced-size maps. In plans, land use information is traditionally presented in map form. This chapter includes 5 large (22” by 34”) maps. These large maps convey the same information as that in the reductions, but at a scale that is more easily read and interpreted. A complete citation, with map title and date, is provided in the appropriate section of the text.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others being prepared at this time, marks a change in format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep the Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section. When the entire set of Inventory and Analysis chapters is adopted, the 1999 Inventory and Analysis section of the York Comprehensive Plan can be repealed.

Land Cover

Land cover is a description of physical cover of the ground. It is possible, though time-consuming, to manually interpret land cover from the aerial photography. Because of the size and terrain of the community, data for analysis of ground cover was derived from freely-available satellite data. This data is analyzed and displayed in the Town’s Geographic Information System (GIS).
The Land Use/Land Cover (LULC) data used for this analysis was collected by the United State Geological Survey (USGS) and is processed and classified in conjunction with other agencies such as the Environmental Protection Agency (EPA) and the United States Forest Service (USFS). It is the GIS-industry standard to evaluate and quantify land cover over broad areas (typically larger than a single town) because up-to-date data is readily available and standardized methods of interpretation and analysis have been developed. The information is derived by satellite sensors’ detection of changes in light reflection from the Earth’s surface. The LULC data is generated in grids of 30 meters by 30 meters, which is a rather large area. The result is a very coarse level of information that does not reflect small areas or subtle changes in land cover. Aerial photography taken in April 2003 was used to verify and adjust the display of the data to reflect the real world features. Even as corrected, the satellite data is of limited accuracy and value for town-level analysis because York has more accurate data available.

The map entitled, “Land Cover in 2003, York Comprehensive Plan, Inventory and Analysis, Existing Land Use Chapter” with a date of January 5, 2004, is hereby incorporated into this document by reference. A reduced copy of this map is included in Appendix A. The following table describes the information displayed in this map.

<table>
<thead>
<tr>
<th>Land Use By Type</th>
<th># Acres</th>
<th>% Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>5,356</td>
<td>14%</td>
</tr>
<tr>
<td>Commercial</td>
<td>492</td>
<td>1%</td>
</tr>
<tr>
<td>Urban or Built-Up</td>
<td>957</td>
<td>3%</td>
</tr>
<tr>
<td>Mines, Quarries, Gravel Pits</td>
<td>95</td>
<td>0%</td>
</tr>
<tr>
<td>Transportation</td>
<td>913</td>
<td>2%</td>
</tr>
<tr>
<td>Undeveloped</td>
<td>29,762</td>
<td>79%</td>
</tr>
<tr>
<td>Forest</td>
<td>24,680</td>
<td>66%</td>
</tr>
<tr>
<td>Cropland and Pasture</td>
<td>1,704</td>
<td>5%</td>
</tr>
<tr>
<td>Bare Rock/Sand</td>
<td>677</td>
<td>2%</td>
</tr>
<tr>
<td>Bays and Estuaries</td>
<td>267</td>
<td>1%</td>
</tr>
<tr>
<td>Streams and Canals</td>
<td>454</td>
<td>1%</td>
</tr>
<tr>
<td>Lakes</td>
<td>838</td>
<td>2%</td>
</tr>
<tr>
<td>Wetlands</td>
<td>1,142</td>
<td>3%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>37,575</td>
<td>100%</td>
</tr>
</tbody>
</table>

The land cover data shows 20% of the area of York as developed land. Residential use accounts for the vast majority of the developed land, and even where the satellites could only determine the land is “urban or built-up”, much of that area is residential as well. The majority of area in York is undeveloped, with forest being the most common land cover.
Land Use

Land use is a description of the economic activity being conducted on the land. Land use differs from land cover because land use refers to how land is either currently or potentially to be utilized while land cover defines the vegetation, water, natural surface, and cultural features on the land. Land use information for this analysis is derived from the Tax Assessor’s database of information about properties in York. Data is current as of November 6, 2003. While there are certainly some errors in the data, it is the best available for these purposes. The definitions of use are those made by the Assessor to determine the level of taxation on each parcel. The criteria used to define developed or undeveloped land was based upon whether or not there was a structure greater than or equal to 700 square feet. The 700 square feet figure was chosen because this is the Zoning Ordinance’s required minimum floor area for a new residence.

The map entitled, “Land Use in 2003, York Comprehensive Plan, Inventory and Analysis, Existing Land Use Chapter” with a date of January 5, 2004, is hereby incorporated into this document by reference. A reduced copy of this map is included in Appendix B. The following table describes the information displayed in this map.

<table>
<thead>
<tr>
<th>Classification</th>
<th># Parcels</th>
<th>% Parcels</th>
<th>Acres</th>
<th>% Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential - Developed</td>
<td>6,086</td>
<td>68%</td>
<td>10,856</td>
<td>33%</td>
</tr>
<tr>
<td>Residential - Undeveloped</td>
<td>2,208</td>
<td>25%</td>
<td>11,963</td>
<td>36%</td>
</tr>
<tr>
<td>Commercial</td>
<td>315</td>
<td>4%</td>
<td>2,006</td>
<td>6%</td>
</tr>
<tr>
<td>Industrial</td>
<td>26</td>
<td>0%</td>
<td>212</td>
<td>1%</td>
</tr>
<tr>
<td>Government</td>
<td>145</td>
<td>2%</td>
<td>1,605</td>
<td>5%</td>
</tr>
<tr>
<td>Tax Exempt</td>
<td>20</td>
<td>0%</td>
<td>60</td>
<td>0%</td>
</tr>
<tr>
<td>Church/Charitable</td>
<td>46</td>
<td>1%</td>
<td>194</td>
<td>1%</td>
</tr>
<tr>
<td>Forestry</td>
<td>4</td>
<td>0%</td>
<td>201</td>
<td>1%</td>
</tr>
<tr>
<td>Open Space</td>
<td>63</td>
<td>1%</td>
<td>1,003</td>
<td>3%</td>
</tr>
<tr>
<td>Utilities</td>
<td>71</td>
<td>1%</td>
<td>5,027</td>
<td>15%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>8,984</strong></td>
<td></td>
<td><strong>33,127</strong></td>
<td></td>
</tr>
</tbody>
</table>

Just over 2/3 of the parcels in York are utilized for residential use, and another 1/4 of the lots are classified as being residential but undeveloped. Over 90% of all parcels are used for, or potentially could be used for residential use. Less than 10% of the remaining parcels comprise all other land uses. Because most house lots are small, the breakout by parcels alone does not present a complete picture. Acreage figures break out differently, with a reduced proportion of residential land use and an increased proportion of utility use (the watersheds owned by the York and Kittery water districts). Clearly, though, residential use remains predominant with 69% of the total area.
New Construction

New construction is analyzed to determine the type of changes that have occurred in recent years. Both residential and non-residential construction have occurred, and each is accounted for separately. The years 1981, 1999 and 2003 have been selected for this analysis because 1981 and 1999 represent years in which the Comprehensive Plan was revised by the voters, and 2003 reflects current conditions. Data for the analysis was taken from the Assessor’s database and the criteria used was similar to the previous ones where parcels with construction of structures that are 700 square feet or greater took place within the allotted time frame.

The map entitled, “New Construction, 1981-2003, York Comprehensive Plan, Inventory and Analysis, Existing Land Use Chapter” with a date of January 5, 2004, is hereby incorporated into this document by reference. A reduced copy of this map is included in Appendix C. The following table describes the information displayed in this map.

<table>
<thead>
<tr>
<th>Type of Construction</th>
<th>1981 - 1999</th>
<th>1999 - 2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Buildings</td>
<td>1,944</td>
<td>365</td>
</tr>
<tr>
<td>Non-Residential Buildings</td>
<td>99</td>
<td>28</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,043</strong></td>
<td><strong>393</strong></td>
</tr>
</tbody>
</table>

The statistics show that residential construction comprised the vast majority of change in York with 95% of construction between 1981 and 1999, and 93% of construction after 1999. The data, as displayed on the map, show a pattern of construction disbursed throughout Town, with concentrations in a few larger subdivisions, and virtually surrounding the region of Mt. Agamenticus and the watersheds of the York and Kittery water supplies.

Unfragmented Blocks

In 2001, RKG Associates out of Durham, NH was contracted to produce a Build-Out study for the Open Space Committee. One product of this study was the definition of un-fragmented blocks of land that were determined to be areas of value to the Town. These un-fragmented blocks are used to show where development has not affected those areas to any great extent. These blocks are of great importance for biodiversity, recreation, quality of life, and other such values, and their protection has been made a priority. The un-fragmented blocks of land range in size from 12 acres to nearly 7000 acres and are
spread out all over the Town of York, with significant blocks, each over 1,500 acres, in
the vicinity of Mt. Agamenticus.

The map entitled, “Unfragmented Blocks in 2001, York Comprehensive Plan, Inventory
and Analysis, Existing Land Use Chapter” with a date of January 5, 2004, is hereby
incorporated into this document by reference. This map is simply a re-printing of the
mapped data from RKG Associates, with the format adjusted to match other maps in this
Chapter. The data has not been amended, revised or corrected, and it reflects conditions
as of early 2001. A reduced copy of this map is included in Appendix D.

With RKG’s un-fragmented blocks as a starting point, it is informative to look at recent
construction and see where new construction has occurred in or near the 11 largest (350+
acres) unfragmented blocks. Only 3 of the 11 blocks have escaped intrusions. Of the 8
blocks potentially impacted, some have been significantly impacted with new structures
entering into the unfragmented areas as new islands of development, while others merely
represent the development of the road-front portions of lots, with no impacts in the back
land. This is not intended to be a comprehensive analysis of unfragmented blocks, but is
provided merely to demonstrate the vulnerability of large blocks to continued intrusions
and divisions.

Comprehensive Plan, Inventory and Analysis, Existing Land Use Chapter” with a date of
January 5, 2004, is hereby incorporated into this document by reference. A reduced copy
of this map is included in Appendix E.
Appendix A
Land Cover in 2003

This map was created using information referred to as Land Use/Land Cover (LULC). The data was provided by different agencies in the US Department of the Interior, USDA, SODA, and EPA, as shown by their seals at the bottom of the map. This product is referred to as Multi-Resolution Land Characterization 2001 or MRLC2001, which is a new in-progress land use imagery. LULC data is the final land use land cover definition. The data contains different categories from 2001 to current day. The data returned here is current as of November 2002. It is acknowledged that the resolution of data does not account for small parcel areas and should be considered a snapshot of the land use for an area of the state of York.

1 inch equals 1/2 mile
Appendix B
Land Use in 2003

York Comprehensive Plan
Inventory and Analysis
Existing Land Use Chapter
January 5, 2004

This map was created using information from the Town of York Assessor's Office. The parcel outlines and the land use classifications were taken on November 60, 2003 from the database used by the Assessor's office to determine the level of taxation for each parcel.

The difference between the developed and undeveloped Residential Parcels was determined by whether or not the parcel in question contained a structure similar to a house or a mobile home that was 700 square feet in size or greater.
Appendix C

York Comprehensive Plan
Inventory and Analysis
Existing Land Use Chapter
January 5, 2004

Legend
Non-Residential Construction
- Built Between 1981 & 1999
- Built Between 2000 & 2003

Residential Construction
- Built Between 1981 & 1999
- Built Between 2000 & 2003

1 Inch equals 1/2 mile
Appendix D
Unfragmented Blocks in 2001

York Natural Resource Inventory and Build-Out Analysis
Town of York

Legend
Unfragmented Blocks
By Acreage
<250
250 - 550
550 - 1,500
1,500 - 5,000
3,000 - 7,000

Planning Department
York, Maine
March 19, 2004

Existing Land Use Chapter – Inventory and Analysis
Page 9
Appendix E
Intrusions into Unfragmented Blocks, 2001 – 2003

Unfragmented Blocks in 2000

York Comprehensive Plan
Inventory and Analysis
Existing Land Use Chapter
January 5, 2004

This map was created using information provided by Town's Office. The
information displayed Unfragmented Blocks was clipped and displayed
by MDOE Associate in the 2001 Build-Out Study for the Town of York.
The existing 1/8" was determined using the Town's Public Records and
current information. The 1990 was determined using the Town's Public
Records and previous 1980s Public Records. Areas of unfragmented
blocks. This information was current as of January 05, 2004.

1 inch equals 1/2 mile

Unfragmented Blocks of Land and Current Intrusions
Unfragmented Blocks (by acres)
- 260 - 450
- 500 - 1000
- 1040 - 2000
- 2040 - 4000
- Including Parcels

Existing Land Use Chapter – Inventory and Analysis
Page 10
ECONOMIC BASE

This chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about the local economy and labor force. This information is essential to inform decisions in several sections of the Comprehensive Plan, including economic development, fiscal policy, land use and transportation.

The text of this Chapter is organized into three sections: Constraints and Opportunities, Employment Base, and Labor Force.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others being prepared at this time, marks a change in format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep the Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section. When the entire set of Inventory and Analysis chapters is adopted, the 1999 Inventory and Analysis section of the York Comprehensive Plan can be repealed.

Constraints and Opportunities

The final portion of this chapter goes beyond the hard numbers considered in the preceding sections and offers a critical examination of the economic constraints faced by the Town of York and the key opportunities for future economic prosperity.

1. Economic Competitiveness

   The Town of York possesses many unique characteristics that impact its economic competitiveness. It is a very desirable place to live and work for a number of reasons.
   - It is located within a reasonable commuting distance from both Boston and Portland.
   - It has a very diverse and appealing geography, with miles of oceanfront property, historic villages, rolling hills and thousands of acres of undeveloped wilderness.
   - It is known both as a great place for families to raise children and for retirees to enjoy an active lifestyle.
• It has been a summertime resort area for more than a century and has a strong tourism economy.
• It has a strong base of arts and cultural resources that are attractive to prospective residents and businesses

However, despite all of these assets, York also faces a number of challenges in building its future economic base:
• Real estate is very expensive in York, thus increasing the risk for prospective businesses.
• New Hampshire is perceived to have a more business-friendly environment than Maine, and York is located just a few minutes from the state border.
• The supply of developable commercial and industrial land is limited, and most large parcels near Maine Turnpike Exit 7 are already developed.
• A low unemployment rate limits the available labor pool for prospective new employers. Depending on the future of the Portsmouth Naval Shipyard, there may be an immediate increase in the regional unemployment rate.
• The gap between wages and housing prices in York is quite large, making it very difficult for employees in the area to find affordable housing.

In all probability, the high land values, limited supply of land and “disadvantage” of being located so close to New Hampshire will limit York’s marketability for larger-scale commercial and industrial development. However, York’s assets make it very appealing for smaller niche businesses and sole proprietors looking for an attractive place to live and work.

2. Tourism Issues
Tourism is undoubtedly a critical component of York’s economic base, and has been so for more than 100 years. The attractions of the Town’s coastline and historic villages continue to be appealing, and visitors continue return to town year after year. While tourism already contributes strongly to the local economy, there are many opportunities to further enhance its role as part of York’s future economic prosperity.

The first issue that can be improved is seasonality. As documented later in this report, lodging properties in York do 25 times more business in August than in January and restaurants do five times more business in August than in February. While summer will always be the peak season for tourism to York, there are still opportunities to improve the tourist economy in the shoulder seasons as well as in the winter season.

The Greater York Chamber of Commerce does market York for off-season visitation, and its selling points focus on winter being a “magical time” to visit the area. There are still many visitor attractions that remain open through at least part of the winter. Tourism can therefore be attracted in the off-season with the promise of historic attractions, fine dining and natural beauty without large crowds. Outdoor recreation in Southern Maine can also be marketed to off-season visitors.
Another market segment that can be grown is heritage tourism. York is Maine’s oldest town and contains many historic attractions such as the Old Gaol Museum, the George Marshall Store Gallery and Jefferds’ Tavern. These attractions can be marketed as part of tour packages with local inns and restaurants to off-season visitors.

The issue of daytrippers is also important to consider. York Beach, as the closest Maine ocean beach to Massachusetts, draws a high percentage of daytrippers in the summertime. From an economic standpoint, daytrippers are the worst kind of visitors—they add to traffic congestion and sanitation issues, but they don’t spend much money. Working with the Greater York Chamber of Commerce, an effort to convince more daytrippers to stay overnight would produce tremendous economic benefits to the Town and would create business opportunities as well.

A final point regarding tourism is the issue of housing for tourist-industry workers. As indicated above, labor force statistics show that most seasonal employees in York do not live in town while employed locally. If York seeks to maintain a strong tourism industry, providing for the housing of seasonal workers will be an important consideration.

Given its importance, it would be appropriate to study in greater detail the tourism-sector of York’s economy and the regional economy. This would facilitate a better understanding of the implications of public policy on this important sector of the economy for both its positive contributions and negative impacts.

3. Creative Economy

For the reasons outlined in the economic competitiveness section above, the Town of York is not well positioned to accommodate large-scale commercial or industrial growth in the future. The future economic prosperity of the Town will therefore need to focus on attracting, growing and retaining small businesses that fill niches in the regional and national economy.

The “Creative Economy” is defined as any individuals or businesses involved in arts, cultural or technological pursuits. State government has made the Creative Economy a centerpiece of statewide economic development efforts by emphasizing arts, education, and cultural aspects of Maine when recruiting prospective businesses. The Maine Arts Commission website lists three key roles in the state’s economy of Creative Economy individuals and businesses:

- An export industry closely connected to tourism and recreation.
- As a key element in Maine’s quality of life.
- As a cluster of economic activity in its own right.

National research on this topic has established that creative individuals and businesses are drawn to places with a strong quality of life as defined by four factors: diversity, arts and culture “scenes”, universities and recreational opportunities. While York lacks immediate proximity to a major college or university, it certainly possesses the other factors. Of equal importance is York’s location in reference to the Boston area—it is located fairly close, but is less populated and offers a less hectic lifestyle.
York itself is already home to scores of creative resources. The Agamenticus Arts & Heritage project, conducted in 2000, inventoried arts and cultural resources in the York region and listed hundreds of artists, craftspeople, educators, musicians in York and its surrounding towns. This project is now gearing up to work on a regional arts and heritage planning effort to boost the visibility of the creative arts in the area.

**Employment Base**

In order to assess a community’s economic prospects, the current job situation must first be understood. This section profiles the town’s current job base and the types of employment found in York.

1. **Employment Profile**

   **A. EMPLOYMENT BY MAJOR INDUSTRY**

   York has a diverse economic base comprised mainly of smaller employers. For the year 2003, the Maine Department of Labor reports that there were 5,018 persons employed full-time in York at 523 different establishments. This represents an average of 9.6 employees per establishment.

   For 2003, York County’s total full-time employment was 60,455, so the Town of York accounts for 8.3% of all jobs in the county. The countywide average establishment size is 10.7 employees.

   Employment in York has grown substantially since 1990, as shown by the chart to the right. The Maine Department of Labor reports that there were an average of 3,042 persons employed full-time in the Town as of 1990. This figure grew to 3,866 in 1997 and to 5,018 by 2003. The net change in jobs in the Town was 1,976, representing an overall growth rate from 1990-2003 of 65%. The compound annual job growth rate was 3.9%.

   ![At-Place Jobs in York, 1990-2003](chart)

   The local economy of York is heavily dominated by the Service and Retail sectors. According to Maine Department of Labor data, the top three employment sectors in York are Education & Health Services, Leisure & Hospitality and Trade, Transportation and Utilities. These three sectors employ 3,784 of the
5,018 persons who work in York, or 75% of all employees. There is a far smaller share of Manufacturing jobs in York (6.6% of all jobs) compared with York County as a whole (17.8% of all jobs).

Table 1 below compares the employment profiles of the Town and the county.

### Table 1
Employment Profile, Town of York and York County, 2003

<table>
<thead>
<tr>
<th></th>
<th>Town of York</th>
<th>York County</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of Jobs</td>
<td>% of Total</td>
</tr>
<tr>
<td>Construction</td>
<td>206</td>
<td>4.1%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>330</td>
<td>6.6%</td>
</tr>
<tr>
<td>Trade, Transportation &amp; Utilities</td>
<td>819</td>
<td>16.3%</td>
</tr>
<tr>
<td>Information</td>
<td>50</td>
<td>1.0%</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>171</td>
<td>3.4%</td>
</tr>
<tr>
<td>Professional &amp; Business Services</td>
<td>246</td>
<td>4.9%</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>1,677</td>
<td>33.4%</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>1,288</td>
<td>25.7%</td>
</tr>
<tr>
<td>Other Services</td>
<td>135</td>
<td>2.7%</td>
</tr>
<tr>
<td>Other Categories</td>
<td>96</td>
<td>1.9%</td>
</tr>
<tr>
<td><strong>Total Jobs</strong></td>
<td><strong>5,018</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Source: Maine Department of Labor

### B. SEASONALITY OF THE LOCAL ECONOMY

York’s local economy is largely seasonal. Fluctuations in employment in the two largest sectors, Retail and Services, reflect this fact. Table 2 below displays Maine Department of Labor data for 2003 on monthly full-time employment.

### Table 2
Town of York Full-Time Employment by Month, 2003

<table>
<thead>
<tr>
<th>Month</th>
<th>Retail</th>
<th>Service</th>
<th>Other Sectors</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>793</td>
<td>1,993</td>
<td>748</td>
<td>3,534</td>
</tr>
<tr>
<td>February</td>
<td>802</td>
<td>2,039</td>
<td>725</td>
<td>3,566</td>
</tr>
<tr>
<td>March</td>
<td>817</td>
<td>2,029</td>
<td>710</td>
<td>3,556</td>
</tr>
<tr>
<td>April</td>
<td>965</td>
<td>2,205</td>
<td>823</td>
<td>3,993</td>
</tr>
<tr>
<td>May</td>
<td>1,185</td>
<td>2,411</td>
<td>971</td>
<td>4,567</td>
</tr>
<tr>
<td>June</td>
<td>1,447</td>
<td>2,606</td>
<td>1,058</td>
<td>5,111</td>
</tr>
<tr>
<td>July</td>
<td>1,738</td>
<td>2,690</td>
<td>1,221</td>
<td>5,649</td>
</tr>
<tr>
<td>August</td>
<td>1,729</td>
<td>2,658</td>
<td>1,211</td>
<td>5,598</td>
</tr>
<tr>
<td>September</td>
<td>1,493</td>
<td>2,483</td>
<td>1,142</td>
<td>5,118</td>
</tr>
<tr>
<td>October</td>
<td>1,269</td>
<td>2,516</td>
<td>1,098</td>
<td>4,883</td>
</tr>
<tr>
<td>November</td>
<td>1,094</td>
<td>2,512</td>
<td>1,071</td>
<td>4,677</td>
</tr>
<tr>
<td>December</td>
<td>996</td>
<td>2,510</td>
<td>1,092</td>
<td>4,598</td>
</tr>
<tr>
<td><strong>Seasonal Variation</strong></td>
<td><strong>219%</strong></td>
<td><strong>135%</strong></td>
<td><strong>172%</strong></td>
<td><strong>160%</strong></td>
</tr>
</tbody>
</table>

Source: Maine Department of Labor
Retail in particular is subject to seasonal variations, as employment ranged from as little as 802 jobs in February to as many as 1,738 in July—a variation of 219%. Service is less seasonal (135% variation), but the absolute difference of jobs in the summer is still very significant: there were about 700 more jobs in July than in January. The smaller sectors also demonstrated a great deal of seasonality. The Manufacturing sector by itself ranged from 216 jobs in March to 468 in July—a variation of 217%.

More discussion of seasonality in the economic base is found under the Retail & Tourism heading below.

C. HOUSING INDUSTRY

As a community with a growing population, the residential construction industry in York is also a significant contributor to the local economy. Although only about four percent of people employed in York are in the construction industry, there are other employment categories driven by the housing market, including Financial Activities (including Realtors), Professional and Business Services and Other Services. Also, many of the homebuilders who are active in York are based in other communities, so local employment data do not include these businesses.

Maine Department of Labor does report on specific industry sub-categories related to the housing industry. Here are data for 2003 on a few such sub-categories:

- Real Estate: 78 employees
- Construction of Buildings: 75 employees
- Specialty Trade Contractors: 112 employees

Another way to look at the impact of the construction industry is to examine the dollar value of new development. According to U.S. Census Bureau data for the Town of York, the total cost of new residential construction in the Town for 2004 was $13.1 million. (Data from the Town Assessor indicates the value of this construction is closer to $50 million.) Assuming that half of the costs were for labor, the total payroll for construction jobs in York would be about $6.55 million.

With an average annual salary for construction jobs of $32,300 (see below), this volume of construction would support about 203 jobs in the Town of York. This figure is almost exactly the same as the reported number of construction jobs in York of 206. How the higher values for the Assessor would affect the labor figures has not been determined, but may warrant additional study should the need for more accurate data arise.
2. **Earnings**

For the year 2003, the average weekly wage for persons employed in the Town was $547 (equivalent to an annual salary of $28,400). The countywide average weekly wage was $534 ($27,800 annually).

Table 3 below compares weekly and annual earnings for 2003 by employment sector for the Town of York and York County.

<table>
<thead>
<tr>
<th>Table 3</th>
<th>Earnings by Major Industry in York and York County, 2003</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Town of York</strong></td>
</tr>
<tr>
<td></td>
<td>Avg Weekly Wage</td>
</tr>
<tr>
<td>Construction</td>
<td>$662</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>$435</td>
</tr>
<tr>
<td>Trade, Transportation &amp; Utilities</td>
<td>$469</td>
</tr>
<tr>
<td>Information</td>
<td>$571</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>$731</td>
</tr>
<tr>
<td>Professional &amp; Business Services</td>
<td>$735</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>$704</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>$336</td>
</tr>
<tr>
<td>Other Services</td>
<td>$433</td>
</tr>
<tr>
<td><strong>Total Jobs</strong></td>
<td><strong>$547</strong></td>
</tr>
</tbody>
</table>

*Note: Average wages may be influenced by seasonal factors, bonus and retroactive payments, high proportions of part-time workers, or large amounts of overtime work*

Source: Maine Department of Labor

Earnings in Education & Health Services, York’s largest employment sector, are fairly strong, with an average weekly wage of $704 (annual salary of $36,600). However, earnings for Leisure and Hospitality ($336 weekly, $17,500 annually) and Trade, Transportation and Utilities ($469 weekly, $24,400 annually) are low. The highest paying employment sectors in the Town of York, Financial Activities and Professional & Business Services, only account for eight percent of all jobs in the Town.

While York’s wages are higher than those of York County as a whole, the at-place earnings in the Town do not match up with its high per capita and household income levels. As reported in the Population Chapter, the Town of York’s median household income exceeds the county’s by 28%, and the Town’s per capita income level is 45% higher than the county’s. The difference in wages between the Town and the county is just 3%.

The split between personal and household incomes and local wages can be explained by commuting patterns. This issue is discussed further in the Labor Force section of this Chapter.
3. Major Employers

A. EMPLOYERS IN YORK

York’s local economy is primarily comprised of small businesses, with few large employers in the Town. Aside from York Hospital, no other private employer in York has more than a few hundred jobs. Table 4 below lists the largest employers in York.

B. MAJOR REGIONAL EMPLOYERS

York is located less than 10 miles from Portsmouth, New Hampshire and within 25 miles of Biddeford and Sanford, the two largest employment centers in York County. As such, many York residents commute to a variety of other locations in Southern Maine and Seacoast New Hampshire. There are several major employers (more than 1,000 jobs) located in the region surrounding York. These employers are listed in Table 4 below.

Table 4
Major Employers in Surrounding Region, 2005
(1,000 Employees or More)

<table>
<thead>
<tr>
<th>Employer</th>
<th>Location</th>
<th>Jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Portsmouth Naval Shipyard</td>
<td>Kittery, ME</td>
<td>4,800</td>
</tr>
<tr>
<td>University of New Hampshire</td>
<td>Durham, NH</td>
<td>2,750</td>
</tr>
<tr>
<td>Liberty Mutual Insurance</td>
<td>Portsmouth, NH</td>
<td>2,750</td>
</tr>
<tr>
<td>General Electric</td>
<td>Somersworth, NH</td>
<td>2,000</td>
</tr>
<tr>
<td>Pratt &amp; Whitney Aircraft Systems</td>
<td>North Berwick, ME</td>
<td>1,700</td>
</tr>
<tr>
<td>Sears Roebuck &amp; Co.</td>
<td>Newington, NH</td>
<td>1,400</td>
</tr>
<tr>
<td>Southern Maine Medical Center</td>
<td>Biddeford, ME</td>
<td>1,100</td>
</tr>
<tr>
<td>Tyco International</td>
<td>Exeter, NH</td>
<td>1,000</td>
</tr>
<tr>
<td>Portsmouth Regional Hospital</td>
<td>Portsmouth, NH</td>
<td>1,000</td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission

In May 2005, the Portsmouth Naval Shipyard was placed on the Base Realignment and Closure (BRAC) list by the federal Department of Defense. Though this decision is not yet final, it seems likely that the Shipyard may be closed. The potential closure of the Shipyard would have a major negative effect on the regional economy, as more than 4,000 civilian employees would be out of work.

Looking locally, there are presently 239 residents of the Town of York who are employed at the Shipyard. Within the Town of York, many retail and service businesses would likely see downturns in business as a result of the loss of earnings from resident employees at the Shipyard. The local Comprehensive
Planning process in York will therefore necessarily have to monitor the situation with the Shipyard.

4. Retail and Tourism

The York region widely known as a tourism destination, and the local economy is strongly tied to tourist activity. Tourism in York, as in most of Maine, is heavily seasonal. The Maine Office of Tourism surveys visitors to the state each year and reports data at the regional level. York is located in the Southern Maine Coast tourism region, which also includes the balance of York County. The following chart shows the seasonality of visitors to the region according to the 2003 report by the state.

Seasonality of Visits to Southern Maine Coast Region, 2003

As would be expected for a beach resort area in a northern climate, 46% of visits to the region occur in the months of July through September. The shoulder seasons of April-June and October-December each draw 23% of yearly visitation. The winter months of January through March are by far the slowest, as only 8% of visits come at this time of year.

The most recent report available for the Southern Maine Coast region is for 2003. In all, 19.4 million trips were made to the region, of which 16.0 million (82%) were day trips, 1.1 million (6%) were pass-through trips and 2.3 million (12%) were overnight trips. The two most popular activities for visitors to the region were shopping and touring. Shopping is primarily the focus of daytrippers—among overnight visitors, shopping did not even make the top seven activities. This is a significant change from historical trends, when a more common pattern was extended stays by visitors.

The Maine State Planning Office collects monthly retail sales information at the Economic Summary Areas (ESA) level. It is clear from this information that the economic base of York and its surrounding area is affected very strongly by seasonal visitation. The two charts below illustrate seasonal fluctuations in retail sales for the 24-month period from August 2002 through July 2004 for the Kittery ESA (Kittery, York, Wells, Ogunquit, Eliot).
As would be expected, the Dining and Lodging industries are subject to large fluctuations. Lodging sales peaked in August 2004 at about $21 million; in January of the same year, Lodging sales only represented $821,000, a variation of 2500%. Dining sales similarly ranged from $4.2 million in February 2004 to $21.8 million in August 2004, a variation of 520%.

Most other types of retail experience these fluctuations as well, though the fluctuations are not as pronounced as for Dining and Lodging. Even General Merchandise, typically a more stable sector, fluctuated from $5.1 million to $15.6 million from the low month to the peak month in 2004—a variation of more than 300%.

Total retail sales in the Kittery ESA exhibit a 400% fluctuation from the peak season to the crater season in any one year. In 2004, total sales were at $21.1 million in February and at $81.9 million in August. Clearly, all sectors of the retail economy of York and its surrounding area are heavily seasonal.

Over time, York’s share of the Kittery area’s total retail sales has increased, but its share of lodging and restaurant sales has not. From 1996 to 2003, York’s share of retail sales in the Kittery Economic Summary Area (ESA), which includes Kittery, York, Eliot, South Berwick, Wells and Ogunquit, grew from 17.7% to 22.2%. During this same period, though, York’s share of the regional restaurant and lodging sales only increased by a tenth of a percentage point—from 21.1% to 21.2%.

Table 5 below shows retail sales trends from 1996-2003 for the Kittery ESA and the Town of York.
Table 5
Retail Sales Trends, 1996-2003 (in $millions)

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Retail Sales</th>
<th>Total Restaurant &amp; Lodging Sales</th>
<th>Restaurant Lodging % of Total</th>
<th>Total Restaurant &amp; Lodging Sales</th>
<th>Restaurant Lodging % of Total</th>
<th>Total Lodging % of Total</th>
<th>York % of Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>$433.7</td>
<td>$162.4</td>
<td>37.4%</td>
<td>$76.9</td>
<td>$35.1</td>
<td>45.6%</td>
<td>17.7%</td>
</tr>
<tr>
<td>1997</td>
<td>$453.5</td>
<td>$167.5</td>
<td>36.9%</td>
<td>$80.1</td>
<td>$36.5</td>
<td>45.6%</td>
<td>17.7%</td>
</tr>
<tr>
<td>1998</td>
<td>$485.2</td>
<td>$177.0</td>
<td>36.5%</td>
<td>$86.0</td>
<td>$40.0</td>
<td>46.5%</td>
<td>17.7%</td>
</tr>
<tr>
<td>1999</td>
<td>$525.4</td>
<td>$191.4</td>
<td>36.4%</td>
<td>$98.0</td>
<td>$43.1</td>
<td>44.0%</td>
<td>18.6%</td>
</tr>
<tr>
<td>2000</td>
<td>$538.0</td>
<td>$197.3</td>
<td>36.7%</td>
<td>$107.3</td>
<td>$45.7</td>
<td>42.6%</td>
<td>19.9%</td>
</tr>
<tr>
<td>2001</td>
<td>$532.5</td>
<td>$201.8</td>
<td>37.9%</td>
<td>$111.6</td>
<td>$46.9</td>
<td>42.0%</td>
<td>21.0%</td>
</tr>
<tr>
<td>2002</td>
<td>$549.6</td>
<td>$216.5</td>
<td>39.4%</td>
<td>$122.8</td>
<td>$49.8</td>
<td>40.5%</td>
<td>22.4%</td>
</tr>
<tr>
<td>2003</td>
<td>$550.0</td>
<td>$214.3</td>
<td>39.0%</td>
<td>$122.1</td>
<td>$46.4</td>
<td>38.0%</td>
<td>22.2%</td>
</tr>
</tbody>
</table>

$ Change $116.3 $51.9 $45.2 $11.4

% Change 26.8% 32.0% 58.8% 32.4%

* Kittery ESA includes Kittery, York, Eliot, South Berwick, Wells and Ogunquit

Source: Maine State Planning Office

5. Natural Resource-Based Industries
York has a long and rich history of farming, forestry and fishing/lobstering activities as part of its local economy. Although large sections of the Town have now been converted for residential and commercial uses, farming, forestry and fishing still remain important segments of the local economy. Though these resource-based industries do not represent large-scale economic engines, they are an integral part of the Town’s identity.

There are comparatively few people employed in the agriculture, forestry and fishing industries in York. According to monthly data reported by the Maine Department of Labor, employment in these industries varies by season. In 2003, employment in these sectors ranged from 64 jobs in March to 134 in July. Regardless of the season, these jobs average about two percent of total townwide employment at all times of the year.

As of 2005, agricultural production in York is primarily limited to two large farms (Blaisdell’s cattle farm and Zacharias’ produce farm) and one small truck farm (Stony Acres). There are also a number of smaller organic and hobby farms in town. The Greater York Chamber of Commerce operates a farmer’s market on Saturdays in the summer months. This market allows local farmers and growers to reach residents and visitors.

Forestry remains an essential part of York’s economy. As of 2005, there are 17 properties containing about 875 acres that are registered as Tree Growth in the state’s current use taxation program. Many of these sites are being actively harvested. Most registered Tree Growth properties have been in this program for more than 25 years. Just five of the 17 properties (accounting for 189 acres) have been added since 1980. Properties registered as Tree Growth range in size from 19 acres to 166 acres.
Fishing and lobstering remains a small but important presence in the York Harbor area. There are a few commercial fishing and lobstering boats operating in the Town. Recreational boating also contributes strongly to the local economy, as it supports both marine-based businesses as well as restaurants, inns, stores and other tourism-related businesses. There are a total of 475 moorings for recreational boating available within the Town of York.

A number of lodging properties in York have docks and mooring space available for customers as well. There are also many private properties along the York River with private docks.

**Labor Force**

Of equal importance in assessing the local economic base is the status of York’s labor force. This section takes a look at the resident population of York that comprises the local labor force.

1. **Employment and Unemployment**

York’s resident labor force has grown substantially over the past 15 years. In 1990, there were 5,060 members of the local labor force; by 2004 there were 7,171. This increase of 2,111 persons represents a total change of 41.7% and a compound annual growth rate of 2.5%.

Table 6 on the next page and shows labor force, employment and unemployment trends for York from 1990 through 2004.

The number of employed residents has grown at a similar rate as the labor force, an indication of a stable unemployment rate. The unemployment rate in York has remained low over the past 15 years, peaking at 4.6% in 1992 at the height of the recession. The countywide unemployment rate reached 7.0% percent at the same time.

Following the end of the recession of the early 1990s, the labor force began to grow again for the rest of the decade and unemployment fell as well. Beginning in 2001, unemployment increased again, reaching as high as 4.0% in 2003 before falling back to 2.6% in 2004. The apparent leap in the size of the labor force between 2000 and 2001 is due to a larger than expected population count from the 2000 Census. In reality, the growth in the size of the labor force was probably much more gradual.
The unemployment rate for York as of 2004 was 2.6%. This rate compares with the countywide average of 4.0% and the Kittery Labor Market Area’s average of 3.3% (the Labor Market Area includes Kittery, York, Eliot, South Berwick, Berwick).

In a town with a heavily seasonal job market, it is also worth examining seasonal labor force and unemployment. The following graphic shows this information for York for the 24-month period covering August 2002 through July 2004.

### Table 6

<table>
<thead>
<tr>
<th>Year</th>
<th>Civilian Labor Force</th>
<th>Number Employed</th>
<th>Number Unemployed</th>
<th>Unemployment Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>7,171</td>
<td>6,988</td>
<td>183</td>
<td>2.6%</td>
</tr>
<tr>
<td>2003</td>
<td>7,086</td>
<td>6,807</td>
<td>279</td>
<td>3.9%</td>
</tr>
<tr>
<td>2002</td>
<td>6,999</td>
<td>6,791</td>
<td>208</td>
<td>3.0%</td>
</tr>
<tr>
<td>2001</td>
<td>6,969</td>
<td>6,849</td>
<td>120</td>
<td>1.7%</td>
</tr>
<tr>
<td>2000</td>
<td>6,917</td>
<td>6,826</td>
<td>91</td>
<td>1.3%</td>
</tr>
<tr>
<td>1999</td>
<td>5,620</td>
<td>5,544</td>
<td>76</td>
<td>1.4%</td>
</tr>
<tr>
<td>1998</td>
<td>5,463</td>
<td>5,397</td>
<td>66</td>
<td>1.2%</td>
</tr>
<tr>
<td>1997</td>
<td>5,501</td>
<td>5,409</td>
<td>92</td>
<td>1.7%</td>
</tr>
<tr>
<td>1996</td>
<td>5,522</td>
<td>5,422</td>
<td>100</td>
<td>1.8%</td>
</tr>
<tr>
<td>1995</td>
<td>5,274</td>
<td>5,153</td>
<td>121</td>
<td>2.3%</td>
</tr>
<tr>
<td>1994</td>
<td>5,049</td>
<td>4,888</td>
<td>161</td>
<td>3.2%</td>
</tr>
<tr>
<td>1993</td>
<td>5,213</td>
<td>5,029</td>
<td>184</td>
<td>3.5%</td>
</tr>
<tr>
<td>1992</td>
<td>5,381</td>
<td>5,134</td>
<td>247</td>
<td>4.6%</td>
</tr>
<tr>
<td>1991</td>
<td>5,308</td>
<td>5,096</td>
<td>212</td>
<td>4.0%</td>
</tr>
<tr>
<td>1990</td>
<td>5,060</td>
<td>4,913</td>
<td>147</td>
<td>2.9%</td>
</tr>
<tr>
<td>Num Change</td>
<td>2,111</td>
<td>2,075</td>
<td>36</td>
<td></td>
</tr>
<tr>
<td>% Change</td>
<td>41.7%</td>
<td>42.2%</td>
<td>24.7%</td>
<td></td>
</tr>
<tr>
<td>CAGR</td>
<td>2.5%</td>
<td>2.5%</td>
<td>1.6%</td>
<td></td>
</tr>
</tbody>
</table>

Source: Maine Department of Labor
The size of the labor force does get somewhat smaller during the winter months, but not significantly. The size of the labor force only varies by about 300 people, compared with the variation in seasonal employment of roughly 2,000 jobs. This disparity is an indication that most seasonal employees in York do not live in town while employed in town. This suggests a need for additional seasonal housing to better serve local businesses.

2. Occupational Profile

As would be expected for a community with a high household income level, members of the York labor force are far more likely to be employed in management and professional occupations (44%) than are all York County workers (31%). The Town’s share of service, sales/office and farming/forestry/fishing workers is similar to that of the county. The one occupational category in particular for which the county has a higher concentration than the Town is Production, transportation and material moving, which encompasses most manufacturing sector jobs. For all of York County, 17% of the labor force is employed in these occupations—the figure is just 7% for the Town of York.

3. Workforce Development

As documented in the Population chapter, about 38% of the Town’s adult residents have at least a Bachelor’s degree and another 10% have Associate’s degrees. While these educational attainment figures far surpass county and state averages, over half of York’s adult population lacks any sort of college degree.

Although York High School is considered one of Maine’s top secondary schools, a fairly modest percentage of recent graduates have continued on to post-secondary education compared to other schools in the area (see Table 7). From 2000 through 2003, 66.6% of York High School graduates continued on to post-secondary education. In other words, one-third of graduates of recent York High School have gone directly into the workforce.
Workforce development resources are available to York residents mainly through York Adult Education and York County Community College in Wells. The adult education program includes many different types of academic and vocational education. The most direct vocational training offered by York Adult Education is a Certified Nursing Assistant program. The program offers other courses in computer skills, resume writing and job interviewing skills.

York County Community College is part of Maine’s community college system and offers a range of career-oriented programs. The College offers both Associate degrees and Certificates in fields such as accounting, business administration, hotel/restaurant operations, drafting, computer support and digital media. In 2005, the Community College surveyed manufacturing and hospitality industry employers in the region and found that the labor pool in the area lacks the basic reading and writing skills needed for many jobs, and that this lack of basic skills is a hindrance to economic growth.

4. Commuting Patterns

In terms of population, York is the fourth largest municipality in York County. However, it only ranks sixth in terms of at-place jobs and its jobs-to-workers ratio of 0.67 is the tenth highest in the county. York is now primarily a commuter suburb, with its working residents’ places of employment primarily being in the Portland area, the New Hampshire seacoast and, increasingly, Massachusetts. Table 8 shows where York commuters work and where York employees live.

<table>
<thead>
<tr>
<th>Town</th>
<th>Commuters</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of York</td>
<td>2,236</td>
<td>35.1%</td>
</tr>
<tr>
<td>Other York County</td>
<td>1,305</td>
<td>20.5%</td>
</tr>
<tr>
<td>Other Maine</td>
<td>382</td>
<td>6.0%</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>1,701</td>
<td>26.7%</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>657</td>
<td>10.3%</td>
</tr>
<tr>
<td>Other</td>
<td>96</td>
<td>1.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6,377</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Town</th>
<th>Commuters</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of York</td>
<td>2,236</td>
<td>52.6%</td>
</tr>
<tr>
<td>Other York County</td>
<td>1,489</td>
<td>35.0%</td>
</tr>
<tr>
<td>Other Maine</td>
<td>134</td>
<td>3.2%</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>360</td>
<td>8.5%</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>26</td>
<td>0.6%</td>
</tr>
<tr>
<td>Other</td>
<td>7</td>
<td>0.2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4,252</strong></td>
<td></td>
</tr>
</tbody>
</table>

Source: U.S. Bureau of the Census
The statistics in Table 8 support the assertion that York is more of a commuter town than a service center. Only 35% of York’s resident commuters work in town and only another 21% work elsewhere in York County. The Portland area is not a major magnet for York commuters—just 6% commute north of York County to other locations in Maine.

York residents are far more likely to work in New Hampshire (27%) and Massachusetts (10%) than to the north. Portsmouth is actually the top commuting destination for York residents aside from York itself, as 14% of York commuters work in either Portsmouth or Newington. Another notable fact is that more York residents actually commute to Boston (89) than to Biddeford (83).

On the flip side, 88% of people employed in York also live in York County (53% actually live in town). Few people from New Hampshire or the Portland area commute into York. Of the top five places where York employees live, four are York’s immediate neighbors—Wells, Kittery, South Berwick and Eliot.

As more and more York residents commute to New Hampshire and Massachusetts, commuting times are increasing as well. The 2000 Census reports that York’s median commute time in 2000 was 27.1 minutes. This is up substantially from the 1990 time of 21.2 minutes, an increase of 22%. In 1990, just 11% of York commuters traveled more than 45 minutes each way to work. By 2000, 19% of commuters had commutes this long.
Utilities Chapter
Comprehensive Plan
Inventory & Analysis

November 8, 2005

Planning Board of York, Maine
Barrie Munro, Chair
Glen MacWilliams, Vice Chair
Glenn Farrell
Richard Smith
Tom Manzi
Lee Corbin, Alternate
Michelle Moody, Alternate

ENACTMENT BY THE LEGISLATIVE BODY

Date of Town vote to enact this Chapter of the Comprehensive Plan: ____________.

Certified by the Town Clerk: _________________________________ on ___________.

(signature) (date)
UTILITIES

This Chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about the types of utilities available in each area of the Town of York because understanding this information is a foundation for formulation of land use policies elsewhere in the Comprehensive Plan.

The text of this Chapter is organized into 6 sections: Water; Sewer; Stormwater; Electricity; Telecommunications; and Gas. This chapter includes 8 maps to supplement the text. For this Chapter in particular, the maps convey the critical inventory information to a greater degree than the text. A complete citation, with map title and date, is provided in the appropriate section of the text.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, together with others already adopted and being written, is part of a change in format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep the Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section. When the entire set of Inventory and Analysis chapters is adopted, the 1999 Inventory and Analysis section of the York Comprehensive Plan can be fully repealed.

WATER

Water for domestic and fire-fighting purposes is provided by 3 separate water districts: York Water District (YWD); Kennebunk, Kennebunkport and Wells Water District (KK&W); and Kittery Water District (KWD). At this time approximately 28% York’s geographical area has water provided by these 3 water Districts. It should be noted that none of these water districts is part of York’s town government—each is an autonomous, quasi-municipal entity that governs itself within its own defined service area subject to Public Utilities Commission (PUC) rules.
The map entitled, “Water District Service Areas in 2005, York Comprehensive Plan, Inventory and Analysis, Utilities Chapter” with a date of March 22, 2005, is hereby incorporated into this document by reference.

The map entitled, “Fire Hydrant Service Areas by Water District in 2005, York Comprehensive Plan, Inventory and Analysis, Utilities Chapter” with a date of March 22, 2005, is hereby incorporated into this document by reference.

The following table provides a summary of basic information for each of the 3 systems serving York. The source of this table is the Master Plan for the York Water District (Wright-Pierce, November, 2004), as well as information provided by the Superintendents of Kittery Water District and Kennebunk, Kennebunkport, and Wells Water District.

<table>
<thead>
<tr>
<th>Service Area</th>
<th>York Water District</th>
<th>Kittery Water District</th>
<th>KK&amp;W Water District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year-Round</td>
<td>11.4 sq. mi.</td>
<td>1.5 sq. mi.</td>
<td>1.7 sq. mi.</td>
</tr>
<tr>
<td>Seasonal</td>
<td>2.5 sq. mi.</td>
<td>n.a.</td>
<td>0.9 sq. mi.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Customers</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>4,454</td>
<td>435</td>
<td>No Data Given</td>
</tr>
<tr>
<td>Commercial</td>
<td>318</td>
<td>7</td>
<td>No Data Given</td>
</tr>
<tr>
<td>Government/Other</td>
<td>161</td>
<td>0</td>
<td>No Data Given</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire Hydrants</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Year-Round</td>
<td>400</td>
<td>44</td>
<td>5</td>
</tr>
<tr>
<td>Seasonal</td>
<td>30</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Daily</td>
<td>1.2 million gal./day</td>
<td>1 million gal./day*</td>
<td>3 million gal./day*</td>
</tr>
<tr>
<td>Peak Daily</td>
<td>2.85 million gal./day</td>
<td>4.5 million gal./day*</td>
<td>6.8 million gal./day*</td>
</tr>
<tr>
<td>Max. Safe Yield</td>
<td>1.7 million gal./day</td>
<td>5.7 million gal./day*</td>
<td>11.5 million gal./day*</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Source(s)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chases Pond</td>
<td>Bell Marsh Reservoir</td>
<td>Branch Brook</td>
<td></td>
</tr>
<tr>
<td>Folly Pond</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boulter Pond</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Middle Pond</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*System wide

**York Water District**

Water in the areas of York Village, York Beach, and Route 1 corridor is provided through the YWD system. Service is principally year-round, but there are areas limited to seasonal (summer) water supply. The YWD serves about 25% of the geographical area of York.
The York Water District has adopted a Master Plan for their system. It was prepared by Wright-Pierce Engineers and the adopted version is dated November 2004.

The YWD Master Plan calls for service extensions in the following locations:

- Areas north of the current service area up to I-95.
- A small area north of I-95 and north-west of current service area.

The map identifying the precise locations of these areas is missing from the Master Plan.

The areas of York described above are not clearly defined by any map in the YWD Master Plan. When that information becomes available, a new map will be created. Within this portion of the Master Plan it is projected that the York Water District will be able to add approximately 1,100 new residential units, or expand by another 25%, before reaching capacity.

The District has an emergency regional interconnection with the KK&W system and is planning on adding another one with the Kittery Water District in the spring of 2005. These interconnections are important to the districts to allow them to address emergency water issues (drought, contamination, etc.) on a regional basis. The current agreements allow for the exchange of only 1 million gallons of water per day at emergency water rates. At this time it has been determined that the quality of the water entering and leaving the respective treatment plants is extremely close. There are still water quality issues being discussed between Kittery Water District and YWD, however YWD has no doubt that there is plenty of time to resolve these issues.

The YWD and KK&W systems were interconnected by a new main along Route One, from Cape Neddick Village to Ogunquit, in 2003. This interconnection is functional and has the ability to share water between York and Ogunquit, but is awaiting the installation of one more pump station so that the interconnection can safely run at capacity. The York and Kittery water districts are in the construction stage of a planned emergency interconnection. This will entail running a water main along the eastern side of Route One from the Kittery/York border north to the existing YWD system in the vicinity of the existing main under Route One north of the York River. Considering all of the factors the YWD considers the KK&W interconnection to be the preferred emergency water provider, at this present time.

The YWD Master Plan recommends the York Water District should consider approaching other Southern Maine water districts in order to begin the creation of a regional water plan. The need to create the plan is based upon the need to support the increases in population, not only in the Town of York, but also in York County and Southern Cumberland County. In the distant future a connection with South Berwick may become a reality, but the expansion of the York Water District system along Route 91 will be driven by property owners and not through active district expansion. In the future, the discussion about interconnections and water use should be continued. There is the
need to clarify the various districts needs to sell water back and forth to each other rather than providing water to new customers in York.

One significant limitation on potential expansion of the YWD system is that it cannot provide service at elevations greater 190 feet. The map, Water District Service Areas in 2005, highlights the approximate size and location of areas above this elevation to represent those areas where future service expansions are unlikely. Note that the map shows areas above 180 feet of elevation because of limited availability of contour data.

**Kittery Water District**

Water in the area around Cider Hill, Scotland Bridge and Beech Ridge roads is provided through the KWD system. Service is entirely year-round water supply. The KWD service area represents about 2% of York’s geographical area.

The Kittery Water District currently provides water service in the Scotland Bridge area. The district is not free to expand its service area anywhere in York, but may within a pre-defined service area. Beyond the KWD service area is the YWD service area. Unfortunately, it is not clear where the service area boundary is. The two districts are evaluating this issue and hope to enter into an agreement in the future that will establish a clearly defined service area.

**Kennebunk, Kennebunkport & Wells Water District**

Water in the northeastern corner of Town is provided through the KK&W system. Service is a combination of year-round and seasonal water supply. The KK&W service area represents about 5% of York’s geographical area. Service is actually provided in about 1% of York.

KK&W measures flow rates rather than delivery capacity, so their units of measurement are different. KK&W also supplies more water at their peak hour than they can over a peak day, so they operate at a deficit on peak days. They can do this because they rely on the drop in water use overnight to re-supply their reserve tanks. With this in mind the discussion about interconnections, the quality of water provided by emergency interconnections, and the expansion of water service to customers should continue between the Town of York and the water districts.

KK&W has no plans for system expansion in York, except as requested by property owners.

**SEWER**

Municipal sewage disposal is provided by 2 separate sewer districts: York Sewer District (YSD); and Ogunquit Sewer District (OSD). At this time approximately 7% of the area of York is serviced by these 2 sewer systems. It should be noted that neither of these sewer districts is part of York’s town government—each is an autonomous, quasi-municipal entity that governs itself in accordance with its own charter. There is legislation before
the Maine Legislature at this time (Spring 2005) to bring the York Sewer District into the Town government, but the final disposition of this legislation is uncertain and will not be further addressed in this Chapter.

The map entitled, “Sewer District Service Areas in 2005, York Comprehensive Plan, Inventory and Analysis, Utilities Chapter” with a date of March 22, 2005, is hereby incorporated into this document by reference.

**York Sewer District**

The YSD provides sewer service in about 3.75 square miles, or 6.5% of the geography for the Town of York. Service is concentrated in the York Corner, York Village and York Beach areas. The Sewer District Plant currently processes 1.2-1.4 million gallons per day per year as an average measurement of flow. The winter and summer flows are similar because the summer flows consist of influent and higher loads, while the winter flow has water from general inflow and infiltration. In 2004, the York Sewer District had an average daily flow of 1.23 MGD, which equals approximately 50% of the 3.0 MGD EPA permit limit capacity. The EPA permit rules state that a permit review is required when a plant reaches 80% permit capacity; therefore, a plan is never allowed to reach a full 100% capacity. The Sewer District is starting to develop a new master plan to address future issues, in addition to creating a new facilities plan in the next 5 years.

The District is actively considering expansion of their system into new areas, directed primarily by the policies outlined in the Town’s Comprehensive Plan. The following expansions are being considered:

- The area between Main Street and Shore Road. This is in the conceptual and cost estimating stages.
- The area along Route 1 both north and south of the Route 1/York Street Intersection.
- The area along Route 1 north of Route 1A to Old Post Road is currently being reviewed and a plan for this area may be developed in the next year, although construction may not occur immediately. The different businesses along those roads have requested that sewer be installed, and these requests are driving the need.
- A citizen petition from the residents of the Plaisted Road area to have sewer installed was received by the District, but the cost was deemed prohibitive at over $28,000.00 per lot.

The sewer system capacity is constrained in terms of the collection system. The York River Farms pump station, Barrell Mill trunk line, Route 103 Pump Station, and pipe and pumps in the Route One/Route 91 area all currently have capacity issues today. The map entitled, “York Sewer District Collection System Constraints, York Comprehensive Plan, Inventory and Analysis, Utilities Chapter” with a date of March 22, 2005, is hereby incorporated into this document by reference. The District needs to address these issues before future expansion in these areas can occur.

The District attempts to add the equivalent of 200 residential units per year to its existing 4253 accounts. The impact fees gained from this expansion are used to make their bond payments for an earlier treatment plant expansion. This shifts a significant portion of
capital costs for infrastructure expansion onto new system users, which is the very purpose of impact fees. It protects existing system customers from funding treatment capacity required to facilitate new growth.

The District estimates that since they are at 50% of their EPA permit they could add approximately 3400 new units, either residential or commercial, before triggering a new EPA permit review.

**Ogunquit Sewer District**
The Ogunquit Sewer District service area covers approximately 4% of the town’s geography south of the York-Ogunquit town line, but the area in which service is actually provided is less than 1%. Service is provided only along Pine Hill Road North, Pine Hill Road South, and Shore Road south to the Cliff House. Recently the District instituted a new policy that limits sewer extensions into neighboring communities to one half mile from the Ogunquit border. However, the Ogunquit Sewer District is feeling pressure from local volunteer organizations, like the Ogunquit Conservation Commission, to expand services further to improve overall water quality in the Josias River and Perkins Cove. Future expansion of the system into York will be driven by requests from property owners within the prescribed area.

**STORMWATER**

Stormwater runoff is a major issue in the Town of York. Development over the past century, most notably in filled wetlands behind Long Sands Beach but in other areas as well, has resulted in many homes, roads and other improvements being located in areas that are subject to regular flooding. Continuing growth of the community has increased impervious surfaces, which increases stormwater flows, perpetuating and worsening drainage problems. However stormwater issues can not be generalized to just the Long Sands Beach area. Examples of stormwater issues can be found throughout town at the parcel, neighborhood, and watershed levels, thus demonstrating the seriousness of the problem.

In 1977 the York Beach Village Corporation hired Cleverdon, Varney, and Pike Engineers to prepare a report on solution options for the drainage problems in their jurisdiction. This report, entitled, “Engineering Report on Storm Drainage Study July 1977,” was the only serious study of the problem until recent action by the Public Works Department. The Public Works Department has hired Aquarion Engineering to complete a report that will scope out the nature of the drainage problems in the coastal watersheds between York River and Cape Neddick River. Additional engineering studies will be required following this scoping report, but this is the first step in developing a comprehensive approach to drainage in this area.
Topography is a primary determinant of drainage patterns. The Natural Resources Chapter of the Comprehensive Plan Inventory & Analysis will contain watershed data at a relatively coarse level, but more refined contour data is needed. The best available contour data available Town-wide at this time is the 20’ contour data shown on the USGS quadrangles. The Planning Department has arranged for a new series of aerial photos to be taken during the Spring of 2005, and from these photos contractors will be able to generate 2’ contour data. The Public Works Department’s drainage scoping report will be prepared once this 2’ contour data becomes available in their study area (expected in Summer 2005). The stormwater section of this Chapter should be developed further following completion of the initial Aquarion Engineering report, and as other areas are evaluated subsequent to that first area.

**ELECTRICITY**

As a result of deregulation in the 1990s, Maine law prohibits electricity from being generated and distributed by the same company. Central Maine Power (CMP) is the sole distributor of electric power in York. There are a variety of commercial electricity generators whose power is distributed by CMP, but that is generally of no relevance to the context of community planning. For purposes of this Chapter, only the electric distribution system is addressed. Information about electric generation can be obtained directly from the PUC.

Distribution of electricity is accomplished through a system of transmission, sub-transmission and distribution lines. Transmission lines are the biggest lines, typically carrying either 345 or 115 kilovolts, and only move electricity long distances. Sub-transmission lines, like the ones that travel through York, are built to 69 kilovolt standards but only carry 34.5 kilovolts and are used only to transmit electricity. Distribution lines are the smallest lines, and from these lines electricity is provided to individual users. Distribution lines are further classified by the type of power they carry: single-phase or 3-phase. The 3-phase power is a conductor installation capable of carrying heavy loads of electricity. Three phase power is used to power machines and electrical motors in a more efficient manner. Availability of 3-phase power is of interest when selecting locations for many commercial and industrial uses.

There are no transmission lines in York. Electricity in York taps into the transmission system in North Berwick and in Eliot.

There are 2 sub-transmission lines, totaling approximately 15 miles, in York:

1. Line #139 enters York from Ogunquit, and it taps into the transmission line in North Berwick at the Gould’s Bridge substation. It runs southerly to the substation on Ridge Road in York Beach, and then continues south to terminate at the substation on Woodbridge Road in York Village.

2. Line #178 enters York from Kittery, and it taps into the transmission system in Eliot at the Bolt Hill substation. It serves the substation at Bragdon Common, where some electricity is split off for local distribution, then continues north to the
substation on Ridge Road in York Beach. Where the line runs north from the Spur Road along Route One, it is a transmission-overbuild, a design where the transmission lines are located on the same poles as the distribution system.

Distribution lines comprise the majority of the system. There are approximately 180 miles of distribution lines in York. Of these lines, about 30 miles are 3-phase lines and the remaining 150 miles are single-phase lines.

The map entitled, “Electric Distribution System in 2005, York Comprehensive Plan, Inventory and Analysis, Utilities Chapter” with a date of March 22, 2005, is hereby incorporated into this document by reference. This map shows the entire distribution system in York.

Having just completed construction of the Southern York County System Reinforcement project in 2004, CMP has indicated they are satisfied with the power system in York and they have no plans for system expansion or change for the coming decade.

TELECOMMUNICATIONS

Telecommunications includes three distinct technologies and infrastructures, each of which has its own issues and impacts on the landscape. The 3 systems include telephone land lines, wireless communications facilities, and cable lines. Each is addressed below.

Telephones Land Lines
All telephone lines in York are owned and maintained by Verizon. The entire system in York is fiber-optic. Fiber-optic cable uses the latest technology to transmit data through the use of light pulses, providing greater flexibility, greater capacity, and better quality data transmission.

Verizon is starting to use a new technology, called SONET rings that provide redundancy in their system in an effort to increase reliability. The SONET rings allow for the signal to be seamlessly re-routed through other fiber optic cables without interruption of telephone or DSL service to the customer if a failure of the line in use occurs. Verizon is also working towards expanding the use of Voice over Internet Protocol (VoIP) service, through its VoiceWing service. VoIP uses a user’s internet connection to make phone calls rather than traditional telephone lines. Customers using VoiceWing pay a flat monthly rate for unlimited local and long distance calls, rather than being billed for individual calls. One disadvantage of the VoiceWing system is that telephone calls made in this fashion cannot be located by E-911 services.

Although Verizon owns the lines, customers can choose other companies to provide their telephone service. Maine customers can choose from over 400 approved Telecommunications Companies. This list can be found at the Maine Public Utilities Commission website.
In addition to the use of these lines for telephone service, they can also be used for internet access. All of the lines in the Town of York are capable of providing dial-up internet access, from many different service providers.

Many lines in York are also capable of being used for high-speed internet access utilizing Digital Subscriber Line (DSL) technology. Verizon does not cover all of York with DSL-capable lines. Their system has a service limitation that prevents the DSL signal from effectively traveling 3 miles beyond the local switching center. This limitation can be overcome through the use of smaller equipment that allows for individual neighborhoods to be served by their own switching station. These smaller switching stations are envisioned to be small enough, to perhaps, be pole mounted. However, the use of these smaller switching stations is limited by economics and will be driven by market conditions. Verizon would not disclose the location of the switching centers, so a map showing the potential DSL service area could not be generated for this Chapter.

As with telephone service, customers can choose from other companies to provide their DSL service. In York, customers have 3 choices: Verizon, Great Works Internet (GWI), and Midcoast Internet Solutions.

Wireless Communications
The Telecommunications Act of 1996 and the subsequent proliferation of “cell towers” throughout the countryside has raised the issue of wireless communications to a significant public policy issue, particularly with respect to local land use control. All wireless communications providers are licensed by the Federal Communications Commission (FCC). In York County there are 18 license-holders: 3 cellular; 4 PCS Broadband; 6 paging; 4 wireless communications; and 1 multipoint distribution service. Companies purchased the right to provide telecommunications service on a particular radio frequency for each county in the United States. The companies that provide service in York are shown in the following table.
Wireless communications in York are dependent upon facilities located both inside and adjacent to the Town. The following is a table of all existing and permitted wireless facilities:

<table>
<thead>
<tr>
<th>Licensee Name</th>
<th>Market Name</th>
<th>Frequency</th>
<th>Radio Service</th>
<th>Expiration Date</th>
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<tr>
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<td>Cingular Wireless</td>
<td>0012362869</td>
<td>Cellular</td>
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<td>RCC Minnesota Inc.</td>
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<td>Verizon Laboratories Inc.</td>
<td>Verizon DSL</td>
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<td>7/21/2007</td>
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<td>Cingular</td>
<td>Cingular</td>
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<td>Wireless Communications</td>
<td>7/21/2007</td>
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<tr>
<td>Metrocall</td>
<td>Nextel/Cingular Wireless</td>
<td>002051357</td>
<td>Paging</td>
<td>6/12/2010</td>
</tr>
<tr>
<td>Betapage Communications</td>
<td>Betapage Communications</td>
<td>0004376885</td>
<td>Paging</td>
<td>6/12/2010</td>
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<tr>
<td>Emerson Enterprises Inc.</td>
<td>Emerson Enterprises</td>
<td>001542216</td>
<td>Paging</td>
<td>6/12/2010</td>
</tr>
<tr>
<td>Schuylkill Mobil Fone Inc.</td>
<td>Schuylkill Mobil Fone Inc.</td>
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<td>NextBus Information Systems Inc.</td>
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<td>McCormick, Joshua</td>
<td>Fioriocom</td>
<td>0003537370</td>
<td>Paging</td>
<td>1/08/2014</td>
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<td>Nextel/Spectrum Acquisition Group</td>
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<td>Multipoint Distribution Service</td>
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<td>PCS Broadband</td>
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<tr>
<td>Omnipoint DC Area Holdings</td>
<td>T-Mobile</td>
<td>0005557558</td>
<td>PCS Broadband</td>
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### Wireless Facilities in York and Neighboring Communities

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Town</th>
<th>Land Owner</th>
<th>Service Providers</th>
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</thead>
<tbody>
<tr>
<td>Mount A Road</td>
<td>York</td>
<td>York Water District</td>
<td>Unicel, Nextel</td>
</tr>
<tr>
<td>Mount A Road</td>
<td>York</td>
<td>Town of York</td>
<td>Verizon, Nextel, TDS Telecom &amp; Clear Channel Communications (These are not confirmed)</td>
</tr>
<tr>
<td>60 Ogunquit Road</td>
<td>York</td>
<td>Robert A. Boston</td>
<td>T-Mobile</td>
</tr>
<tr>
<td>1771 U.S. Route 1</td>
<td>York</td>
<td>Madelin Bezgembluk</td>
<td>Verizon, AT&amp;T/Cingular, Sprint &amp; T-Mobile</td>
</tr>
<tr>
<td>32 Sewall's Pasture Road</td>
<td>York</td>
<td>Timothy Small</td>
<td>U.S. Cellular, Unicel &amp; T-Mobile</td>
</tr>
<tr>
<td>60 New Town Road</td>
<td>York</td>
<td>Earl Hanson</td>
<td>Verizon (Projected, Plan Approved by Planning Board 10/28/2004)</td>
</tr>
<tr>
<td>Parson's Lane</td>
<td>Kittery</td>
<td>Margarette Goodwin</td>
<td>Nextel &amp; Verizon</td>
</tr>
<tr>
<td>Parson's Lane</td>
<td>Kittery</td>
<td>Margarette Goodwin</td>
<td>U.S. Cellular &amp; Unicel</td>
</tr>
<tr>
<td>78 York Woods</td>
<td>South Berwick</td>
<td>Messa Communications</td>
<td>T-Mobile</td>
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<tr>
<td>Brixham Road</td>
<td>Eliot</td>
<td>Willette Prince</td>
<td>Nextel</td>
</tr>
<tr>
<td>66 Dow Highway</td>
<td>Eliot</td>
<td>Sprint Spectrum</td>
<td>AT&amp;T, T-Mobile, Sprint &amp; Verizon</td>
</tr>
<tr>
<td>Tatnic Road</td>
<td>Wells</td>
<td>Wirelessco</td>
<td>Unicel &amp; Nextel</td>
</tr>
<tr>
<td>Tatnic Road</td>
<td>Wells</td>
<td>AT&amp;T / Cingular</td>
<td>AT&amp;T Wireless / Cingular</td>
</tr>
<tr>
<td>Tatnic Road</td>
<td>Wells</td>
<td>Tower Properties Inc.</td>
<td>Verizon &amp; U.S. Cellular</td>
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</table>

The map entitled, "Wireless Communications Facilities in York and Surrounding Communities in 2005, York Comprehensive Plan, Inventory and Analysis, Utilities Chapter" with a date of March 22, 2005, is hereby incorporated into this document by reference.

The following information was obtained from franchise holders. This information is provided solely to enhance understanding of issues and is not intended to represent Town policy positions on this subject.
**Nextel**
Nextel recently merged with Sprint, so their technology may be changing in the near future. Currently, Nextel uses digital cellular technology with “push-to-talk” walkie-talkie function, and offer wireless data services. They claim to have no gaps in coverage, but they are actively looking for a new tower location in York. They had a signed contract to co-locate on the tower once proposed for York Heights.

**US Cellular**
Would not return calls.

**Cingular**
Would not return calls.

**Unicell/Rural Cellular Connection (Formerly Cellular One)**
Unicell was formerly known as Cellular One. Their system uses both digital and analog technology. They use Bluetooth technology for wireless internet connection, and offer videophone and other high-speed internet technology. They claim to have no gaps in coverage and no plans for expansion in York at this time. When considering system expansion, Unicell prefers to use “Stealth Tower” technology in church steeples, large buildings and water towers.

**T-Mobile**
T-Mobile is the only US carrier using Global System for Mobile (GSM) technology, which provides service in 205 countries around the world. The company uses Internet Protocol and 802.11b technology to provide wireless internet connections, and provides e-mail, telephone and broadband multimedia services. The company identified a gap in service in the area of York Heights and the areas eastward towards the Ocean, and other areas along the coast such as the Shore Road area because of ridges separating these areas from the areas where telecommunications towers can be constructed (between I-95 and Route One). At this time the company has identified no specific plans for system expansion or change.

**Verizon**
Verizon utilizes digital technology only. They provide nation-wide text messaging, e-mail, picture delivery, multimedia, and broadband services. The company’s largest issue at this time in York is constrained capacity. High summer use overloads the current system. The new tower under construction on New Town Road (Hanson property) will complete their County build-out for coverage area along the I-95 and Route One corridors. However, they have expressed an interest in collocating on other facilities if they can obtain better coverage towards the Ocean.
**Cable Lines**

By franchise agreement with the Town of York, all cable telecommunications lines in York are owned and maintained by Time-Warner Cable. There are approximately 215 miles of cable lines installed in York, and buildings along most public roads have access to cable. The company indicated they have provided service along all public roads that meet the minimum criteria for number of customers, and they have no plans to initiate expansion of service along private roads. Any expansions will be in reaction to growth or changes in demand for service. Currently, Time-Warner has 6,058 residential customers, 69 commercial accounts, and 32 hotel accounts in York.

Under the Town’s franchise agreement with Time-Warner Cable, the Town has access to two local-access channels. At this time the Town uses only one. There is a scrolling bulletin board for announcements, and most meetings of the Board of Selectmen, School Board, Budget Committee, Planning Board and Board of Appeals are televised. The Town can receive up to $10,000 in local-access system improvements per the franchise agreement, to be used for cameras, broadcast equipment, and so forth.

Because the Town has chosen to televise many of its government meetings, it is important to understand the number of people that have access to these telecasts. The 6,058 residential customers represent approximately 72% of the total year-round and seasonal households in York. Almost 75% of the households in York have the ability to watch Town government meetings on TV.

The map entitled, “**Cable Network in 2005**, York Comprehensive Plan, Inventory and Analysis, Utilities Chapter” with a date of March 22, 2005, is hereby incorporated into this document by reference.

**GAS**

At this time there are no gas transmission lines in the Town of York. The closest gas transmission line, a 6” to 12” line connecting Essex, Massachusetts to Portland, Maine, is located in Eliot and South Berwick. That line is owned by Columbia Gas Transmission, headquarteredin Fairfax, Virginia. Brentley Archer, the company’s Director of Government Affairs, indicated they had no plans for expansion into the Town of York.
TRANSPORTATION

This chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about the local economy and labor force. This information is essential to inform decisions in several sections of the Comprehensive Plan, including economic development, fiscal policy, land use and transportation.

The text of this Chapter is organized into three sections: Regional Transportation Issues, Local Traffic Movement and Safety and Alternative Modes of Transportation

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others prepared in recent years, marks a change in format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep the Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section. When the entire set of Inventory and Analysis chapters is adopted, the 1999 Inventory and Analysis section of the York Comprehensive Plan can be repealed.

Regional Transportation Issues

Though the Transportation section of the Comprehensive Plan deals primarily with local transportation facilities and resources, it is important to first understand York’s role in the regional transportation system. This section examines regional issues affecting transportation in the Town of York.

1. Regional Transportation Network

The transportation network in and around York is largely oriented in a north-south direction running parallel to the oceanfront. It is very much dependent on automotive travel, as the Town lacks rail service and only has limited seasonal bus service.

York is located along the Interstate 95 corridor, about 40 miles south of Portland and 60 miles north of Boston. The section of Interstate 95 designated as the Maine Turnpike begins in York, just to the north of Exit 7, the only interchange in the Town. U.S. Route 1, also known as the Blue Star Memorial Highway parallels Interstate 95 and provides
both local access within the Town and alternative regional north-south access to Interstate 95. Because there is a tollbooth along Interstate 95 just north of Exit 7, many motorists and truckers exit in York and drive north on Route 1 to avoid the toll. MaineDOT and the Maine Turnpike Authority are both well aware of this issue and are interested in considering solutions to it.

Aside from these two major transportation routes, there are three other federal or state-designated routes in the Town as well:

- State Route 91 is the major east-west roadway in York, beginning at Route 1 about a half-mile south of the Turnpike entrance and continuing to the South Berwick town line.
- U.S. Route 1A is a loop road that begins and ends at Route 1 and provides access to York Village, York Harbor, York Beach and Cape Neddick.
- State Route 103 begins at Route 1A in York Village and runs south across the York River and Brave Boat Harbor into the Town of Kittery. Its length in York is only about two miles.

There is no direct train service within the Town of York. The Amtrak Downeaster line, which connects Portland and Boston, has stops in Wells and Dover, New Hampshire. The closest commuter rail service into Boston is located in Newburyport, Massachusetts, about a 30-minute drive south of York. There are long-range plans to extend this line as far north as Portsmouth, but no schedule is set for this project.

There is no regional bus service located in York. Vermont Transit has occasional stops on its Portland to Boston service in Wells and Portsmouth. C&J Trailways provides bus service to downtown Boston, Logan Airport, and South Station daily from Dover and Portsmouth, NH.

For air service, York is located less than an hour’s drive from both the Portland International Jetport and the Manchester, NH Airport. Both of these airports offer regular regional air service and limited national service. Logan International Airport in Boston, about a 90-minute drive away, is the closest major airport to York. Limited air service is also available at the Pease International Tradeport in Portsmouth, about 15 minutes from York. Shuttle service is available to Boston and Portland from private carriers.

2. Regional Needs Assessment

Over the past 15 years, regional transportation planning has been conducted through the Maine Department of Transportation’s (MDOT) Regional Transportation Advisory Committee (RTAC) process. In the Fall of 2004, MDOT launched a new statewide campaign to improve public outreach, and implement strategic economic development with corridor-based planning. This new process is beginning with a Regional Needs Assessment for each of the six Economic Development Districts in the state. The Regional Needs Assessment process for southern Maine is being developed for the Southern Maine Economic Development District, which encompasses all of York County and most of Cumberland County.
The new process will replace the RTACs as a means of providing MDOT with public input on regional policy matters. Like the RTAC process, Maine DOT receives input and guidance from a regional steering committee to formulate statewide policy and prioritize transportation needs. York is part of the Southern Maine Corridors Committee (SMCC). The Southern Maine Corridors Committee is staffed by the Southern Maine Regional Planning Commission and the Greater Portland Council of Governments and is comprised of local and state officials and interested citizens from throughout the region. The Regional Needs Assessment website is: www.smrpc.org/transportation/rna/rna.htm.

Results of the Regional Needs Assessment will be published in mid-2005. These results will be used to set regional transportation policies for future years.

It should be noted that York has recently been added to the planning area of the Kittery Area Comprehensive Planning Study (KACTS), which is the metropolitan planning organization for the Kittery-Berwick urbanized area. They may include York in transportation planning studies, but the actual project funding will remain in the existing funding system.

3. **Access Management**

The Maine Department of Transportation adopted a set of access management rules in 2002 in response to the enactment of An Act to Ensure Cost Effective and Safe Highways in the State by the Legislature in 2000, which addressed arterial capacity, poor drainage, and the high number of driveway-related crashes. The rules regulate sight distance, corner clearance, spacing, width, setbacks, parking, drainage, and mitigation requirements.

In order to obtain a permit from MDOT, any new or changed driveway or entrance on state and state-aid highways located outside urban compact areas must meet specifications described in the rules. The rules can be viewed in detail at: http://www.state.me.us/mdot/planning/bureauweb/accesslinks.htm. The map entitled, “Urban Compact, York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference.

The rules are organized into a four-tier system with regulation of driveways and entrances increasing for roads with higher mobility importance and poorer safety records. The following are the designations for the highway network in York:

1. **Basic Safety Standards** apply to all state and state-aid roads (non-urban compact portions of US Route 1, US Route 1A, Route 91 and Route 103).

2. **Major Collector and Arterial Standards** provide more detailed design standards for entrances onto major collector and arterial roads. Entrances are accesses that serve 50 or trips per day (non-urban compact portions of US Route 1, US Route 1A, Route 91 and Route 103).
3. **Mobility Corridors** connect service centers and/or urban compact areas and carry at least 5,000 vehicles per day along at least 50% of the corridor’s length. The map entitled, “**Mobility Corridors**, York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference. This map shows the only corridor in York, which is the non-urban compact portion of Route 1 north of the intersection with York Street/Route 1A to the Ogunquit line.

4. **Retrograde Arterials** are mobility corridors where the number of crashes related to a driveway or entrance exceeds the statewide average for arterials with the same posted speed. The map entitled, “**Retrograde Arterials**, York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference. This map shows the entirety of the Route 1 mobility corridor in York has been designated as a Retrograde Arterial.

The rules do limit access to assure safety and preserve mobility on state highways. Since this Comprehensive Plan focuses growth largely within the urban compact area (where the access management rules do not apply), it does not appear that this conflict between the rules and local growth planning is likely to become an issue in York.

4. **Regional Commuting Issues**

   As discussed in the Economic Base chapter, York is increasingly becoming a bedroom community whose residents commute to jobs outside the region. The two most important facts about commuting patterns in York in regard to transportation are:
   - More than 36% of employed York residents commute to New Hampshire and Massachusetts (only 35% work in town); and
   - The median commute time for York residents increased from 21.2 minutes in 1990 to 27.1 in 2000, an increase of 22%.

A fact not considered in the Economic Base chapter is the means of travel that people use to go to work. More than 90% of York commuters who work outside the home drive alone to their jobs and 6% carpool, leaving just 4% who walk, bike or use transit. By comparison, 84% of York County commuters drive alone to work.

Clearly, York commuters tend to travel one to a car. Given the increasing volume of traffic on major commuter routes in town, there is likely to be a future need to promote carpooling and other means of transportation.

**Local Traffic Movement and Safety**

This section examines the inventory of roads, bridges and other transportation facilities in the Town of York as a means of understanding current or future areas of concern.
1. **State and Local Functional Classification**

The functional classification system identifies roadways according to the service they provide in the highway network. The system allows the user to understand how individual roads and streets relate to the highway network as a whole. The classification system provides a procedure for the long-term management and development of the state’s and local roadway network.

MDOT’s Functional Classification system organizes all roads into three major categories: Arterials, Collectors and Local Roads. The map entitled, “Federal Functional Classifications, York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference. The map entitled, “Road and Bridge Ownership, York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference.

**Arterial highways**, as designated by the Maine Department of Transportation (MDOT), are intended to provide a high degree of mobility by being able to handle large volumes of traffic and to serve individuals and commercial operations for longer trips. Arterials connect major economic activity centers such as southern York County with the greater Portland area. Arterials are capable of handling between 10,000 and 30,000 vehicles per day.

MDOT has further subdivided arterials into:
- Principal arterial-Interstate highways
- Other freeways and expressways
- Other principal arterial
- Minor arterial

**Collector roads** link the arterial highways with local roads and roadways serving residential neighborhoods. Collector roadways are so located as to conveniently manage local roads traffic and typically have two travel lanes and six to eight foot shoulders with the capacity to handle 8,000 to 10,000 vehicles per day. There are two subcategories of collector roads—major and minor.

**Local roads** are designed to provide direct access to abutting properties, usually residential or low-impact commercial. They are relatively short and discontinuous in order to limit the traffic volume. Local roads have two travel lanes and may have a parking lane. Traffic volumes are low, normally under a 1,000 vehicles per day.

There are 164 miles of roads in York. Of these, 32 miles are arterials and 25 miles are collectors, all of which are listed in Table 1. The remaining roads are local roads. About 148 miles of roads are publicly owned and maintained, and about 16 miles of the local roads are privately owned and maintained.
### Table 1
**Arterial Highways and Collector Roads in the Town of York**

<table>
<thead>
<tr>
<th>No.</th>
<th>Road Name</th>
<th>Category</th>
<th>Sub-Category</th>
<th>Mileage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Interstate 95/ME Tpke</td>
<td>Arterial</td>
<td>Principal arterial</td>
<td>21.73 (includes both directions)</td>
</tr>
<tr>
<td>2.</td>
<td>Turnpike Spur Road</td>
<td>Arterial</td>
<td>Minor arterial</td>
<td>0.83</td>
</tr>
<tr>
<td>3.</td>
<td>US Route 1</td>
<td>Arterial</td>
<td>Minor arterial</td>
<td>9.73</td>
</tr>
<tr>
<td>4.</td>
<td>Route 91</td>
<td>Collector</td>
<td>Major collector</td>
<td>6.37</td>
</tr>
<tr>
<td>5.</td>
<td>Route 103</td>
<td>Collector</td>
<td>Major collector</td>
<td>2.16</td>
</tr>
<tr>
<td>6.</td>
<td>US Route 1A</td>
<td>Collector</td>
<td>Major collector</td>
<td>7.01</td>
</tr>
<tr>
<td>7.</td>
<td>Shore Road</td>
<td>Collector</td>
<td>Major collector</td>
<td>4.57</td>
</tr>
<tr>
<td>8.</td>
<td>Beech Ridge Road</td>
<td>Collector</td>
<td>Minor collector</td>
<td>3.09</td>
</tr>
<tr>
<td>9.</td>
<td>Long Sands Road</td>
<td>Collector</td>
<td>Minor collector</td>
<td>1.56</td>
</tr>
<tr>
<td>10.</td>
<td>Railroad Avenue</td>
<td>Collector</td>
<td>Minor collector</td>
<td>0.09</td>
</tr>
<tr>
<td>11.</td>
<td>Beech Ridge Road</td>
<td>Collector</td>
<td>Minor collector</td>
<td>3.09</td>
</tr>
</tbody>
</table>

*Source: MaineDOT*

### Table 2
**Local Roads to be Considered for Reclassification as Collector Roads**

<table>
<thead>
<tr>
<th>No.</th>
<th>Road Name</th>
<th>Need for Reclassification</th>
<th>Mileage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Berwick/Ogunquit Road</td>
<td>Probable</td>
<td>1.88</td>
</tr>
<tr>
<td>2.</td>
<td>Mountain Road (east of Chases Pond Road)</td>
<td>Probable</td>
<td>1.50</td>
</tr>
<tr>
<td>3.</td>
<td>Mountain Road (west of Chases Pond Road)</td>
<td>Possible</td>
<td>3.93</td>
</tr>
<tr>
<td>4.</td>
<td>Logging Road</td>
<td>Possible</td>
<td>1.82</td>
</tr>
<tr>
<td>5.</td>
<td>Clay Hill Road</td>
<td>Probable</td>
<td>2.97</td>
</tr>
<tr>
<td>6.</td>
<td>Chases Pond Road</td>
<td>Probable</td>
<td>4.08</td>
</tr>
<tr>
<td>7.</td>
<td>Old Post Road</td>
<td>Probable</td>
<td>1.02</td>
</tr>
<tr>
<td>8.</td>
<td>Ridge Road</td>
<td>Probable</td>
<td>2.35</td>
</tr>
<tr>
<td>9.</td>
<td>Church Street</td>
<td>Probable</td>
<td>0.26</td>
</tr>
<tr>
<td>10.</td>
<td>Broadway/Nubble Road</td>
<td>Possible</td>
<td>2.10</td>
</tr>
<tr>
<td>11.</td>
<td>Woodbridge Road</td>
<td>Possible</td>
<td>1.05</td>
</tr>
<tr>
<td>12.</td>
<td>Organug Road</td>
<td>Possible</td>
<td>1.11</td>
</tr>
<tr>
<td>13.</td>
<td>Southside Road</td>
<td>Possible</td>
<td>2.04</td>
</tr>
<tr>
<td>14.</td>
<td>Birch Hill Road</td>
<td>Possible</td>
<td>2.53</td>
</tr>
</tbody>
</table>

*Source: MaineDOT and Town of York Planning Department*

In addition to these roads already identified as arterials and collectors, the Town of York has identified several town roads that are presently local roads that have experienced increases in traffic volume in recent years. The Town may seek to have these roads considered for reclassification as collectors in the future, but this is a policy issue to be
addressed in the Policy Section of the Comprehensive Plan. The map entitled, “Local Assessment of Roadway Functional Classification,” York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference. Table 2 lists these roads and the assessment of the need to reclassify each as a collector road.

Of special concern to the Town is Route 1A (which includes York Street, Long Beach Avenue, Ocean Avenue and Main Street). The segment of Route 1A from York Corner to the square in York Village functions as an arterial year-round, while the remainder of Route 1A functions as an arterial during the summer season and as a major collector at other times.

2. Traffic Volumes

There are two different sets of traffic volume information available for the Town of York. The Maine Department of Transportation (DOT) collects its own traffic volume data for all major roads in the state. In addition, the Town of York collects information on traffic volume for major roads and turning data at major intersections. This section outlines state and local information on traffic volume.

A. STATE TRAFFIC COUNTS

As would be expected, the most heavily traveled roadway in York is the Maine Turnpike (Interstate 95). The average annual daily traffic (AADT) at the York Toll Plaza for 2004 was 46,408 vehicles, up 34% from the 1994 total of 34,621. In the summer, turnpike traffic increases substantially, with an AADT of 64,863 vehicles reported at the Toll Plaza in August 2004. The AADT in January is about half as high as the summer peak—the January 2005 total was 32,787.

Table 3 lists the latest traffic counts available for major roads in York. All counts listed below are annual averages for daily traffic. Because of the averaging of the traffic data, the state and local roadway network actually carries significantly more traffic in summer and less in the late fall, winter and early spring.

Most cars that exit Interstate 95 drive east on the Turnpike Spur towards Route 1. The volume on the Spur as of 2003 was 19,130 vehicles, up 6.4% from the 2000 total of 17,980. Based on ramp counts from 1997, about 80% of vehicles are headed south on the Turnpike and only 20% are headed north. This split is supported by commuting patterns data, which show a stronger draw for York commuters to the south than to the north. It is also indicative of the fact that most tourist traffic to York comes from the south.
Table 3
State Traffic Counts for Major Roads in York
(Average Annual Daily Traffic, Both Directions)

<table>
<thead>
<tr>
<th>No.</th>
<th>Count Location</th>
<th>State Counts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1997</td>
</tr>
<tr>
<td>1.</td>
<td>Turnpike Spur west of US Route 1</td>
<td>NA</td>
</tr>
<tr>
<td>2.</td>
<td>Chases Pond Road at Turnpike Spur</td>
<td>NA</td>
</tr>
<tr>
<td>3.</td>
<td>US Route 1 north of Pine Hill Road</td>
<td>8,320</td>
</tr>
<tr>
<td>4.</td>
<td>US Route 1 north of Turnpike Spur</td>
<td>18,110</td>
</tr>
<tr>
<td>5.</td>
<td>US Route 1 south of Turnpike Spur</td>
<td>18,240</td>
</tr>
<tr>
<td>6.</td>
<td>US Route 1 north of Southside Road</td>
<td>12,452</td>
</tr>
<tr>
<td>7.</td>
<td>Route 91 at Turnpike bridge</td>
<td>3,480</td>
</tr>
<tr>
<td>8.</td>
<td>Route 91 west of Mill Lane</td>
<td>2,850</td>
</tr>
<tr>
<td>9.</td>
<td>Route 103 south of York Street (US Route 1A)</td>
<td>NA</td>
</tr>
<tr>
<td>10.</td>
<td>York Street (US Route 1A) east of US Route 1</td>
<td>10,070</td>
</tr>
<tr>
<td>11.</td>
<td>York Street (US Route 1A) east of Route 103</td>
<td>5,720</td>
</tr>
<tr>
<td>12.</td>
<td>Organug Road at Sewall’s Bridge</td>
<td>1,570</td>
</tr>
<tr>
<td>13.</td>
<td>Long Beach Avenue north of Beacon Street</td>
<td>7,910</td>
</tr>
<tr>
<td>14.</td>
<td>Main Street (US Route 1A) at US Route 1</td>
<td>2,570</td>
</tr>
<tr>
<td>15.</td>
<td>Shore Road north of Agamenticus Avenue</td>
<td>1,800</td>
</tr>
</tbody>
</table>

Source: MaineDOT

Traffic on US Route 1, which runs parallel to the Turnpike, is greatest closest to the turnpike entrance. The highest count locations on Route 1 are immediate to the north and south of the Turnpike Spur Road. To the north, there were 18,760 vehicles to the north at the most recent count (2000) and to the south, there were 17,460 in the 2003 count. Further north on Route 1, the 2003 traffic count at Pine Hill Road was substantially lower at 9,720. South of the York River at Southside Road, the 2003 volume was somewhat higher—12,433 vehicles.

Other than the Turnpike and Route 1, the busiest traffic location in York is on York Street/US Route 1A to the east of Route 1 towards York Village, with a 2003 count of 11,560 vehicles.

A road with a fairly modest but growing traffic volume is Route 91. From 1997 to 2003, the AADT of Route 91 west of Route 1 jumped by 54%, from 3,480 to 5,354. Further west on Route 91, the count at the intersection of Mill Lane grew from 2,850 to 4,387—also a 54% increase. These counts demonstrate the effects of continued development west of the Turnpike, as well as in inland communities like South Berwick.
B. **LOCAL TRAFFIC COUNTS**

The Town of York has conducted its own counts of traffic volume and turning movements. These counts are done in part to understand seasonal variations in traffic volumes, and in part to establish a base of data to develop local understanding of traffic issues and for evaluation of future traffic trends.

Most of the traffic counts taken by the Town only examine traffic movement during morning and afternoon rush hours in the summer months (July or August). Generally speaking, the summer flow of traffic in York is not that of a typical commuter town. At most locations, the afternoon rush hour traffic count was about double the morning count, showing the impact of tourist traffic.

The most instructive counts come from the locations where continuous counts were taken throughout a given day. The chart in this section displays 12-hour counts (6AM-6PM) for the following seven locations taken in either 2003 or 2004:

- Route 1 and York Street (Route 1A), Monday 8/11/03
- Route 1 and the Turnpike Spur Road, Saturday 8/9/03
- York Street (Route 1A) and Organug Road, Monday 7/21/03
- Railroad Avenue and Ocean Avenue, Saturday 8/16/03 (9AM-5PM only)
- Route 1A and Clark Road, Friday 8/15/03
- Ridge Road and Old Post Road, Wednesday 8/13/03
- Route 103 and Harris Island Road, Sunday 7/25/04

![Summer 12-Hour Traffic Counts](image)

A clear pattern that demonstrates the impact of tourist traffic in York exists in all seven locations. Rather than having the commuter town profile of morning and...
afternoon peaks, traffic tends to steadily increase in the morning hours until about
noontime, dip slightly after lunch and remain steadily high throughout the
afternoon.

There is a slight difference for the weekend counts, in which the lack of afternoon
commuters makes the mid-day peak even more pronounced. The one quirk in this
sample is the corner of Railroad and Ocean Avenue, where there was actually a
dip at midday on a summer Saturday. This is likely due to the fact that many
people hang around York Beach during lunchtime, thus reducing the number of
cars that come and go between 11AM and 1PM.

While the Town has taken steps to enhance its understanding of local traffic
conditions and issues, further work is needed. The following issues have been
identified as warranting additional research as resources are available:
1. Create a road map that graphically shows traffic volumes. This is typically
accomplished by widening the line width for road segments as traffic volumes
increase.
2. Further refine the understanding of peak hour travel, in particular looking at
differences between local, collector and arterial roads. Do any exhibit the
traditional AM/PM peak? How does this change from season to season.
3. Assess the seasonal changes to traffic volumes by functional classification.
4. Better assess cut-through traffic in neighborhoods as referenced in the
Comprehensive Plan Policy Section. Initial summer counts in 2004 at
Fieldstone Estates and Winterbrook/Orchard Farm did not identify any issues,
but this was just a cursory evaluation.
5. Refine our understanding of continuing growth and its impact on traffic
patterns. This may best be accomplished by traffic modeling, and the MDOT
has taken some initial steps in this direction already. This work should also
relate to development density. The map entitled, “Housing Density, York
Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a
date of June 7, 2005, is hereby incorporated into this document by reference.
This type of data should be incorporated into future analysis.
6. Bring other types of data into the analysis, such as use of home delivery of
mail versus post office boxes, locale use of school bussing versus parent drop-
off and student driving, and trends in vehicle registration per capita.

3. Traffic Safety
MaineDOT reports traffic safety in terms of High Crash Locations (HCLs). HCLs are
intersections or road segments where 8 or more crashes with a Critical Rate Factor
greater than 1.0 occur in a three-year period. The Critical Rate Factor (CRF) is the ratio
of the actual crash rate to the expected rate (called the Critical Rate). The expected crash
rate depends upon road type, vehicle miles traveled, and statewide crash ratios.

High Crash Locations are documented by MaineDOT in two different ways: high-crash
intersections and high-crash road segments. These two categories help determine the
reasons for unsafe conditions—poorly designed intersections, winding roads, inadequate sight distance, et cetera.

Table 4 below documents high-crash location data for two different three-year periods: 2000-2002 and 2001-2003. The map entitled, “Highway Safety, York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference.

<table>
<thead>
<tr>
<th>Table 4</th>
<th>High-Crash Locations in York, 2000-2003</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2000-2002 Data</td>
</tr>
<tr>
<td></td>
<td>Total Crashes</td>
</tr>
<tr>
<td><strong>Intersections</strong></td>
<td></td>
</tr>
<tr>
<td>Route 1 @ Beech Ridge/Southside Roads</td>
<td>10</td>
</tr>
<tr>
<td>Route 1/York Street (Route 1A)</td>
<td>15</td>
</tr>
<tr>
<td>York Street (Route 1A)/Organug Road</td>
<td>9</td>
</tr>
<tr>
<td>Long Sands Road/Old Post Road</td>
<td>15</td>
</tr>
<tr>
<td>Route 1/River Road</td>
<td>12</td>
</tr>
<tr>
<td>Beech Ridge/Scotland Bridge Roads</td>
<td>NA</td>
</tr>
<tr>
<td>Route 1/Turnpike Spur Road</td>
<td>NA</td>
</tr>
<tr>
<td>Turnpike Spur Road/NB Off-Ramp</td>
<td>NA</td>
</tr>
<tr>
<td>I-95 Tollbooth</td>
<td>NA</td>
</tr>
</tbody>
</table>

| **Road Segments** | | | |
| I-95 north of northbound on-ramp | 45 | 1.27 | NA | NA |
| US Route 1: south of Ogunquit line | 14 | 1.45 | 10 | 1.09 |
| York Street (Route 1A): Long Sands Rd to Williams Ave | 9 | 2.45 | NA | NA |
| Long Sands Road: Elm Dr to Ridge Rd | 11 | 1.03 | NA | NA |
| Route 91: Bog Rd to Fall Mill Rd | 15 | 2.58 | 8 | 1.32 |
| Route 91: Birch Hill Rd to Brixham Rd | 14 | 1.57 | 10 | 1.04 |
| Mountain Rd: Route 1 to I-95 bridge | 9 | 1.09 | NA | NA |
| Mountain Rd: Mt. Agamenticus Rd to S. Berwick line | 12 | 3.69 | 9 | 3.10 |
| North Village Rd: Clay Hill Rd to Berwick Rd | 10 | 2.16 | 9 | 1.17 |
| US Route 1: Creation Lane to Kittery line | NA | NA | 11 | 1.13 |
| US Route 1: north and south of Route 91 | NA | NA | 8 | 1.33 |
| US Route 1: York Street (Route 1A) to Turnpike Spur Road | NA | NA | 11 | 1.01 |

*Source: MaineDOT*
For the period covering 2000-2002, there were five high-crash intersections in York. From 2001-2003 there were eight such intersections. Intersections with particularly high Critical Rate Factors include Beech Ridge and Scotland Ridge Roads, Long Sands and Old Post Roads and Route 1 and York Street.

There were nine high-crash road segments from 2000-2002 and seven such segments from 2001-2003. Some of the most dangerous segments were York Street from Long Sands Road to Williams Avenue, Route 91 east of Fall Mill Road and Mountain Road west of Mt. Agamenticus Road.

4. Condition of Transportation Facilities

A. ROADWAYS

The core of the road system in York consists of one Interstate highway (I-95/Maine Turnpike), four state highways (US Route 1, US Route 1A, Route 103 and the Turnpike Spur Road) and six state aid highways (Route 91, Shore Road, Long Sands Road, Organug Road, Beech Ridge Road and Clark Road). Segments of several other roads in town are also state aid highways: Ridge Road, Old County Road, River Road, Seabury Road and Railroad Avenue. Other than these roads, all other roadways in the Town of York are locally maintained, either by the Town or by private entities.

The Town has neither maintenance nor construction responsibilities for I-95, Route 1A, and those portions of Route 1 and Route 103 outside of the Urban Compact. For the state-Aid highways and highway segments, the Town has winter plowing or sanding responsibility only. The Town conducts year-round maintenance on the remaining town roads. Figure 5 shows the jurisdiction of the Town’s road network.

For state and state-aid highways, MaineDOT continually collects pavement condition rating (PCR) data on the state and state-aid highways. The map entitled, “Road and Bridge Condition, York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference. This map displays data on these roads. Pavement condition is measured on a scale of 0 to 5, with 0 being completely deteriorated and 5 being perfect condition. Typically, a road with a PCR of 2.0 or less is considered as a candidate for reconstruction. As of 2003, there are no state or state-aid roads in York with PCRs below 2.0. However, there are 11 with ratings below 3.0. These roads may need to be resurfaced, though the ratings are based on cursory reviews by state engineers and require further local investigation.

The York Department of Public Works utilizes its own program to assess road conditions. It has prepared a Pavement Condition Report to help establish
maintenance and reconstruction priorities. This document is designed to be updated every 5 years. The Town will rely on this Report to set work priorities because it is considered a more accurate and appropriate source of data than the State’s PCR data.

There are several roads in York that are scheduled for improvements in MaineDOT planning documents. The 2004-2005 MaineDOT Biennial Transportation Improvement Plan (BTIP) lists nine projects in York. These projects have had state funds approved and are listed in Table 5.

<table>
<thead>
<tr>
<th>No.</th>
<th>Road Name</th>
<th>Project Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Beech Ridge Road</td>
<td>Maintenance paving from Eliot line to Birch Hill Road</td>
<td>Completed</td>
</tr>
<tr>
<td>2.</td>
<td>Route 103</td>
<td>Maintenance paving from Kittery line to Brave Boat Harbor</td>
<td>?</td>
</tr>
<tr>
<td>3.</td>
<td>Shore Road</td>
<td>Maintenance paving from Ogunquit line to Agamenticus Ave</td>
<td>Completed</td>
</tr>
<tr>
<td>4.</td>
<td>Route 1/91 intersection</td>
<td>Intersection improvements</td>
<td>Spring 2006</td>
</tr>
<tr>
<td>5.</td>
<td>Route 1/York Street (Route 1A)</td>
<td>Additional left turn lane in southbound direction onto York Street</td>
<td>Fall 2005</td>
</tr>
<tr>
<td>6.</td>
<td>Route 1</td>
<td>Resurfacing from Kittery line to Turnpike Spur Road</td>
<td>Summer/Fall 2005</td>
</tr>
<tr>
<td>7.</td>
<td>Route 1A/Clark Road intersection</td>
<td>Vertical realignment of intersection to improve sight distance</td>
<td>Fall 2006</td>
</tr>
<tr>
<td>8.</td>
<td>Route 1 at Spur Road</td>
<td>Modify intersection approaches and re-signalize</td>
<td>Fall 2006</td>
</tr>
<tr>
<td>9.</td>
<td>Ridge Road/Old Post Road intersection</td>
<td>Conversion of intersection to a roundabout</td>
<td>Fall 2006</td>
</tr>
<tr>
<td>10.</td>
<td>Route 91</td>
<td>Maintenance paving from Scotland Bridge Road to South Berwick line</td>
<td>Completed</td>
</tr>
</tbody>
</table>

*Source: MaineDOT and Town of York Public Works Department*

In addition to these ten projects, the Town of York has proposed one additional road project for the 2006-2007 BTIP, as follows:
Comprehensive Plan – York, Maine

- Route 1 at River Road: Intersection Improvement Without a Signal at the intersection of Route 1 and River Road

No projects in York are included in the Maine DOT Six-Year Transportation Improvement Plan (STIP).

B. SIDEWALKS

York’s Public Works Department maintains an inventory of sidewalks in the town. The total existing length of the Town’s sidewalk inventory is about 14 miles. The map entitled, “Sidewalks, York Comprehensive Plan, Inventory and Analysis, Transportation Chapter” with a date of July 12, 2005, is hereby incorporated into this document by reference. Locations of sidewalks are shown in this map.

The Town’s existing sidewalk network is relatively modest, with the only concentration of sidewalks being in the Short Sands/York Beach Village area. In the town’s other village areas, sidewalks are generally only located alongside major streets.

There are sidewalks along the street frontages of all four public schools in York. However, York High School is only accessible by sidewalk from the Long Sands Road side—there are no sidewalks on the Webber Road side. The sidewalk serving York Middle School dead ends at the property and does not continue south on Organug Road past the school entrance.

The Public Works Department conducts regular informal inspections of sidewalks in York to assess their conditions. Improvement and maintenance projects are identified using this information. A map of sidewalk conditions and deficiencies should be developed and added to this Chapter as time permits.

C. BRIDGES

According to the Maine Department of Transportation (MaineDOT) Bridge Management Program, there are sixteen (16) publicly owned bridges that carry motor vehicles in the Town of York. This total does not include bridges traversed by Interstate 95, which are maintained by the Maine Turnpike Authority.

Responsibility is determined by the MaineDOT Local Bridge Program, which became law in July of 2001. Bridges of at least 20 feet in length on town or state-aid roadways are the responsibility of MaineDOT. Minor spans, which are bridges that are at least 10 feet but less than 20 feet in length, that are on town roadways are the responsibility of the municipality. If a minor span is located on
a state or state-aid roadway, maintenance responsibility falls with MaineDOT. As such, the Town of York is responsible for the maintenance of six (6) bridges.

MaineDOT inspects all Bridges and Minor Spans on public ways every two years in accordance with the Federal Highway Administration (FHWA) and MDOT’s Bridge Management Coding Guides. The inspections result in a Federal Sufficiency Rating (FSR) for each bridge, which is calculated by analyzing the condition of each of the bridge’s components, such as the deck, the substructure, the superstructure, etc. FSRs are calculated on a scale of 1-100. Generally speaking, if the FSR on a state bridge located on a state or state-aid highway is less than 50, the bridge requires attention and may qualify for federal funding, depending upon the individual condition ratings of the bridge’s various components. The lower the FSR, the greater the risk for bridge collapse, with a score of below 20 considered as a risk for imminent failure.

The most recent State data (2003) indicates there are three (3) bridges with a sufficiency rating of 50.0 or lower. These are noted in Table 6 and the map entitled, “Road and Bridge Condition.” However, both Rices Bridge and Cooks Bridge have been replaced since this data was created, so there remains only one bridge in York with a low sufficiency rating.

<table>
<thead>
<tr>
<th>Bridge Number/Name/Location</th>
<th>Custodian</th>
<th>AADT</th>
<th>Sufficiency Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>6353/Hutchins Lane (over Cape Neddick River)</td>
<td>Town</td>
<td>Pedestrian</td>
<td>21.0</td>
</tr>
<tr>
<td>2715/Rices (US 1 over York River)</td>
<td>MaineDOT</td>
<td>11,870</td>
<td>34.5</td>
</tr>
<tr>
<td>1246/Cooks Bridge (Birch Hill Rd over York River)</td>
<td>MaineDOT</td>
<td>634</td>
<td>40.5</td>
</tr>
</tbody>
</table>

Source: MaineDOT, Bridge Management, 2003

There are five bridge projects that are either listed in the current BTIP or that York hopes will be in the next BTIP. These projects are:

- Preliminary engineering for a new Route 103 bridge over the York River (in current BTIP)
- Preliminary engineering for improvements to Station 34 bridge (#5848) on Route 103 over the tidal estuary (in current BTIP)
- Preliminary engineering for improvements to Station 44 bridge (#5849) on Route 103 over the tidal estuary (in current BTIP)
- Improvement of Sewalls Bridge (#3096), the Organug Road bridge over the York River (applied for 2006-2007 BTIP)
Improvements to the Shore Road bridge over the Cape Neddick River.

NOTE: Data obtained from the State regarding bridges is not a complete representation of all bridges in York. Bridges not found in the state data are classified as “other bridges” on the Road and Bridge Condition map.

5. Village Area Transportation Issues

Due to the seasonality of York, transportation and parking in York’s four village areas (York Village, York Harbor, York Beach, Cape Neddick) are primarily summertime problems.

The most acute village area transportation issue is for parking in the York Beach area. This densely built area has limited off-street parking available but, with limited options for transit, most visitors drive to the beach and park in the vicinity. The Department of Public Works has performed initial evaluation of parking spaces and usage, but a formal report has not been generated.

Any resident or non-resident property owner of York may purchase a beach parking sticker. The current price of stickers is $25 ($12 for seniors). In 2004, a total of 3,000 parking stickers were purchased.

The Town recognizes the need to improve the availability and accessibility of parking in its village areas. There have been negotiations with York’s Wild Kingdom to make York’s Wild Kingdom Road a public way and to develop satellite parking for York Beach, but the voters rejected funding of the feasibility and preliminary design study. The Greater York Region Chamber of Commerce is engaged in a York Beach Renaissance program, and this may lead to re-opening of this issue.

Parking is also limited in York Village and York Harbor, but these areas do not experience the volume of demand for the parking that the beach does. However, traffic congestion in these areas is a serious problem in the summertime. Reducing automotive traffic by expanding transit and pedestrian options in these areas may be necessary.

Another issue is the dangerous stretch of Route 1 in the Cape Neddick village area. The Route 1/River Road intersection has been identified by MaineDOT as a high-crash location. The volume and speed of traffic in this area, as well as the number of intersections, have negative impacts on pedestrian safety in the Cape Neddick village area.
Alternative Modes of Transportation

1. **Bus and Trolley Service**
   
   The only fixed route bus or trolley service within the Town of York is the seasonal York Trolley, which is operated by the York Trolley Company. The York Trolley runs from late June to early September along the Town’s beachfront, from Libby’s Oceanside Campground in York Harbor to Ellis Park at Short Sands Beach. The trolley runs every 30 minutes from 9:15 AM to 10:15 PM throughout the summer season.

   The Trolley Company has plans to begin running “Trolley Adventure” tours that will connect York with other tourist destinations in the Southern Maine Coast area such as Perkins Cove in Ogunquit and the Kittery Outlet Mall area.

   In 2004, a study was completed by the Southern Maine Regional Planning Commission to examine how the York Trolley and several other local trolley services in York County could be better integrated to form a more regional transit system. The system is called the “Atlantic Shore Line” and includes trolley and bus service from Kittery to Kennebunkport to Sanford.

   The study made a number of key recommendations for improving transit service in and around York, including:
   - Establish an hourly shuttle service between York Beach and Ogunquit, to be run by York County Community Action Corporation
   - Offer a Downeaster Hotel Shuttle that would provide reservation-based service from the Wells Amtrak station and major hotels in the area, also to be run by York County Community Action Corporation
   - Improve the bus stop at Short Sands Beach to offer better pedestrian access, benches, improved lighting, an information kiosk and a shelter

2. **Taxi Service**

   There are several taxi companies that serve York. Pioneer Taxi is located in York Village and provides year-round service to the Town. The only other taxi company in proximity to York that provides local service is Brewster’s in Ogunquit, but other companies from the Portsmouth area will transport people to and from York.

3. **Park and Ride Lots**

   The only formally designated park and ride lot in York is a 26-space facility located on the Turnpike Spur road just to the west of the Exit 7 interchange. This lot is by far the smallest of the five turnpike park and ride lots in York County. A 2003 Maine Turnpike Authority study found that, on average, only 16 of the 26 spaces were used per day, an occupancy rate of 62%.
The park and ride study also included a survey of lot users. Though only five users of the York lot responded to the survey, the comments from it are instructive. The biggest concern among York lot users is the lot’s security, given its secluded location. Another key finding was that 40 percent of all park and ride lot users statewide commute either to Portsmouth Naval Shipyard or Bath Iron Works. If the Shipyard were to close, the usage of York’s lot would likely decline.

Though current usage of the Park and Ride lot is modest, in light of the fact that more than 90 percent of York’s resident commuters drive alone to work, there may be opportunities to promote additional park and ride usage.

4. Social Service Agency Transportation
The York County Community Action Corporation (YCCAC) provides a public demand responsive transit service for its resident clients in York and other York County communities. Clients call in advance and schedule their transportation need with the agency. The service targets the elderly, disabled, and low-income populations although the general population can use the service on a space available basis.

Another resource for transit service is York Hospital, which provides a shuttle service for patients who require transportation to and from the hospital.

Finally, the Town’s Senior Center has initiated transportation services for its members. The Town owns a car and has hired a driver. This helps seniors meet some of their basic mobility needs.

5. Pedestrian, Bicycle and Other Trails
There are a variety of trails in the Town of York for pedestrian, bicycle and other types of use. There are popular recreational trails in the Mount Agamenticus area and along the coast. These trails are discussed in the Recreation section of the Municipal Facilities, Land and Services chapter.

In addition, a few public roads in town have paved shoulders of four feet or more that allow for pedestrians and bicyclists to safely share the road with motorized vehicles. Unfortunately, most of these wider paved shoulders are not continuous. For example, US Route 1 has six-foot shoulders along the stretch south of the York River, but the shoulder width fluctuates as it passes through the center of town and most of the stretch north of the Turnpike Spur has just a four-foot shoulder.

Many major roads in York lack adequate shoulders for bicycle and pedestrian use altogether. Route 91, for example, has shoulders of less than four feet for the entire length from Birch Hill Road to the I-95 bridge. Given the amount of new development that has occurred in this corridor, improving pedestrian and bicycle access in this corridor needs to be considered.
Another problem area is the heavily traveled Long Sands Road/Ridge Road corridor that connects York Village with the Town’s beach areas. Portions of Ridge Road have adequate shoulders, but Long Sands Road lacks such facilities. This area is of particular importance because it connects the Town’s most densely populated areas and because York’s public schools are located in this section of town.

Another opportunity for trail development in York is presented by various abandoned rail corridors in the Town:

- The **Atlantic Shore Electric**, an electric trolley line that connected York Harbor to Dover, New Hampshire to the west (crossing York River at Rices Bridge), Kennebunk to the North (crossing Cape Neddick River just atop the pilings still visible west of the Shore Road bridge), and Kittery to the south (crossing York River on Sewalls Bridge). The routes are clearly identified on USGS Quadrangles dating to 1920.

- The **Portsmouth Kittery & York Street Railway**, an electric trolley line that ran from Badger’s Island in Kittery to York Beach (crossing York River at the location of the current Route 103 bridge). Presumably, this is the rail line labeled, **York Harbor and Beach Railroad** on the 1893 and 1920 USGS Quadrangles, and referenced as “Old Railroad Grade” on the 1956 Quads.

There remain some significant in-tact portions of these old right-of-ways, but ownership is fragmented and some development has blocked off the corridors in places. Further research into these former rail rights-of-way would be warranted for both historical interest as well as potential for conversion to trails.
Historic and Archeological Resources Chapter

Comprehensive Plan
Inventory & Analysis

November 6, 2007

Planning Board of York, Maine
Glen MacWilliams, Chair
Tom Manzi, Vice Chair
Barrie Munro, Secretary
Lee Corbin
David Woods
Lewis Stowe, Alternate

ENACTMENT BY THE LEGISLATIVE BODY

Date of Town vote to enact this Chapter of the Comprehensive Plan: ____________.

Certified by the Town Clerk: ______________________________ on ____________.

(signature) (date)
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A. INTRODUCTION

This Chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about York’s historic and archeological resources, which forms the basis for municipal policies elsewhere in the Plan.

The remainder of this Chapter is organized into 5 sections: the historic character of York; archeological and historic institutions; inventory of resources; designated resources; and analysis.

Some of the information presented in this Chapter is best accomplished with maps. Some of the maps are historic, and others new. A complete citation, with map title and date of preparation, is provided in the appropriate section of the text, and these maps are incorporated into the Chapter by reference. The maps can be viewed at the Town Hall during normal business hours. To the extent digital images of these maps can be maintained on the Town’s web site, copies will be made available there for viewing and downloading.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others adopted since November 2004, follows a new format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep its Plan up to date, and should increase public access to information contained in the Inventory and Analysis. Especially during the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section.

Before moving on to the core of the chapter, it is important to ensure readers are familiar with the technical language used by historians and archeologists. The meaning of certain terms is not necessarily apparent to a casual reader, so several key terms are defined in Appendix A.
B. THE HISTORIC CHARACTER OF YORK

York has a rich archeological, cultural and historical heritage, dating back to the early 1600s. York was first settled by Edward Godfrey in 1630, and grew to a town of about 200 people by 1650.

York was one of many settlements attempted by the English and French along the Atlantic Coast in the early 1600s. The earliest settlement was the short-lived French settlement on St. Croix Island, on the Maine side of the St. Croix River, in 1604. After one year, the settlement was moved to Port Royal, Nova Scotia, but this colony was abandoned in 1607. This same year, English colonies were established in Jamestown, Virginia and Popham, Maine. The Popham colony was abandoned in 1608, but Jamestown survived and is now considered the oldest permanent European settlement in the country. The French established a colony on Mount Desert Island in 1613, but were driven away by the British that same year. The Pilgrims landed in Plymouth, Massachusetts in 1620. The Dutch settled in New Amsterdam, now New York, in 1624. The Puritans settled in Boston in 1630.

In this region in the early 1600s, York was one among a group of small communities. Among these were the Isles of Shoals, Kittery, Dover, Portsmouth, Exeter, Portland (then Falmouth), Wells, and Biddeford. Among the early Maine communities, York was arguably the largest and most important during its first century. Today, historic buildings and sites are tangible links with the Town’s past and contribute to the Town’s special character. There are few physical remains of the first settlements, but York retains a rich architectural heritage from later periods of development. Within York there are 3 local historic districts, 17 local historic landmarks, 2 national historic districts, and 15 individual sites on the National Register of Historic Places, two of which are National Historic Landmarks.

York’s history of development began as a fishing village and as an early center of the lumber industry. The Town was originally called Agamenticus, which was derived from the Native American name for what is now the York River. The name was formalized in the Charter of 1641, making Agamenticus the first town chartered in Maine (Banks, Vol.1, p.83). The Town was renamed Gorgeana in the subsequent Charter of 1642. The name was derived from the name of Sir Ferdinando Gorges, the original proprietor of the Province of Maine. As was then the practice in England, the land of the province was owned by a noble, and Sir Gorges was Maine’s noble. Included in the second Charter were provisions for the City of Bristol. Though Bristol never developed as a city, this is the oldest city charter in New England (Banks, Vol.1, p.126). Albany, New York, has the honor of being the oldest city in the United States, having been incorporated as a city in 1652, 10 years after York’s second charter. Finally, the Town was re-incorporated as York in 1652, when the Province of Maine was annexed by the Massachusetts Bay Colony.

York served as the county seat for York County in the early days. There was some contention about this, but it apparently was affirmed by a court decision in 1718.
York County in those days included the entire Province of Maine (until 1760), so this was an important status for the Town. In 1735 the county seat was shared by York and Portland (then known as Falmouth), and this lasted until 1760 when Cumberland and Lincoln Counties were split from York County. York remained the sole county seat from 1760 through 1802, when York and Alfred shared the seat. The county seat was gradually transitioned to Alfred between the years of 1813 through 1832. The reason for the sharing and moving of county seats was for the convenience of remote communities. Given the difficulties of travel in the early years, a central location was important. In an apparent attempt to prevent or delay the shift of the county seat to Alfred, York expanded the Gaol and constructed the new County Courthouse (York’s current Town Hall, constructed in 1811).

Early on, York was a very important community. It can be argued that Gorges chartered the City of Gorgeana in an attempt to establish a capital city for England’s new territory – a city conceivably on par with London. His grand plans never played out in this manner, but certainly York was the major community in Maine in its early years. It was a center of government and the economy, and was relatively prosperous until the beginning of the nineteenth century. Around 1807, the American embargo along the Atlantic coast stifled coastal trade and severely curtailed shipping from York. The forests at the headwaters of the York River had been cleared, and a heavy silt load was being dumped into the River. The extended trade embargo prevented the use of the harbor by larger ships for about half a decade, and during that period the harbor silted in. After the embargo was lifted, the harbor was no longer in condition suitable for use of large ships – trading in York never fully recovered. By the end of the War of 1812, the local economy had collapsed, and didn’t start to recover for many decades. During this same period, the county seat was being pulled away to Alfred. York’s prosperity and high status dissipated.

York remained a small farming and fishing community until the post-Civil War period, when summer tourism began to broaden York’s economy. During the late 1800s, as cities in the northeast industrialized and rail transportation made the area accessible, tourism became a major industry and York had become a fashionable summer resort by the early 1900s. Visitors to York appreciated the community’s coastal location, its historic nature, and the beauty of both the coastal and riverine areas. York continues to this day to be a haven for summer tourists.

What was once largely a summer colony has evolved into a year-round community, with tourism remaining as a prominent economic sector. Significant population growth began in York following World War II, and it continues to affect the Town today. Employment of residents has shifted away from traditional industries, and today the major economic sectors for York include: education and health services; leisure and hospitality; and trade, transportation and utilities. These 3 sectors now account for 75% of the jobs in York.
An abbreviated timeline of major events in York's history:

- Paleoindians believed to arrive in this region about 11,000 years ago
- Maine coast visited by Europeans – late 1500s to early 1600s
- First European Settler in York – 1630
- Agamenticus Charter – 1641
- Gorgeana Charter – 1642
- York Charter, following the Massachusetts takeover – 1652
- Candlemas Raid – 1692
- American Revolution – 1775 to 1783
- British coastal embargo cripples local economy - 1807
- Maine becomes a State – 1820
- County Seat completely shifted to Alfred - 1832
- Establishment of York Harbor Village Corporation – 1901
- Establishment of York Beach Village Corporation – 1901
- York Harbor Village Corporation enacts zoning – 1926
- Establishment of York Water District – 1929
- York Beach Village Corporation enacts zoning – 1939
- Opening of the Maine Turnpike through York – 1947
- Establishment of York Sewer District – 1951
- Town of York enacts zoning – 1962
- Termination of York Harbor Village Corporation – 1975
- Termination of York Beach Village Corporation – 1977

York’s settlement patterns have shifted over time. Originally the town developed on the banks of the York River, and later settlement occurred at the mouth of the Cape Neddick River. The York River settlement remained the primary area of the Town until the 1700s, when farming became a more active pursuit and residents started moving inland. The settlement patterns shifted again towards the coast in the early 1900s with the rise in tourism. Major residential concentrations on and near the coast and along the York River are the prevalent settlement pattern today, with the most heavily developed area of York occurring east of Route One between the York and Cape Neddick rivers. Scattered development has occurred throughout the remainder of York as well, with the exception of the area around Mount Agamenticus and the Kittery and York water supply watersheds.

C. ARCHEOLOGICAL AND HISTORIC INSTITUTIONS

There are three organizations which have been dealing with historic and archeological resource issues in York.

1. Historic District Commission

York’s Historic District Commission (HDC) was created in March, 1985, when citizens at Town Meeting enacted the Historic District Ordinance. The purpose of the Ordinance, now an article of the Zoning Ordinance, is to provide a legal framework within which York’s residents can protect the historic, architectural, and cultural heritage of historically significant areas, landmarks, and sites in the community. It is the Commission’s responsibility to carry out this purpose, and it functions as both a regulatory and an educational body.
In its capacity as a regulatory body, the HDC has authority over the local historic districts and designated landmark properties. At this time there are 3 local historic districts (Village Center, Lindsay Road, and York Harbor) with 60 properties, and 17 designated historic sites and landmarks. A total of 76 properties are regulated under this system.

Under the leadership of the Commission, York is one of only 9 communities in Maine to be designated as a Certified Local Government (CLG). This program permits communities to participate in a nation-wide system utilizing consistent standards under the National Historic Preservation Act. It forms the basis for local-state-federal partnerships, and provides access to federal funding for related work. CLG status imposes requirements on the Town’s ordinances, operations and procedures beyond those required for non-CLG communities, so significant amendments to the Ordinance should be completed in consultation with MHPC’s CLG staff.

2. York Historic Markers Committee
This Committee was initially appointed by the Board of Selectmen on May 10, 1994, to increase public awareness and appreciation of historic places in York. To accomplish its mission, the Committee has placed interpretive displays at key locations, focusing primarily on sites of interest from the 19th and early 20th centuries. With the exception of $2,500 received from the Town in 1995, all funding for these markers has been raised by private contributions. The Committee has undertaken all tasks associated with creation of the markers, from research, graphic layout, fundraising, contracting, installing, and maintaining.

The Committee has placed historic markers at the following locations:
- York Street, across from Town Hall.
- Fleet Bank at the Town Square in York Village.
- York Street at the James Erwin Building in York Village.
- Barrell Mill Pond near Wiggly Bridge.
- Long Beach along Route 1A at the Sun & Surf Restaurant.
- Sayward-Wheeler House.
- Moulton Park in York Harbor.
- Hartley Mason Reservation in York Harbor.
- Harbor Hill in front of the York Harbor Inn.

The Committee is currently developing two additional markers. The first will be about Hartley Mason and the story of the Hartley Mason Reservation. The second will be about York’s Cliff Walk.

3. Old York Historical Society
The Old York Historical Society is a private, not-for-profit organization whose mission is to preserve and promote the history of York, Maine, for the education and enjoyment of the public. Old York maintains ten historic museum buildings
Comprehensive Plan – York, Maine

on six properties in York Village, open to the public for tours from June through mid October. These buildings are furnished with items from Old York’s deep and nationally recognized collections of eighteenth- and nineteenth-century artifacts, most of which have been donated by local families. Old York’s library and archives offer rich resources for historical and genealogical research to the town’s residents and visitors. Old York offers a wide range of educational programs for people of all ages. These include hands-on lessons enjoyed by over 3,500 schoolchildren annually from southern Maine, New Hampshire, and Massachusetts, as well as adults.

Old York began in 1896 with the formation of the Old York Historical and Improvement Society, a group of volunteers aiming to beautify the town and preserve its heritage. Their first major project was saving the Old Gaol (jail), built in stages between 1719 and 1807 to house criminals in Massachusetts’ northern province, Maine. After successful fundraising efforts, the OYHS opened the Old Gaol as a museum on July 4, 1900. One of its leaders, Elizabeth Perkins, created a second organization, the Society for the Preservation of Historic Landmarks in York County in 1941, when she could not convince the Old York Historic and Improvement Society to acquire two historic buildings she wanted to save. Under its auspices, she moved a 1750s tavern from Wells, Maine, to York. She had previously acquired and moved York’s oldest schoolhouse to the same site, a few hundred yards west of the Old Gaol in York Village. In 1952, the Old Gaol Committee became a separate legal entity. That same year, Elizabeth Perkins died, leaving her home to the Society for the Preservation of Historic Landmarks in York County and substantial endowments to it and the Old Gaol Committee.

In 1953, the Old Gaol Committee used part of Elizabeth Perkins’ bequest to purchase the Emerson-Wilcox House, a structure with components spanning 1710 to 1832, which stands across the street from the jail. In 1960, the Society for the Preservation of Historic Landmarks in York County obtained the 19th-century George Marshall Store and the 18th-century John Hancock Warehouse and Wharf, both properties situated on the York River. Also in 1978, a local landowner deeded the Historical and Improvement Society a 17-acre nature preserve along the York River. The Society hired its first professional director in 1980 to oversee museum properties, conduct architectural surveys, and present outreach educational programs. By the early 1980s, York’s three historical organizations concluded that they were duplicating efforts and confusing area residents over their different purposes and identities. In 1984, they consolidated to form the Old York Historical Society. Old York now employs 8 full-time staff.

4. Maine Historic Preservation Commission

The Maine Historic Preservation Commission (MHPC) is the state agency responsible for historic and archeological resource issues. It was created in 1971 pursuant to the National Historic Preservation Act of 1966. As described on their web page, the MHPC has the following overall responsibilities: “oversees the statewide survey program, nominates properties to the National Register of
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Historic Places, reviews development activities for their effect on cultural resources, co-ordinates rehabilitation projects under the Preservation Tax Incentives Program, assists local governments in survey work and the design of preservation guidelines, and is involved in a variety of public education activities.

D. INVENTORY OF RESOURCES

This section of the text provides an overview of the archeological and historic resources in York.

1. Historic Maps

To help develop an understanding of the early development of York, there are six early maps which show the progression of development. These maps include:

- “Province of Mayne” Map, circa 1652. A tracing of the original map is located in the Baxter Rare Map Collection of the Maine State Archives. This map shows the Atlantic coast from Cape Ann, Massachusetts northeast to the Kennebec River. A few details about York are shown on the map. York is one of only 6 towns named on the map, the others being Wells, Straberr Banck (Portsmouth), Dover, Hampton Harbor, and Salsberg (Seabrook). The “Agquementicus Hills” are shown at the headwaters of the York River, and these are the only hills depicted on this map. Brave Boat Harbor, York River, and Cape Nedlick River are shown. Cape Nedick is labeled as, “C. Nedeck.” Nine homes and another building (perhaps the meeting house) are shown along the York River, and 4 homes are shown along the Cape Nedick River.

- “Pascatway River in New England,” by John Scott, circa 1665. A tracing of the original map is located in the Baxter Rare Map Collection of the Maine State Archives. This map focuses on the Piscataqua River and Great Bay, but extends north to show “York Town.” The map shows Brave Boat Harbor, Godfrey Cove and Agamenticus [York] River. It also depicts two dozen houses and the meeting house in York.

- Map of the Piscataqua, from the Atlantic Neptune Atlas, circa 1775. A framed copy of this map, a page from an atlas, is located at the Old York Historical Society. The map focuses on the Piscataqua River, but extends north to show “York Harbour” and the vicinity of York Village. Along the coast, only Godfrey Cove and Seals Head are labeled. The map clearly depicts roads and the location of over 100 buildings, including the meeting house. This is the first of these older maps to show roads.

- Map of the Town of York, by Daniel Sewall, 1794. A copy of this map is located at the Old York Historical Society. The legend reads as follows, “This map of the Town of York, in the County of York, is taken by actual
survey and laid down by a scale of two hundred rods to an inch, agreeably to a Resolve of the General Court of the Commonwealth of Massachusetts, passed June 26th, 1794 – at the request of the Selectmen of the said Town of York. By Daniel Sewall, Surveyor.” This map shows the Town in detail at a time when it was bordered only by Kittery, Berwick and Wells. This is a much more detailed map than the earlier maps, showing and labeling geographic features, roads, homes, public buildings, and information about the Town’s boundaries.

- York County Cadastral Map, 1857. An enlarged copy of the Town of York portion of this map is located at the Old York Historical Society. This is another detailed map of the community showing roads and homes. The geography does not appear to be as accurate at that of Sewall’s map of 1794. Being a cadastral map, the primary purpose of the map is to identify buildings and their owners.

- York County Atlas, 1872. A copy is located at the Old York Historical Society. This map is similar to the Cadastral Map of 1857, showing roads and buildings with owners’ names. However, it also shows 15 school districts in York, along with the location of the schoolhouse in each.

2. Archeological Resources

Archeological resources are those buried in the ground. These resources are classified as either prehistoric or historic (see Appendix A for definitions of these terms) depending upon their age. The MHPC has prepared geographic data for York regarding its archeological sites. For both prehistoric and historic resources, MHPC identified both known sites and areas in which other sites are thought most likely to exist. The specific locations of known sites are shown as generalized blocks, 500 meters by 500 meters, arranged randomly over one or more sites to mask actual locations. The map entitled, “Prehistoric Archeology, York Comprehensive Plan, Inventory and Analysis, Historic and Archeological Resources Chapter, November 6, 2007,” is hereby incorporated into the Comprehensive Plan by reference. The map entitled, “Historic Archeology, York Comprehensive Plan, Inventory and Analysis, Historic and Archeological Resources Chapter, November 6, 2007,” is hereby incorporated into the Comprehensive Plan by reference.

By their very nature, they are susceptible to theft, vandalism (accidental or intentional), and unintentional destruction (construction on the site). In this regard, these resources are quite different than historic buildings. One of the primary means of protecting archeological resources is to keep site locations confidential. It is same approach used by the Natural Areas Program to mask the location of rare plants and animals. This leaves the Town in an awkward position. Its Comprehensive Plan and land use codes must be prepared in full view of the public. The Legislature created the inventory and analysis requirements to increase public understanding of resources and issues. The Town
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is expressly forbidden from keeping such information confidential, including archeological records. This runs contrary to the concept of protecting sites by keeping their locations confidential. To resolve this dilemma – increasing local awareness while protecting the resources – the archeological records are not in the possession of Town government. MHPC has the actual data and maps, and has statutory rights to maintain that information outside the realm of the right-to-know law. Any inquiries about specific sites or resources must be directed to MHPC in Augusta.

a. Prehistoric Archeological Resources

It is believed that Paleoindians first arrived in Maine about 11,000 years ago. There are no known sites in York associated with these first people, but sites have been found in Eliot and Wells so it is highly likely they were in York, too. To date, no major settlements or villages have been found in York.

The MHPC has a record of 20 known prehistoric archeological sites in York. All known sites in York have been found along the shores of tidal waters, or along the shoreline of ponds. Some of the sites were found a century ago and may have been damaged or destroyed since. Each of these known sites appear to be located within the Shoreland Overlay District’s 100-foot structure setback along these waterbodies, so the known sites are likely safe from new construction impacts.

The MHPC also has identified areas in which additional prehistoric archeological resources are most likely to be located. All such areas are located on the shores of streams, rivers, ponds and tidal waters.

b. Historic Archeological Resources

The MHPC has recorded 199 historic archeological sites in York to date. This is based on historical information, information generated by projects which require archeological evaluations as a component of their environmental impact statement (such as turnpike widening), and information developed by a dozen or more local archeological surveys funded by the MHPC, Old York Historical Society and the Town. It should in no way be viewed as a complete list of historic archeological sites, for York has a rich history and many sites await discovery and cataloging.

About one third of the total historical archeological sites identified by the MHPC are shipwrecks. There are 67 shipwrecks in York’s waters. There are known locations for 28 of these, and the remaining 39 have not been located. The 1998 report entitled, “An Intertidal Archaeological Survey of the Cape Neddick River in Cape Neddick, Maine,” by Stefan Claesson located several shipwrecks in the intertidal area. This report went on to recommend that, “the tidal river basin should be considered a critical cultural resource zone,” and that the area, “warrants careful management with increasing waterfront development, particularly in the form of piers or wharves, moorings, and
riverbank landscaping” (p.38). Policies for management and protection of archeological resources should be developed with consideration for the recommendations of this report for the Town’s intertidal areas.

The remaining 132 sites represent a wide variety of resources, including homes, wells, wharfs, mills, garrisons, dumps, dams, and commercial buildings.

The Town’s historic and historic archeological sites tend to be grouped according to the historic village communities of York:

1. York Village
2. Lower Town (York Harbor)
3. Cape Neddick and York Cliffs
4. York Beach
5. The Town Commons and Mount Agamenticus
6. Cider Hill and Scotland
7. Brixham and Partings
8. South Side

The general area for each of the above-referenced village communities is shown on the Historic Archeology Map.

Each village area has its own history, settlement pattern, and set of archeological and historic resources. Further study of these areas could provide useful discoveries and artifacts for which preservation planning could proceed. However, it is already clear that a number of very significant historical archeological sites have been discovered.

Studies conducted between 1985 and 1986 uncovered a number of significant seventeenth century archeological sites. A substantial proportion of the early Anglo-American sites in Maine are located in York, and these are rare and significant. Few towns in the whole northeast can boast such a rich archeological legacy, for urbanization of the northeast corridor has destroyed the majority of seventeenth century settlements. Unfortunately, the recent rapid growth and development of York poses a substantial threat to the preservation of these sites. One site of significance, discovered in 1985, was destroyed one year later by development. It was the home of Edward Rishworth (ca 1660) who was the Recorder for York County and the most prominent politician in seventeenth century Maine.

In the York Harbor and York Village area, three important seventeenth century sites were discovered. One is an early cellar that may prove to be the home of the first permanent European settler of both York and Maine. A second site is that of the Henry Donnell residence of about 1640. Donnell was
a leading fish merchant and one of the first residents of York Harbor. The final site in this area is the Second Meetinghouse (1667-1712).

In the Cider Hill and Scotland area, there is a major seventeenth century site, Point Christian Manor. It was the seat of government for York and the whole province of Maine during the 1630s and early 1640s. Excavations in 1985 and 1986 indicate it has rich archeological potential. Many of the artifacts have revealed much about life a Point Christian and, by extension, other sites in York.

Little remains of buildings from the early settlement days of the seventeenth century, although there are a number of potentially good historical archeological sites that reveal the type and style of structure built during that period. Seventeenth century homes for which remains have been claimed are the Abraham Preble House (1692), the Joseph Banks House (1698), the Samuel Moody Parsonage (1699), and the Robert Rose Tavern (1680). However, no definitive documentation can be supplied to justify the survival of these sites. The McIntire Garrison, an excellent structure that still remains, was thought to have been built prior to 1676 as a defense against Indian raids. However, current research dates the Garrison at 1707.

York Village contains the greatest concentration of eighteenth century homes in the Town. Most of these structures are of the “colonial” (First Period) or Georgian style. After the Revolution the Federal style appeared. This style was popularized by the Federalist Party whose membership tended to be wealthy self-made merchants, bankers, and shipbuilders. However, from after the Revolution until the 1870s, York was not a prosperous Town. In fact, the Judge David Sewall House (Coventry Hall, 1794) is virtually the only Federal period house of note in York.

York Harbor contains an unusual concentration of late nineteenth century architecture. There are a variety of large “cottages” built as summer retreats by wealthy families from Boston and New York. These visitors also built institutions such as churches, clubs, and libraries, many of which still remain. Often, these structures were designed by nationally known architects such as William Dabney and housed such famous people as William Dean Howells.

3. Historic Resources


There are many cemeteries and family burial grounds in York. The map entitled, “Cemeteries and Family Burial Grounds,” York Comprehensive Plan, Inventory and Analysis, Historic and Archeological Resources Chapter, November 6, 2007,” is hereby incorporated into the Comprehensive Plan by reference. This map shows the location of 219 known cemeteries and family burial grounds. Information came from several sources, but the primary
reference was the book entitled, *Maine Cemetery Inscriptions, York County Volume* (Maine Old Cemeteries Association, 1995). In this book each cemetery is assigned a reference number, and this numbering system is used on the above-referenced map. Where new sites have been locally identified, they have not been assigned a number to prevent conflicts with future editions of the book.

The Planning Department has been working to field-locate each of these cemetery and burial ground sites. Most have been easy to locate, but some are obscure. At the time of writing, 160 of the 219 have been located using a global positioning system (GPS) or by identification on high-resolution aerial photographs. The Department would eventually like to have a positive location for each site to help ensure its protection in perpetuity. Some of the smaller family burial grounds in remote locations are difficult to locate.

Once this data is collected, a practical solution will need to be developed to address conflicting needs. On one hand, there are concerns about vandalism of remote cemeteries if the location data are widely available, so archiving the data with the MHPC may be appropriate. On the other hand, quick, easy access to the locations is useful for Town permit-review staff and boards and for builders in order to comply with the earth-disturbance setback requirements specified in M.R.S.A. Title 13 §1371-A.

b. Buildings
With funding from MHPC, the Historic District Commission has completed 8 architectural surveys at varying levels of detail and in different parts of York. There have been studies in York Village, York Harbor, York Beach, Cape Neddick and Cider Hill/Western York. This work was undertaken between 1986 and 2001. The results of these architectural surveys have been archived at MHPC and the library of OYHS. These surveys have shown that York is unique in the New England region because of the large concentration of historic buildings which still exist.

c. Transportation Systems.
Certain features of the transportation infrastructure are significant in developing an understanding of the history of York.

1) Roads. Historic development of the road network is of interest in tracking the evolution of the community, and to help pinpoint areas of possible archeological interest. It would be a useful project to systematically track the evolution of the road network through York’s history, but it is unfortunately beyond the scope of work for preparing this Chapter. York Street, Lindsay Road, Cider Hill Road, and roads to Kittery and Cape Neddick were all developed early in the Town’s history. The general pattern of older roads can be seen as “areas of historic sensitivity” on the Historic Archeology Map. Additional inferences can be drawn
The single most significant road construction project was the Maine Turnpike, which began following World War II and opened from Kittery to Portland in December 1947. The Turnpike is now a prominent geographic feature, and effectively divides the Town. There are only 5 roads which cross the Turnpike (Beech Ridge, Cider Hill, Spur, Mountain, and Clay Hill roads). It is difficult to envision the circulation patterns prior to the construction of the Turnpike, but there were a number of roads rerouted or cut off as a result of this project.

2) Ferries. Per Banks’ History of York, Maine, there were 6 ferry sites in York through the early years:

- Brave Boat Harbor. The first ferry in York, authorized by the Provincial Court in 1647, to be operated by Thomas Crockett. It is believe that this ferry was operated only briefly and was soon replaced by a bridge over the tidal creek at the head of the harbor.
- Hilton’s Ferry on the York River at Stage Neck. First licensed by the Town in 1652, this ferry was operated by William Hilton. Before this, it may have been operated by Henry Donnell who owned a tavern on Stage Neck.
- Stover’s Ferry on the Cape Neddick River. The first licensed ferry was operated by Sylvester Stover in 1652.
- Stover’s Ferry on the York River. This ferry site was located about 1 mile downstream from the current site of Rice’s Bridge on Route One, this ferry operated from 1679 to 1688. It was initially operated by John Stover, and subsequently by William Freethy.
- Trafton’s Ferry on the York River. This ferry operated at the site of the present Rice’s Bridge on Route One, and replaced the Stover ferry because a new road to Kittery and Portsmouth had been created at this location. It began operations in 1688 by the Freethy family, and was subsequently operated by the Trafton family.
- Middle Ferry on the York River. This ferry operated at what is now Sewall’s Bridge. Service began in 1730 by Thomas Donnell and after 1748 by Samuel Sewall.

3) Sewall’s Bridge. This bridge is historically significant because of its pioneering design and method of construction, and because it was the first major bridge across the York River. It was a 270’ long pile bridge spanning a wide tidal river, with a drawbridge on the northern side. It was designed by Major Samuel Sewall of York, and was opened for traffic in 1757. Its design influenced later bridges in Boston, Paris, France, and Moscow, Russia.
4) Trolleys. There were two trolley systems in York:
   - Portsmouth, Kittery & York Street Railway. This was an electric trolley line that ran from Badger’s Island in Kittery to York Beach (crossing York River at the location of the current Route 103 bridge). Presumably, this is the rail line labeled, *York Harbor and Beach Railroad* on the 1893 and 1920 USGS Quadrangles, and referenced as “Old Railroad Grade” on the 1956 quadrangles. In an article about this trolley service published in the York Weekly (December 15, 2004, p. B10), it was stated that service began on August 11, 1897 and ended on March 17, 1923.
   - Atlantic Shore Electric Railroad. This was an electric trolley line that connected York Harbor to Dover, New Hampshire to the west (crossing York River at Rice’s Bridge), Kennebunk to the north (crossing the Cape Neddick River where the pilings are still visible just west of the Shore Road bridge), and Kittery to the south (crossing York River on Sewall’s Bridge). The routes are clearly identified on USGS Quadrangles dating to 1920.

5) Airfields. There have been two airfields in York, neither of which remains in existence.
   - The first airfield was located on the Nubble, located on what is now Airport Drive. This was operated by the Turner brothers after WWII.
   - The second airfield was located atop Groundnut Hill on what is now Algonquin Drive. This was developed by Thurston Briley in the 1960s, and operated into the 1970s.

6) Paths and Trails
   In and around York Village and York Harbor, there were a series of paths which connected the various residential areas. Today only the Fisherman’s Walk and the Cliff Path remain readily accessible. Fisherman’s Walk begins in Steedman Woods, crosses Wiggly Bridge and Route 103, and continues along the shore of the York River to the vicinity of Stage Neck and Harbor Beach. The Cliff Path follows the Atlantic shore from Harbor Beach to Cow Beach, although the path is difficult to follow in certain places.

d. Connections to Historically Important People
   - John Hancock, merchant and politician from Boston, signer of the Declaration of Independence, owned a warehouse and wharf on the York River, which is currently owned by OYHS and is part of their museum.
   - President James Madison, 4th President of the United States, visited York in 1817 at the home of Judge Sewall, now known as Coventry Hall.
   - Handkerchief Moody, the person on whom Nathaniel Hawthorne based the protagonist of the short story, “The Minister’s Black Veil,” was born and lived his life in York in the Cider Hill and Scotland areas.
William Dean Howells, author and editor of Atlantic Monthly, had a summer home, “Shagbark,” located on Eastern Point.

Mark Twain, author and public figure, lived in York from 1901 to 1902 in a house located on the north bank of the York River near Sewall’s Bridge.


E. DESIGNATED RESOURCES

Both government and private entities have a role in inventorying and designating historic and archeological resources.

1. National Register of Historic Places

The National Register of Historic Places is the official list of the Nation’s presently recognized resources worthy of preservation. Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support efforts to identify, evaluate and protect historic and archeological resources. Properties listed in the National Register includes districts, sites, buildings, structures and objects that are significant in American history, architecture, archaeology, engineering, and culture. There are 2 National Historic Districts and 15 individual listings on the National Register in York.

Listing on the National Register affords no protection against alteration or demolition by the owner of the property. It does place limits on such actions, however, if state or federal funds are involved.

The map entitled, “National Register Districts and Individual Listings, York Comprehensive Plan, Inventory and Analysis, Historic and Archeological Resources Chapter” with a date of November 6, 2007, is hereby incorporated into the Comprehensive Plan by reference.

a. National Historic Districts

York has 2 National Historic Districts. The first, known as the York Historic District, encompasses the Village and Harbor areas. The second, known as the York Cliffs Historic District, is located along Agamenticus Avenue just north of the Cape Neddick River. The Federal Government is currently scrutinizing historic districts such as York’s and is requesting redefinition and documentation by current standards. These newer standards are much more stringent than those required in the 1970s. This issue should be addressed in the Policy Section of the Comprehensive Plan.

1) York National Historic District

The York National Historic District is situated along the banks of the York River. It was established in 1973. The district actually comprises 3
distinct village areas: York Corner, York Village and York Harbor. According to the National Register inventory, these 3 tightly knit communities form an architectural and chronological history of York. Each area could stand by itself as a district, but together, “they form a sweeping panorama of one of the most historically significant areas in our nation.”

York Village is the oldest of the three, its history being that of the seventeenth and eighteenth centuries. York Corner is situated on U.S. Route 1 and its history is primarily eighteenth century. York Harbor is architecturally an eighteenth and nineteenth century area, when it became a fashionable place for wealthy families to construct large summer homes, often of the shingle style of architecture.

The Village consists of 2 distinct areas – the Town Center and Lindsay Road. The Town Center area of York Village served as the site of local government since the seventeenth century and the county seat until 1830. The Town Hall, the Old Gaol, Nicholas Sewall House, Emerson Wilcox House, and the Burying Ground are all located in the Village area. Lindsay Road, part of the Old Post Road between Boston and Portland, travels south from the Village towards the York River. In the eighteenth century the road was the major connection between the Town center and the wharves on the York River. Lining this road are structures built throughout York’s development, representing an excellent visual portrayal of the area’s history.

York Harbor was one of the first areas settled in York in the seventeenth century. During the seventeenth and eighteenth centuries it was an active fishing village with many buildings located on the River. Little remains from this period, having been displaced a century ago by the buildings seen today.

2) York Cliffs NHD
The York Cliffs National Historic District is the smaller of the Town’s two National Historic Districts. It was established in 1984. The district consists of a 25 acre seashore property containing 8 of the original 13 large summer houses built at York Cliffs. With the exception of one, the houses were built between 1892 and 1901. According to the national Register inventory, these large residences clearly represent the kind of affluence which was lavished upon selected and exclusive enclaves along the Maine coast at the turn of the nineteenth century. All but 2 are executed in the then popular shingle style. This tract, developed by the York Cliffs Improvement Company, also contained a large, beautiful summer hotel. The hotel, known as the Passaconaway Inn, is now gone.
b. National Register of Historic Places
In York there are 15 individual listings on the National Register. Individual listings in York include the following properties, with the name, address and building number of each:

- Old York Gaol (National Historic Landmark)
  193 York Street, #68000016
- McIntire Garrison
  280 Cider Hill Road, #68000017
- John Hancock Warehouse
  136 Lindsay Road, #69000029
- Old Schoolhouse
  3 Lindsay Road, #73000247
- Robert Rose Tavern, aka John Banks House
  298 Long Sands Road, #75000206
- Moody Homestead
  100 Ridge Road, #75000209
- John Sedgley Homestead
  44 Chases Pond Road, #76000192
- Barrell Homestead
  71 Beech Ridge Road, #76000195
- Isabella Breckenridge House
  201 U.S. Route One, #83000480
- Cape Nedrick Light Station (National Historic Landmark)
  Cape Nedick, #85000844
- Boon Island Light Station
  Boon Island, #88000153
- Conant-Sawyer Cottage, aka Summersong
  14 Kendall Road, #92000279
- Pebbledene, aka Rose Cliff
  99 Freeman Street, #93001110
- Hawkes Pharmacy, aka The Rockaway Hotel
  6 Main Street, #93001111
- St. Peter’s By-The-Sea Protestant Episcopal Church
  535 Shore Road, #99000773

2. Locally Designated Resources
The primary means of protecting historic and archeological resources is through local designation. In York this is accomplished with the Zoning Ordinance, which establishes local historic districts, historic landmarks and historic sites. Designation requires approval of the voters in the form of an ordinance amendment. Resources so listed are afforded regulatory protection by the Town. The map entitled, “Locally Designated Historic Resources, York Comprehensive Plan, Inventory and Analysis, Historic and Archeological Resources Chapter” with a date of November 6, 2007, is hereby incorporated into the Comprehensive Plan by reference.
Two points should be made about the shapes of the local historic districts, which may appear somewhat irregular. First, the Town has included in these districts only those properties agreed to by the property owners. Second, portions of streets have been included so that all road work within the district boundaries will be reviewed in advance by the Historic District Commission to ensure protection of the historic integrity of the streetscape.

a. York Village Local Historic District
This was the first Local Historic District in York, originally established in May 1991. This district comprises the heart of the early colonial settlement of York. Not only is this one of the earliest settlements in New England, but it also was one of the most important. The community was the capitol of the Province of Maine, and subsequently the county seat – the administrative center of Maine throughout the colonial era. Reflective of this importance is the Old Gaol (1719), the oldest surviving jail in the United States, and the Town hall (1811). It was also one of the largest settlements in early Maine, a vibrant economic center. Despite some modern intrusions, it is arguably the best preserved colonial and federal era village in all of Maine.

The building which houses the OYHS offices was added to the District in November 2001. The District delineation was changed to a map-based system in May 2003, which was important because the District expanded to include not only the historic properties but also the adjacent streets. This District currently includes 10 properties, and portions of York Street and Lindsay Road.

b. Lindsay Road Local Historic District
This district was established in May 2003. It encompasses the vicinity of two of York’s original homestead sites dating back to the early 1630s – those of Edward Godfrey (1630) and Edward Johnson (1632). The area was then known as Point Bolleyne. None of the original structures survive, but it does contain an impressive series of buildings constructed in the eighteenth and nineteenth centuries. It is a well preserved historic streetscape, with minimal modern intrusion. The Lindsay Road Local Historic District includes 10 properties, and portions of Lindsay and Mill Dam roads.

c. York Harbor Local Historic District
Originally established as the Harmon Park Local Historic District in May 2003, the District was significantly enlarged and renamed the York Harbor Local Historic District in November 2003. This part of Town was originally settled in the 1640s, and was known as Lower Town. Newer construction has replaced all of the original structures, none of which survive today, though it does include several impressive buildings from the eighteenth century, most notably the impressive Sayward-Wheeler House (ca. 1718), and early capes built by Daniel Dill and Job Welles. New construction has even covered the area of the Old Burying Ground – the first cemetery in York – located on the
eastern side of Clark’s Lane. Despite its colonial origins, the strength of this district is the well preserved landscape of large summer homes of the late nineteenth and early twentieth century. This district contains many fine examples of the Colonial Revival and Shingle styles. Within the District at this time there are 40 properties, portions of York Street, and all of Barrell Lane, Barrell Lane Extension, Clarks Lane, Clarks Court, Harmon Park Road, Varrell Lane, and Simpson Lane.

d. Historic Sites and Landmarks
There are currently 18 designated locally designated historic landmarks. At this time there are no designated historic sites. These landmarks include:

- Cape Neddick Lighthouse, 13 Sohier Park Road
- District Nine Schoolhouse, 301A Mountain Road
- Joseph Banks House, 112 York St. (site of Richard Banks house)
- Contributing Property, 70 Clark Road
- Contributing Property, 83 Clark Road
- Contributing Property, 77 Clark Road
- Contributing Property, 31 Long Sands Road
- Contributing Property, 25 Sentry Hill Road
- Contributing Property, 17 Sentry Hill Road
- Contributing Property, 11 Sentry Hill Road
- Contributing Property, 2 Norwood Farms Road
- Contributing Property, 16 Simpson Lane
- Contributing Property, 416 York Street
- Contributing Property, 16 Sentry Hill Road
- Contributing Property, 450 York Street
- Contributing Property, 5 Orchard Lane
- Grant House, 200 U.S. Route One
- Trinity Church, 546 York Street

The HDC should maintain documentation of the significance of each property designated as an historic site or landmark.

3. Privately Protected Resources
York is fortunate to have a series of historic properties which have been privately protected. The map entitled, “Privately Protected Historic Resources, York Comprehensive Plan, Inventory and Analysis, Historic and Archeological Resources Chapter” with a date of November 6, 2007, is hereby incorporated into the Comprehensive Plan by reference. Each of these properties is owned and managed by either the Old York Historical Society or Historic New England (formerly known as the Society for the Preservation of New England Antiquities).

The properties of the Old York Historical Society include many of the important resources in the Village Center Local Historic District, as well as several other properties adjacent to this District and the Lindsay Road Local Historic District. The Historic New England property, the Sayward-Wheeler House, is located in
the York Harbor Local Historic District. All privately protected historic resources are located in the York National Historic District.

F. ANALYSIS

1. Important Resources
As recognized and appreciated by many residents, York’s wealth of archeological, cultural, historical and architectural resources plays a significant role in shaping the character of the Town. The importance of historic and archeological resources is not simply a function of age, but of significance and rarity. York’s history is significant in several respects. In the 1600s, York was the first town incorporated in Maine. Early on it was the largest community, and was the shire town (county seat) when the one county encompassed the entire Province. York was heavily dependent upon fishing and maritime trade in the early days, and later on farming. In the late 1800s and early 1900s, York Harbor developed as an upscale summer community, with exemplary shingle-style architecture. Also during this time period, York Beach developed as a tourist Mecca, with access to population centers to the south by rail initially, then by automobile.

York’s pre-historic archeological resources are concentrated along water bodies, with most known sites along the York River. The early historic development of Town also occurred in this same area, in the Village, Lower Town, Southside, Scotland and the Partings. Subsequent development in the late 1800s and early 1900s has probably resulted in the loss of most historic archeological resources in the vicinity of York Harbor, but important sites remain in the less-disturbed areas upstream. The tidal reaches of the Cape Neddick River, along with the surrounding uplands, also have a rich potential for archeological resources.

With respect to architectural resources, York Village, York Harbor, and Lindsay Road areas have a remarkable concentration of significant buildings, with hundreds potentially eligible for inclusion in the National Register. These buildings range in age from late 1600s through the 1950s. York Harbor contains the most significant and best preserved architectural resources from the nineteenth century. The York Cliffs area also has a significant concentration of well preserved buildings. Although many of these structures already have National Register designations, additional work could be done to include structures for nomination that are currently excluded. The “Greystone” cottage in York Cliffs, would be an example. According to the Historic District Commission, “Greystone” cottage is one of the most important examples of “cottage” architecture in the state.

2. Threats
Protection of archeological and historic resources is in the public interest, but the continuing existence of many resources is threatened. The potential threats to
York’s historic properties and archeological sites exist in most other communities in Maine.

Archeological sites are at risk from several types of impacts. First, a site could be lost to new construction. Second, a site could be intentionally looted. Third, a site could be unintentionally disturbed by unknowing site disturbance (kids digging up old bottles and such). A site designated in an Historic District or as an Historic Site may be better protected from development impacts, but may thus become increasingly at risk to vandalism and theft. The more the public knows, the more that site security of some form is required. The balance between public knowledge and site protection is a difficult balance.

With respect to development impacts on archeological sites, large scale developments are reviewed by the Maine Department of Environmental Protection under the Site Location of Development Act. This process will often require protection of archeologically significant sites. Archeological resources on small development sites, however, usually will not be detected and protected, especially when the location of specific archeological sites are not known by local officials. Construction that does not undergo state or Planning Board review, but instead only requires the issuance of a staff-issued building permit, may unwittingly damage sites with archeological significance. Critically important resources could be lost without anyone ever knowing.

Historic buildings are at risk as well, although York has been fortunate that private owners have protected so many historic buildings so well for so long. As to risks, some of York’s historic structures may be situated in locations that are viewed as desirable sites for new development. This situation could lead to the demolition or inappropriate alteration of an historic building. Where people want to retain the historic building and intend to renovate it, the cost of rehabilitation is another potential obstacle. Often the expanse of sensitively renovating a historic structure is more than a property owner is willing or able to absorb. The result of this situation is either an inexpensive renovation that destroys the integrity of the historic property or demolition of the older building to make way for something new.

Related problems arise in Town regulations. The Residential Growth Ordinance creates an incentive to tear down older buildings to allow quick permitting of new homes. This is an unintended consequence. The building codes require compliance with standards which dictate design features such as ceiling height, stairway width, stairway rise and run, number of exterior accesses, insulation, and so forth. Renovation of buildings built centuries before the establishment of building codes can’t possibly comply with those codes and still be sensitive to the historic character of the building. Some codes, such as the BOCA, IBC and IRC codes do have provisions to permit flexibility for historic buildings, but CABO does not have these provisions. CABO is the code currently utilized in York for single-family and duplex residences, which include the majority of historic
buildings in York. Not only do these code requirements limit the ability to renovate an existing historic building, they likely have the effect of preventing someone from salvaging an historic house frame and re-constructing it in an historically correct manner in York. The result, over time, is a lost opportunity for York to have some new construction which is truly in character with York’s history. The Residential Growth Ordinance also provides an incentive to tear down smaller, older home to make way for new homes. These code issues should be addressed in the Policy Section of the Comprehensive Plan.

3. Resource Protection

Resources can be protected through public policy, or by private action. Local, state and federal policies offer varying degrees of protection to archeological and historic resources. There is a unified system of policies and controls which is based on federal policy that is implemented through the states and communities which are Certified Local Governments such as York. With regard to private protection, there is no substitute for a property owner whose actions directly protect resources.

Local control is exercised primarily through two means: local designation and protection of resources by ordinance (historic districts and landmarks); and by local review of all larger development projects for potential impacts on resources. Of the many hundreds of significant historic buildings and sites, less than 100 are protected by local historic designation. The percentage is small, but this number has increased dramatically in the past few years, particularly in 2003 when 2 additional local historic districts and 13 additional landmarks were designated. The protection afforded by inclusion of a property in a district or as a landmark is significant. Major exterior changes to the building or to the property are subject to review, and the review is based on a rational set of standards established by the U.S. Secretary of the Interior.

The Town has standards in its Site Plan & Subdivision Regulations which require properties to be evaluated for the presence of archeological or historic resources. Applicants are required to obtain an opinion from the HDC, MHPC, or other experts as to the likely presence of significant resources on the development site, and where significant resources are present or are highly likely, the Planning Board is empowered to act to help conserve those resources. The ability to protect resources in this manner is less forceful than by local designation, but it is more flexible for property owners and it allows the Town to extend protection to as-yet unidentified resources.

Another level of local resource protection comes from implementation of the State law (Title 13 §1371-A) which prevents ground disturbance within 25 feet of cemeteries and burial grounds. The Planning Department’s on-going efforts to locate each of these cemeteries and burial grounds greatly simplifies local enforcement of this law. Additional local policies, such as the requirement in the Site Plan and Subdivision Regulations to identify any such resources within close
proximity to a development site, also help. To date, the Town has not taken action to acquire any of the abandoned cemeteries to ensure their preservation in perpetuity, but this is permitted through Title 30-A §3107. The requirement for municipal action to care for veterans’ graves per Title 13 §1101 will be addressed in the Municipal Capacity Chapter of the Inventory & Analysis Section of the Comprehensive Plan.

Local protection of resources is virtually non-existent for most small projects, such as construction of single-family homes. These projects are permitted by the Code Enforcement Officer, and unless they are located in a local historic district or are a designated historic landmark, the issue of archeological or historic resources never arises. This poses a significant risk especially to some of the very early historic archeological sites – sites which are of great importance to the Town and State but are virtually unprotected at this time.

The State’s role in resource protection comes in many forms. Primarily, the MHPC does not regulate but is positioned to empower others. They provide guidance, assistance and funding to the community. The progress made locally has been greatly facilitated by MHPC. They have helped York become one of only 9 certified local governments in Maine. They have funded the 20 archeological and architectural inventories completed in York over the past 2 decades. MHPC staff also field inquiries from development applicants about the presence of known archeological resources on a site, and participate in State permitting of major development projects. MHPC is a vital partner in the Town’s efforts to identify and protect important resources.

Federal participation comes in two basic forms: in the support of state historic preservation offices; and through designations of the National Register. Much of the money York has received from MHPC is actually federal money passed through the State. As the MHPC is a vital partner, so too is the U.S. Department of the Interior in this respect. Inclusion of properties in national historic districts or on the National Register of Historic Places offers these properties a degree of protection, but only from state or federal government-funded actions. National listing imparts no protection from locally-funded government or private action.

Private protection by historic organizations accounts for 9 historic buildings at this time. These organizations have been established to protect these resources, so private ownership equates directly with resource protection. The majority of archeological sites and historic buildings are in private ownership, and most have been well cared for through the years. The past practice of ‘laissez faire’ has been largely successful, but this does not ensure it will continue to be successful in the future. Here is the critical policy challenge for the Town – what degree of public policy control is necessary and appropriate to ensure the long-term conservation of important resources.
G. SUMMARY
Conservation of the Town’s historic and archeological resources has long been an important value in York. These resources are an integral part of the community fabric and they contribute to York’s position as a unique community in southern Maine. Despite the Town’s recognition of the significance of its historic buildings and archeological sites, some are still being lost to development. One reason for this situation is that the Town lacks adequate mechanisms that would ensure the long term preservation of its historic resources. Ensuring that new development is compatible with York’s existing historic resources will be important to the preservation of York’s historic character. Additional public knowledge and education about the Town’s historic and archeological resources, created through such steps as increased historic site designations, the development of brochures, and public presentations, may increase the appreciation and ultimate preservation of these significant resources in York. The York Historic District Commission and the Old York Historical Society could be instrumental in establishing a historic resource education and protection program in York.
APPENDICES

A: TERMINOLOGY

This Chapter deals with a specialized subject matter, and the meaning of certain terms is explained to help clarify the text.

Timeframes

- **Prehistoric.** Of or pertaining to the time before written history of the inhabitants. In the case of York, this is generally the time before the arrival of the European settler in 1630.

- **Historic.** Of or pertaining to the time of original exploration by the Europeans in this area, understood to be in the early 1600s. This encompasses everything through 1957, which is 50 years ago at the time of writing this Chapter. A 50-year horizon is used because this is a cut-off for eligibility for the National Register of Historic Places.

- **Archeological.** Of or pertaining to historic or prehistoric resources that are in the ground. This would not include, for instance, a house built in 1700, but it would include the artifacts associated with that house if those artifacts are buried in the adjacent site. Note: in this Chapter the spelling of “archeology” is used instead of the more common “archaeology” to be consistent with relevant State laws such as M.R.S.A Title 30-A §4326(1)(I).

Resource Designations

- **Historic District.** An historic district is an area which contains a grouping or concentration of buildings, sites, landmarks, streets and/or other resources which together form a unified resource. The basis for the district may relate to: historic events; significance to the history of the Town, state or nation; historic people; great ideas or ideals; building architecture; or buildings which contribute to the visual continuity of the district. A district may include “noncontributing” resources if these are interspersed among the significant resources in the district.

- **Historic Site.** As defined in the Zoning Ordinance, Historic Site means, “Any parcel of land of special significance in the history of the Town of York and its inhabitants, including archaeological site(s) containing important prehistoric or historic artifacts and/or structural remains, or upon which an historic event has occurred, and which has been designated as such in accordance with the Local Historic District Regulations.”

- **Historic Landmark.** As defined in the Zoning Ordinance, Historic Landmark means, “Any improvement, building or structure of unique historic or architectural significance to the Town of York, relating to its heritage,
cultural, social, economic, or political history, or which exemplify historic personages or important events in local, state, or national history as may be designated in accordance with the Local Historic District Regulations.”

- National Historic Landmark. As described on the National Park Service’s web page, “National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States.” At this time there are less than 2,500 designated national historic landmarks in the nation.
B: POPULATION OF YORK, 1650 – 2004

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Natural Resources Chapter

Comprehensive Plan
Inventory & Analysis

Adopted: May 20, 2006

Amended:
November 5, 2013
November 6, 2007

Planning Board of York, Maine at time of chapter adoption:
Glen MacWilliams, Chair
Tom Manzi, Vice Chair
Barrie Munro, Secretary
Lee Corbin
David Woods
Lewis Stowe, Alternate

ENACTMENT BY THE LEGISLATIVE BODY

Date of Town vote to enact this Chapter of the Comprehensive Plan: ______________.

Certified by the Town Clerk: ____________________________ on __________.
(signature) (date)
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NATURAL RESOURCES

I. INTRODUCTION

This Chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about York’s natural resource base. These are the physical foundations upon which municipal policies elsewhere in the Comprehensive Plan will be constructed.

By law, comprehensive plans must contain an inventory and analysis of the town’s natural resources. Natural resources form a complex, interrelated system that is far more than the sum of the parts. The natural resources system includes living and inanimate components—from water and soils to plants and animals. The natural resources system includes components that go unnoticed and those that are obvious—from air and microscopic organisms to forests and the sea.

This chapter must accomplish two distinct objectives. First, it must contain an inventory of the community’s natural resources. Second, it must analyze the natural resource. It is important to consider the meaning of each of these objectives.

The inventory is simply a listing and description of all the resources in the Town, usually accompanied by maps. Topics are typically grouped by subject matter—geology, water, flora, fauna, and so on. The range of natural resources to be included in the inventory is specified in state law, although this can be expanded if desired. The level of detail of the inventory can range from quite simple to extremely detailed, and it will vary from one natural resource to another, as there is unequal information about all natural resources. The inventory is relatively static, as the natural resources typically do not change rapidly over time.

The natural resources analysis must accomplish 3 tasks:
1. Describe the functions of the entire, inter-related system.
2. Identify and explain the inter-relationships between the various parts of the system.
3. Assess the susceptibility of component parts and the system as a whole to damage and degradation.

To provide a framework for the analysis, the natural resources are considered from the point of view of the ecology. The key concept in ecology is the inter-relationships between all the component parts of the system. While an assessment of the ecology may not include all aspects of the natural resource systems at this time, the ecological framework allows for more specific information to be added when it becomes available.

Development of this chapter begins with the inventory and proceeds to the analysis. Its presentation in the text, however, is reversed—analysis first and inventory second. The
Comprehensive Plan – York, Maine

reason for the reverse order is that the analysis focuses on the big picture, not the details, so that we do not focus unnecessarily on the details and lose sight of the whole. This is especially important because information about a community’s natural resources and ecology may be incomplete or changing. With a good understanding about the overall system, however, it is possible to move beyond imperfect data. As an example, there may not be a detailed list of all insect species in York, yet we know that York does have the greatest known biodiversity of any town in Maine. It would be inappropriate to focus on the lack of complete data when, in fact, it’s the great biological diversity that is so highly important and which is at great risk of damage or degradation from inappropriate development. Armed with an understanding of the whole, the Town will be in the best position to understand the impact on the whole that would result from changes to any particular component.

Natural Resource information is presented in this inventory and analysis in text and graphic form. This chapter includes some large (22" by 34") maps that help us relate the resources to the land. These large maps are essential to communicate information about York’s natural resources, and this text, without the maps, will not present a complete picture. A complete citation, with map title and date of preparation, is provided in the appropriate section of the text, and these maps are incorporated into the Chapter by reference. Paper copies can be viewed at the Town Hall during normal business hours. To the extent these maps can be maintained on the Town’s web site, copies will be made available for viewing and downloading there as well. Some maps, published by the State of Maine, are incorporated into this Chapter by reference and may be obtained directly from the State of Maine.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others adopted since November 2004, follows a new format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep its Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section.
II. ANALYSIS

This section is intended to provide a very high-level look at issues of concern to the Town’s natural resource base. It is not feasible to get down into the details of all levels of concern in this type of document. Readers are forewarned – while this Analysis Section can stand alone, it is most useful in conjunction with the information contained in the Inventory Section.

A. A GIFT FROM THE ICE AGE

Even 10,000 years after the last glaciers retreated, the landscape of York is a gift shaped surficially in large part during the Ice Age. The topography is generally flat to gently sloping, sheared off by the ice.

1. Physical Resources

The land in York is rugged. The surficial geology of York shows that the vast majority of Town is either glacial till or marine clay, and both these are a generally poor base for land development. Soils tend to be shallow, and either poorly drained or excessively drained.

Small-scale forestry and farming are still being practiced, but the traditional working landscape is under severe development pressure.

There are significant areas of contiguous undeveloped lands in York and the neighboring communities, centering on the Mount Agamenticus region. Much of this land is protected in some manner from development pressures—about 6,000 acres in York and about 12,000 in the Mount Agamenticus to the Sea region (parts of Wells, Ogunquit, South Berwick, Eliot, Kittery and York). Overall, these unfragmented blocks of land are the largest along the Atlantic coast between the Pine Barrens in NJ and Acadia National Park in Maine—an area that grossly corresponds to the Megalopolis. From the perspective of the ecosystems of the Northeastern United States, this resource is unique and important.

2. The Water

York is located on the coast of the Atlantic Ocean, in the Gulf of Maine drainage basin. Because of its topography, York is divided into a series of relatively small watersheds that drain directly to the Ocean in or near York.

Surface waters in York, including the 6 reservoirs, provide the municipal water supplies for portions of both York and Kittery. There are no major stratified drift deposits (underground piles of sand and gravel that hold and yield large quantities of water) in York, so there is virtually no opportunity for development of
municipal-size water supplies from groundwater. Water for consumption outside these service areas is provided primarily by bedrock wells.

There is a functioning harbor at the York River and limited coastal access at the Cape Neddick River.

Historical development patterns in York have led to wide-spread development in environmentally unsuitable areas, as on coastal dunes and in the former marshlands behind the dunes. Many of the current land use problems faced in York are a result of uninformed decisions over 100 years ago. Sea level rise will worsen these problems, and will create others.

3. The Air
Air quality in York is generally good, but does not currently comply with all Federal air quality standards. The primary problem is ground-level ozone pollution (smog) blown in by prevailing winds from the urban centers from Washington, D.C., through Boston on hot summer days. There is little York can do about this problem as the pollution comes from external upwind sources.

4. Living Resources
The ecosystems in York are generally healthy. There is a high degree of biodiversity in York—reportedly the highest of any single town in the State of Maine. This is due to its location on the coast, at a point where the northern and southern forest ecosystems meet, and the continued presence of large tracts of undeveloped, unfragmented land. There are many rare or threatened species in York, but this is partly due to York being on the extreme southern end of the State—species that are common to the south may occur only infrequently in the southern tip of Maine.

Healthy estuaries are vital to the health of the oceans. The York River, in particular, but also the Cape Neddick River and Brave Boat Harbor areas, are important contributors to the Gulf of Maine.

B. NATURAL RESOURCE VALUES WE ENJOY
Beyond the mechanics of identifying and understanding the natural resource base in York, there are many values the public places on natural resources.

The environment in York is healthy and clean. The water and air are clean. The ecosystems are healthy and biodiversity is high. There are no significant brownfields—older contaminated sites typically associated with bygone industrial uses. Environmental indicators point to a healthy and clean environment at this time.
The natural resource base in York is an important component in the community’s vitality. People make use of the resources every day. Property owners still harvest timber in York. There are still a few working farms growing produce and raising animals. There is an active commercial fishing fleet operating from York Harbor and Cape Neddick Harbor. The natural resource base provides more than just economic land uses. It contributes to community uses such as hunting, fishing, walking, hiking, bicycling, cross-country skiing, swimming, sunbathing, and birdwatching, to name a few.

Compared to the relatively homogenous landscapes characterized by suburban sprawl, York’s landscape is diverse and interesting. There is a wide range of landscape types—undeveloped lands, rural working lands, villages, and commercial areas.

There is an aesthetic value associated with the great natural beauty we find in York. There are many scenic views, not only along the beaches and coastline but throughout York. There are vast expanses of forest. There is peace and quiet and tranquility. The stars are clearly visible at night. York is a place where you can find tranquility and solitude close to the amenities of the community.

C. THREATS TO OUR NATURAL RESOURCES

York is a relatively small community on the northern end of the Megalopolis. The primary threat to the natural resources is from continuing growth pressures. In the grand scheme of things, the buildout of York is infill in the Megalopolis—filling up seems to be a question of “when” rather than “if.”

In a build-out analysis completed by the Open Space Committee in 2001, there is enough room in York for about a total increase in population of roughly 50% if the Town builds out under then-existing zoning controls. Land development—the continued dividing of tracts of land into smaller and smaller islands, and the continued increases in impervious surfaces—will continue to place ever-greater pressures on the resource base.

The following is a short list of the issues York faces, and what’s at risk as growth continues to exert continuing pressure:

- groundwater pollution from development on poor soils without public sewer collection and treatment;
- non-point water pollution from road maintenance policies, and new development with inadequate erosion/sedimentation control;
- reduction in surface water quality from increasing impervious surfaces in each watershed (some already at risk, others approaching);
- loss of biodiversity by habitat loss and fragmentation from new roads and development;
• worsening of flooding problems from more than a century of unplanned development, continued development, and sea level rise;
• loss of native species by infestation of invasive species;
• loss of the working landscape by escalating land values and neighborhood concerns about impacts;
• loss of night sky by uncontrolled lighting of new and existing development;
• reduction in air quality and loss of quiet because of increasing traffic (more people driving more miles because of poor patterns of LU and few alternative transportation modes) and because of smog generated up-wind;
• loss of opportunities for solitude and recreation by reduction in size and loss of unfragmented blocks;
• stability of beaches and coast due to past encroachment in dunes and shorelines, combined with sea level rise;
• decline in the health of the Gulf of Maine and the Atlantic Ocean resulting from continued overdevelopment of the coast and along the estuaries; and
• overcrowding of harbor and other waters as more people compete to use finite shore resources.

It is not realistic to try to capture all the threats and all the risks within this Comprehensive Plan Chapter. The reader should take away the message that there is much of value at stake, and that issues faced by the Town must each be evaluated to develop an understanding of the specific resource threats and opportunities it may present.

D. INTER-RELATED SYSTEMS, NOT ISLANDS

As one of the great ecologists concluded, everything is related to everything else (Barry Commoner. The Closing Circle. Knopf, New York, NY. 1971). It is not reasonable to expect that an action will affect only one aspect of our natural systems. For example, excessive runoff from a large parking lot can cause soil erosion of a drainage ditch, which results in siltation in the downstream waterbodies, thereby degrading habitat. Understanding inter-relationships provides a context for evaluating the importance of singular activities such as controlling soil erosion, regulating building density, or eradicating invasive plants. This concept is vital as the Town uses this Chapter and others of the Inventory and Analysis to formulate a rational basis for its land use controls.

Assuming that York seeks to sustain its quality of natural resources, understanding natural resources as a system full of complex inter-relationships is vital in understanding how to achieve a sustainable community. Consider a few examples.

• Erosion along roads generates non-point pollution: river water quality degrades; fish spawning beds silt in, reducing the habitat value; and less biological integrity contributes to a reduction in ocean’s food supply.
• Sea level rises: saltmarsh will change to mud flats; shorelines will destabilize, especially in areas currently at risk for coastal landslide; and flooding will
impact buildings currently out of the floodplain, and will force alteration of the road network in flood-prone areas.

- Dividing a large unfragmented block in half with a new subdivision and road: biodiversity will decline; recreation opportunities will decline; and houses will encroach on former hunting areas, restricting firearms discharge and resulting in smaller areas for hunting, and reducing the opportunity for finding solitude.

In conclusion, the maintenance of a sustainable community depends on the ability of the community to recognize that one action can easily affect multiple resources and can start a chain reaction of effects. Research and careful thought before action is prudent.
III. INVENTORY

This section provides extensive information about the natural resource base of the Town of York. Much of the information is communicated through a series of over two dozen maps, each of which is referenced in the text. Where it makes sense to do so, the Town-generated maps present resource information (surficial geology, soils, conservation lands, etc.) in the broader context of watersheds—the maps show resources in their relationship to watersheds. This allows information to be evaluated in naturally-occurring areas rather just politically-defined areas. Readers are forewarned – while this Inventory Section can stand alone, it is most useful in conjunction with the information contained in the Analysis Section.

A. TERRESTRIAL RESOURCES

Terrestrial resources are the very foundation of the Town of York—geology, topography, soils, and hydrology. They are grouped together because of the inseparable interrelationship among each of these resources, and because of the interdependence of each on the others. Most important from a planning perspective, however, is the role these resources play in the water cycle. Water is perhaps the most significant driving force in our natural systems. As the Town continues to grapple with intensive growth pressures, its policies must be based on a sound understanding of the hydrology. The Town needs this information to solve problems faced today, such as flooding in the bowl behind Long Sands Beach and failed water quality tests at the beaches. The Town needs this information to ensure actions it takes today do not cause additional problems in the future.

1. Geology

Understanding the geology of York is important because of the relationship between the bedrock, the surficial deposits, the soils and the water cycle. The three most immediate areas of interest with respect to geology are its influence on public water supplies, its relationship to radon, and its influence on the ability to treat septic wastes on-site.

Regarding public water supplies, the towns of York and Kittery both have surface water supplies located in York. The nature of geologic materials and their physical configuration affect the recharge of the public water supply reservoirs.

Regarding radon, the presence of radon in groundwater (well water) and in air (in basements) is a public health concern. Granitic rocks are the most significant source of radon in groundwater. Radon moves very slowly in saturated soils, but is more mobile in permeable materials, such as sand and gravel. For these reasons, areas above coarse glacial till or coastal sand deposits that are on steeper slopes and above fractured bedrock (especially granite) have a higher chance of radon problems than other areas. Both the bedrock and surficial geology of York
are relevant to this issue. The U.S. Geological Survey has a good Web site (www.usgs.gov) for further information about radon.

Regarding septic wastes, the surficial geologic deposits are closely related to soils in importance for septic treatment. Surficial deposits are, in fact, the parent materials for most of the soils. Areas underlain by poorly drained materials, especially glacial marine or swamp deposits, do not permit septic wastewater to move quickly enough away from leach fields, and in general these areas are more prone to septic failures and related problems.

The map entitled, “Bedrock Geology, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of January 25, 2006, is hereby incorporated into the Comprehensive Plan by reference. The map entitled, “Surficial Geology, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference. Users should note that the information for both geology maps was created to define general information for state-level analysis, and as such the geologic boundaries shown on the map are nowhere near as accurate as other available local data (roads and soils, for instance).

The map entitled, “Estimated Overburden Thickness in the Kittery 30X60-minute Quadrangle” compiled by Marc Loiselle in 2002 (Maine Geological Survey, Open-File No. 02-3) is adopted by reference into this Plan. This map provides supplemental information regarding surficial deposits.

a. Bedrock Geology

Bedrock in York is a combination of igneous and metamorphic rock. Igneous rock is formed when molten rock, or magma, cools and solidifies. Metamorphic rock is formed from either igneous or sedimentary rock that is transformed by immense heat and pressure to form a new type of rock. The metamorphic rocks of the York area are part of a large structure called a syncline, formed when sedimentary layers were folded into a basin-like feature. Geologic mapping of the area reveals no apparent faults. The folding occurred before the intrusion of the igneous rock. Subsequent glaciation re-shaped the surface of the bedrock to its current configuration.

Map information for this section of the Chapter was obtained primarily from the Maine Geological Survey. Interpretation of this information was based on the book, The Geology of Southern York County, Maine (Arthur M. Hussey, II, for the Maine Geological Survey, December 1962) and the help of Dr. Jeanette Sablock of Salem State College.

1) Igneous Bedrock. In York the igneous bedrock is comprised of 3 major formations, listed from youngest to oldest:
Cape Neddick Complex. The Cape Neddick Complex is a small outcropping of harder, granitic rock on the outer end of the Cape Neddick peninsula (the Nubble) that has shielded softer, inland metamorphic rock. This is the reason this peninsula exists. At roughly 116 million years old, the Cape Neddick Complex is the youngest rock formation in Maine.

Agamenticus Complex. The Agamenticus Complex is a large circular complex of granite and related rock, over 5 miles in diameter, extending from Short Sands Beach to the east, Boulter Pond to the south, South Berwick to the west, and Ogunquit to the north.

Webhannet Pluton. The Webhannet Pluton is an elongated mass running from Eliot to Wells parallel to the York/South Berwick boundary. This formation directly adjoins the Agamenticus Complex. Through time it has effectively been a dam that has prevented any major rivers west of York from running through the Town to the coast.

2) Metamorphic Bedrock. In York the metamorphic bedrock is comprised of 2 formations, listed from youngest to oldest:

Eliot Formation: The Eliot Formation is a relatively small area running from the Cider Hill and Scotland Bridge area to the Piscataqua River in Eliot. The formation lies above the Kittery Formation. In York, the glaciers scoured off most of this formation, with this one area remaining because it lies in a depression in the underlying materials. That depression is known as the Eliot Syncline.

Kittery Formation: The Kittery Formation is the primary metamorphic formation in York, underlying most of York’s coastline, the entire area of York Harbor and York Village, and the area around Brixham.

b. Surficial Geology
York has several different types of surficial geologic deposits which overlie the bedrock. The vast majority of these deposits (till, glacial marine clays, and ice-contact deposits) are the byproducts of glacial action. Table 1, Characteristics of Surficial Deposits, gives a brief description of the most common types of deposits and a general description of the usefulness these materials should have for planning purposes.
TABLE 1: Characteristics of Surficial Deposits

<table>
<thead>
<tr>
<th>Type &amp; Origin of Deposit</th>
<th>Characteristics</th>
<th>Relation to Groundwater</th>
<th>Relation to Development</th>
<th>Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glacial Till</td>
<td>Low permeable mixture of small-sized (silt &amp; clay) to large-sized (gravel) material</td>
<td>Contains water, but low permeability makes recovery difficult and inadequate for municipal needs</td>
<td>Low permeability could slow vertical flow</td>
<td>Extensive, especially in upland areas</td>
</tr>
<tr>
<td>Glacial Marine</td>
<td>Very low permeability dark silts and clays with inter-bedded layers of sand</td>
<td>These materials typically prevent the vertical flow of water and often underlie marshes and wetlands</td>
<td>Unsuitable for most uses, but historical resource for local brick-makers</td>
<td>Extensive, esp. along York River, Cape Neddick River, the coastal area.</td>
</tr>
<tr>
<td>Ice-Contact</td>
<td>Usually permeable mixture of sand, gravel, cobble &amp; boulder-sized sediment</td>
<td>Best source of groundwater in southern Maine, excess iron content can be an issue, high permeability means easy contamination from land use</td>
<td>High permeability allows rapid vertical flow of water, but fast flow could affect nearby ponds if any</td>
<td>Along Witchtrot Road in western York, and north of Chases Pond Reservoir</td>
</tr>
<tr>
<td>Swamp Deposit</td>
<td>Organic material with some silt, sand &amp; gravel, up to 2’ thick</td>
<td>Groundwater discharge areas, often the site of springs</td>
<td>Unsuitable for most uses</td>
<td>Upper reaches of York River</td>
</tr>
<tr>
<td>Coastal Dune &amp; Beach Deposits</td>
<td>Fine to medium sand, some coarse sand &amp; gravel, up to 25 feet thick</td>
<td>Moderate permeability, water table close to surface &amp; prone to contamination from land use</td>
<td>Vulnerable to wave erosion, these deposits require protection from harmful uses that may speed up erosion processes</td>
<td>Long Sands Beach and Short Sands Beach</td>
</tr>
</tbody>
</table>

2. Topography and Slope

Topographic information is about the changes in elevation of the surface of the ground, which is of obvious importance to planning. Elevations in York range from sea level to 691 feet atop Mount Agamenticus. Elevations are low along the Atlantic coast and rise inland. East of the Turnpike there are a few hilltops above 200’ in elevation, the highest of which is Gulf Hill (elevation about 240’) located west of Route One near Dixon’s Campground. A significant portion of the area west of the Turnpike and north of the York River is above 200’ in elevation. Only Mt. Agamenticus (691’), Second Hill (555’) and Third Hill (526’) rise above 400’. The Horse Hills, located to the southwest of Mt. Agamenticus, is a large hilly complex just under 400’ in elevation.
At this time the best available town-wide topography data comes from the USGS 7.5 Minutes Series Topographic Maps. Anyone interested in contour data is referred to the source maps: York Harbor (ME); York Beach (ME); North Berwick (ME); Dover East (NH); and Kittery (ME).

Slope is a measure of elevation change over distance. York has extensive areas of steep slopes associated with the hills to the west and north of Town, and along certain stretches of river, stream and ocean shoreline. In general terms, the suitability of land for development declines with slope. In general, the slopes are most gentle along the coast in York Beach and up through the tidal headwaters of the York River. North of the York River and west of Route One, slopes tend to be steeper. The slopes of Mount Agamenticus and the nearby hills are by far the steepest slopes in York.

The map entitled, “Elevation Contours, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter, November 6, 2007,” is hereby incorporated into the Comprehensive Plan by reference. The map entitled, “Slopes, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter, November 6, 2007,” is hereby incorporated into the Comprehensive Plan by reference. These maps are based on Town-wide 2’ contour data acquired by the Town for its GIS in 2006.

3. Soils

Soil is an element of the surficial geology. Surficial deposits are the loose sedimentary (parent) materials that overlie bedrock. These parent materials, glacial and postglacial sediments such as sand, gravel, and clay are the materials from which most Maine soils have developed. Many types of soil form by surface weathering of parent material, though other factors such as slope, drainage and the decaying remains of plants and animals also determine soil type.

The following soil description comes from the Maine Forest Service website.

The basic ingredients of soil fall into two categories: mineral soil (made up of clay, silt, and sand) and organic soil (made up of decomposing leaves and other organic matter as well as small invertebrates and other organisms). Soil moisture and air spaces in the soil also factor in to the kinds of plant or tree life a certain location can support.

The amount of sand, silt, and clay varies from place to place. Soils with a heavy clay content tend to be sticky and not well drained, though they can be quite fertile. Soils with a lot of sand tend to be gritty, not hold water very well, and usually are not very fertile. Silt laden soils feel smooth and tend to have good drainage. Loam is a fairly even mix of all three.

Decomposing trees and leaves form the organic layer (also called the O horizon). As the organic layer breaks down, it mixes with mineral soil from below to form the nutrient-rich topsoil (the A horizon) beneath the O horizon.
If you have ever dug a hole on your property, you probably noticed different colors of soil layers as the hole got deeper. The dark organic soil layer on top is usually about an inch thick. The organic layer and the layer below it (the topsoil) contain most of the nutrients that nourish a growing woodland. These rich soil layers are not easily replaced; it takes between 100 to 600 years to form an inch of topsoil.

Unfortunately, wind and water can erode away an inch of topsoil in a single year if there are no trees, shrubs, plants, downed logs or other material to hold it in place. Once the topsoil washes away, it is much harder for plants and trees to grow at all and a cycle of erosion leaves the land nutrient poor. Soil sediment also is likely to end up in waterways, where it affects fish and other aquatic life.
(Source: Maine Forest Service: ww.maine.gov/doc/mfs/woodswise/soil.html)

There are many different types of soil in York and each has a unique combination of characteristics of critical importance, not only to the natural environment, but to planning and development. For example, some soils tend to heave excessively, not all soils are suitable for subsurface wastewater disposal systems, and contaminants travel better through some soils and pose threats to groundwater. Therefore it is important to understand the patterns of soils because it represents a concurrent pattern of limitations and opportunities.

a. Generalized Soil Associations
The USDA’s Natural Resources Conservation Service (NRCS, formerly the Soils Conservation Service) has mapped the soils for York County. The detailed soils map for the Town of York has more than fifty unique map units. A map unit represents an area on the landscape and consists of one or more soils for which a map unit is named. Later in this section map units will be used to discuss soils in York, however, to give an overview of soil patterns it is easier to start with the General Soil Map. The Soil Survey of York County (SSYC), Maine, June 1982 contains a map entitled General Soil Map. The general soil map, as described in the SSYC, shows broad areas that have a distinctive pattern of soils, relief and drainage. Each association on the general soil map is a unique natural landscape. Typically an association consists of one or more major soils and some minor soils. The general soil map can be used to compare the suitability of large areas for general land uses.

The map entitled, “General Soil Map; York County Maine,” contained within the Soil Survey of York County Maine (USDA, Soil Conservation Service, June 1982) is hereby incorporated into the Comprehensive Plan by reference.

The soil associations present in the Town of York include the following:

1) Lyman-Rock Outcrop-Sebago (Map Legend Key #6). This is the most prevalent soil association in the Town of York. The association
covers all of coastal York and much of the area inland, north of Route 91 to the South Berwick border. The Lyman soils and Rock outcrops are on the ridges and hills and the Sebago soils are in depressions. The Lyman soils are shallow, gently sloping to very steep and somewhat excessively drained soils formed in shallow glacial till. The Sebago soils are deep, level, and very poorly drained soils formed in organic material. Rock outcrop consists of areas of bedrock exposure. The main limitations of the association for non-farm uses are the bedrock exposures on the surface, the shallow soil depth of the Lyman soils, and the high water table and low strength of the Sebago Soils.

2) Scantic-Raynham-Buxton (Map Legend Key #7). A swath of this soil association surrounds the upper York River Valley. The Scantic and Raynham soils are poorly drained and nearly level and have a seasonal high water table. The Buxton soils are moderately well drained to somewhat poorly drained and are gently sloping to moderately steep and hilly. The slope, high water table in the Scantic and Raynham soils and the slow permeability of the Scantic and Buxton soils are the main limitations for non-farm use.

3) Marlow-Brayton-Peru (Map Legend Key #4). There are three pockets of the Marlow-Brayton-Peru association along the west side of Interstate 95. One pocket is on the northern end of town at Clay Hill and two towards the southern boundary at Cider Hill and Beech Ridge. The Marlow soils are well drained, the Brayton soils are somewhat poorly drained to poorly drained, and the Peru Soils are moderately well drained. Slow permeability in the substratum and a seasonal perched water table are the main limitations for most uses of these soils. Slope can also be a limitation.

4) Hermon-Lyman (Map Legend Key #5). These soils cover the entire Cape Neddick Peninsula. This association is described as shallow and deep, gently sloping to very steep, well drained to somewhat excessively drained soils formed in friable glacial till. The main limitations for most non-farm uses are rapid permeability, and the shallow depth to bedrock in the Lyman soils.

5) Lyman-Rock Outcrop-Scantic (Map Legend Key #8). There are two patches of this association in York. At the Kittery border in the area of Dolly Gordon Brook and at the Ogunquit Border. The Lyman soils and Rock outcrops are on the ridges and hills and the Scantic soils are in marine plains. The Lyman soils are shallow gently sloping to very steep, and somewhat excessively well drained. The Scantic soils are deep, nearly level and poorly drained. The main limitations for all uses are the bedrock exposures, droughtiness, the shallow depth to bedrock in the Lyman soils and a high water table in the Scantic soils.
6) Sulfihemists-Udipsamments (Map Legend Key #10). These soils are found around the lower reach of Smelt Brook before it meets with the York River. Sulfihemists soils are very poorly drained and level and are flooded by tidal waters. The soils dominantly consist of organic material more than 51 inches deep. Udipsamments are excessively drained and moderately well drained soils and are undulating to rolling. Sulfihemists soils make for good wildlife habitat.

b. Soils By Erodibility
The Soils Survey Data for Growth Management, York County, describes soil erosion as follows: When surface vegetation is removed from large areas of land, soil erosion often results. Sediment, the result of erosion, has a number of adverse effects as a pollutant. In suspension it reduce the amount of sunlight available to aquatic plants, covers fish spawning areas and food supplies and clogs gills of fish. Phosphorus moves into receiving waters attached to soil particles. Excessive quantities can cause algae blooms. Sediment fills drainage ditches, road ditches and stream channels and shortens the life of reservoirs. Highly erodible soils are those soils that have a potential to erode at a rate far greater than what is considered tolerable soil loss. The potential erodibility of soil takes into consideration a) rainfall and runoff, b) the susceptibility of the soil to erosion, c) the combined effects of slope, length and steepness. A highly erodible soil has a potential erodibility that would cause a considerable decline in long term productivity of that soil as well as possible negative effects on water quality.

The map entitled, “Soils By Erodibility”, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference.

c. Soils On Steep Slopes
The Soils Survey Data for Growth Management, York County, describes slope as follows: slope gradient influences the retention and movement of water, potential for slippage and accelerated erosion, ease with which machinery can be used and engineering uses of the soil. Generally the steeper the slope, the more potential hazard exist. Development on slopes greater than 15 percent require more fill and grading as well as more sophisticated sediment and erosion control planning to minimize erosion and protect water quality. On very steep areas the design of buildings, roads and other structures may need to be altered to ensure satisfactory performance.

The map entitled, “Soils by Slope”, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference. When the Town’s contour data is developed, a slope map should be generated to replace this more generalized representation of slopes.
d. Farmland Soils
Prime farmland is defined by the U.S. Department of Agriculture as the land that is best suited for the production of food, feed, forage, fiber, and oilseed crops. It has the soil quality, growing season, and moisture content to produce a sustained yield of crops while using acceptable farming methods. Since farming prime farmlands produces the highest yields and requires minimal amounts of energy and economic resources, it results in the least damage to the natural environment. Prime farmland in many communities is considered a very important, scarce natural resource. Secondary soils, which are not prime farmland but still important for farming, are known as "additional farmland of statewide significance." A very small percentage of the soils in York are identified as prime farmland or additional farmland of statewide significance. The prime farmland and statewide significance soils are found mainly along the York River.

The map entitled, “Farmland Soils, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference.

e. Hydric Soils
Hydric Soils are defined by the SCS as those that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic (lack of oxygen) conditions in the upper part. Hydric soils are usually sufficiently wet to support the growth and regeneration of wetland vegetation. Hydric soils are one of the indicators of wetlands, along with vegetation and hydrology. The location of hydric soils on the soils map of the town should be taken as an indicator that wetlands may be present and that further investigation may be required.

The map entitled, “Hydric Soils, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference.

f. Soils By Potential For Low-Density Development
The Soil Conservation Service has developed a method for evaluating and rating soils for the feasibility of use and development, particularly in areas of low density development. The ratings indicate the relative quality of a soil when compared with other soils in York County. This method takes into consideration both soil conditions and the costs of corrective measures and maintenance which may be necessary if development takes place. Soil potential ratings reflect the potential for use based on local conditions and regulations, rather than on the limitations of use. Evaluating soils within a community using this approach can be a valuable tool in conjunction with the previously described method which looks at soils on the basis of their capability to handle safely on-site domestic wastewater disposal.
Soils are evaluated for properties including texture, permeability, slope, drainage, water table, flooding and depth to bedrock. Each soil unit is evaluated independently for three uses: septic tank absorption fields, dwellings with basements, and local roads and streets and then given a composite rating of very high potential to very low potential for development.

Throughout the Town of York there are no soils that merit a "very high" rating, and very few which fall into the category of "high." These are mostly isolated patches of Elmwood, Marlow, Skerry, Peru, and Hermon soils with slopes no greater than 15%, which unfortunately are also the best farm soils.

The map entitled, “Soils By Potential For Low-Density Development, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference.

4. Hydrology
The properties, location and movement of water on the surface of the land and within the soils, surficial deposits and bedrock are of great importance to community planning. This section begins with an overview of the water cycle, and then provides more detailed information about watersheds, groundwater, water quality and flooding. Because Coastal Resources are addressed elsewhere in this Chapter, this section is focused primarily on fresh water resources.

a. The Water Cycle
As rain or snow falls to the earth's surface some water runs off the land to rivers, lakes, streams and the ocean (surface water). Water also can move into those bodies by percolating through the soil below ground and return to the surface through wells, springs and marshes. Water that seeps into the soil can also infiltrate deeper to reach groundwater. Surface water is subject to evaporation and the process begins again. This is referred to as the water cycle. The water cycle is continuous. The quality of the watershed environment (natural and manmade), the quality of the surface and ground waters, and the overall health of the ecological system is interconnected.

This chapter does not establish policy directions. However, it establishes the baseline information and analysis on which policy will be created and evaluated in the future. With this function in mind, surface water resources are most appropriately evaluated by watershed, and it is anticipated that watershed-based policies will become more prevalent in the future, both at the town and regional levels.

b. Watersheds
The land area from which water drains to a given point is known as a watershed. Watershed boundaries follow naturally-existing physical
boundaries of the topography such as ridges and high ground. Identifying watershed boundaries helps to clarify and emphasize the pattern and direction of drainage flows to surface water bodies.

In York there is increasing attention to watersheds as useful geography for issue evaluation and resulting policy development. Consider the following four examples:

- **Flooding**—the Town has embarked on a study of drainage problems in the area between the York and Cape Neddick rivers, especially in the area behind the dunes along Long Sands and Short Sands beaches where extensive flooding occurs on a regular basis.
- **Pollution**—the Wells Reserve and the York Rivers Association have mapped non-point pollution sources in the York River watershed.
- **Ecology**—the Town, in coordination with a multitude of partners, has assisted and supported extensive scientific research into the fish populations of the York River estuary.
- **Community Infrastructure**—the York and Kittery water districts have conserved significant lands in the watersheds that feed their drinking water reservoirs, and the Town has imposed strict development controls in these areas in support of their protection.

There is an unequal level of information available for each watershed. The York River has been studied extensively; the Little and Cape Neddick rivers to a lesser extent, and other rivers and streams have been studied even less. This is reflected in the description of each watershed.

A description of the Town’s hydrology is best communicated with maps. A series of maps, listed below, provides the inventory. This is followed up with text that briefly describes each of the watersheds.

The map entitled, “Surface Waters and Watersheds, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference. This map shows the 6 major watersheds in York: York River, Cape Neddick River, Josias River, Ogunquit River, Great Works River, and Coastal Streams. This map identifies the 6 great ponds: Bell Marsh Reservoir, Folly Pond, Middle Pond, Boulter Pond, Scituate Pond, and Chases Pond. This map identifies 11 known dams. Other dams may exist, but at this time the Town and State lack a central inventory of dams.

The map entitled, “Stream Order, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference. This map shows streams denoted by their “order.” A first-order stream is one that has no tributaries. When two or more first-order streams join, they create a second-
order stream. When two second-order streams join, they become a third-order stream, and so forth. Stream order is important because much of the science about the impact of land development on water quality is applicable in the smaller sub-watersheds of first- and second-order streams. This science may not necessarily be applied to watersheds of third- or fourth-order streams. Watershed-based land use policies will probably need to be applied in each second-order stream watershed rather than on the larger watersheds depicted in the maps of this Chapter.

The map entitled, “Existing Land Use By Watersheds, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference. This map shows the 2004 existing land use information from the Existing Land Use Chapter, but divided by watershed.

A map of wetlands is not included with this Chapter. Maps of wetlands are available from several sources. The most complete Town-wide wetland data is derived at this time from the National Wetlands Inventory (NWI). Mapping from the 1979 NWI aerial photographs forms the basis for the wetlands shown on the Town’s current Shoreland Overlay District Map. NWI data is also utilized in many other maps of wetlands, such as the map entitled, “Town of York Wetlands Characterization and Riparian Zones,” from Beginning With Habitat. The NWI data is general and outdated, and is best used for coarse-level analysis. To get better information, the Town also generated more detailed wetlands assessments and maps for about 20% of the area of York in the late 1990s. This work was led by the consultant, Woodlot Alternatives. Unfortunately, continuation of this inventory work has not been funded. In lieu of completion of the local inventory, the Planning Department is working on development of a refined wetland layer for its GIS. This layer will be based on 1979 and 2005 NWI mapping, as well as the 2005 aerial photography. When work on this layer is complete, a wetland map should be added to this Chapter.

1) York River Watershed

- Total area: 33 square miles
  - 70% of the watershed is located in York
  - The watershed encompasses 41% of the area of York

- Major features:
  - York River, an exceptionally healthy coastal river and critically important estuary system. Among the widest diversity of fish and bird habitats in Maine. York’s primary harbor is located at the mouth of the River.
Kittery Water District’s four public water supply reservoirs, from which about 2.8 million gallons of water is withdrawn daily:

- Bell Marsh Reservoir: 280 acres, 1 billion gallon storage capacity
- Boulter Pond: 88 acres, 782 million gallon storage capacity
- Folly Pond: 59 acres, 378 million gallon storage capacity
- Middle Pond: 49 acres, 290 million gallon storage capacity

- State designations:
  - York River: Nonpoint Source Priority Watershed
  - Boulter Pond: Nonpoint Source Priority Watershed and Lakes Most at Risk from New Development (per Maine Stormwater Law)
  - Middle Pond: Nonpoint Source Priority Watershed
  - Scituate Pond: Lakes Most at Risk from New Development (per Maine Stormwater Law)

- Published references and studies:
  - A Conservation Plan for the Mount Agamenticus to the Sea Conservation Initiative, Mt. Agamenticus to the Sea Conservation Initiative, Draft 2005. (Includes an area larger than this watershed, including others in York.)
2) Cape Neddick River Watershed

- Total area: 9 square miles
  - 100% of the watershed is located in York
  - The watershed encompasses 16% of the area of York

- Major features:
  - Cape Neddick River, a significantly altered river because its headwaters are impounded at Chases Pond for public water supply. A harbor of limited capacity is located at the mouth of the river.
  - York Water District’s reservoirs:
    - Chases Pond: 134 acres, 600 million gallon storage capacity
    - Welch’s Pond: 10 acres, minor storage capacity
  - York Sewer District treatment plant outfall, which discharges treated wastewater in the mouth of the River. This automatically causes the River’s clam flats to be closed, and concern has been expressed about other biological impacts the outfall may cause.

- State designations:
  - Chases Pond: Nonpoint Source Priority Watershed and Lakes Most at Risk from New Development (per Maine Stormwater Law)

- Published references and studies:
  - E.coli Riotyping for Identifying Sources of Fecal Contamination in Cape Neddick, ME, Dr. Stephen Jones, UNH, June 2003.

3) Josias River Watershed

- Total area: 8 square miles
  - About 95% of the watershed is located in York
  - The watershed encompasses 14% of the area of York

- Major features:
  - Josias River, a 3rd order stream in York that discharges into Perkins Cove in Ogunquit.

- State designations: none known.

- Published references and studies: none known.
4) Ogunquit River Watershed

- Total area: 24 square miles
  - 4% of the watershed is located in York
  - The watershed encompasses 2% of the area of York

- Major features:
  - Ogunquit River
  - Two tributaries of the Ogunquit River in York have Class A water quality ratings.

- State designations: none known.

- Published references and studies:

5) Great Works River Watershed

- Total area: 42 square miles
  - 7% of the watershed is located in York
  - The watershed encompasses 5% of the area of York

- Major features:
  - Chicks Brook has a Class A water quality rating.
  - This watershed is the only area of York that drains into the Salmon Falls/Piscataqua River basin. In York the watershed is relatively undeveloped, has sensitive resources, and much of the land is conserved.

- State designations: none known

- Published references and studies: none known

6) Coastal Streams Watersheds

The Coastal Streams Watersheds are the area along the Atlantic Coast in York. There are three distinct areas: Southern (south of the York River); Central (between the York and Cape Neddick rivers), and Northern (north of the Cape Neddick River).

- Combined total area: 13 square miles
  - The combined watershed encompasses 21% of the area of York
Comprehensive Plan – York, Maine

• Southern Coastal
  o Total area: 2 square miles in York
  o The sub-watershed encompasses 4% of the area of York
  o Major features:
    ▪ Godfrey Cove
    ▪ Coastline along the Atlantic, including Brave Boat Harbor to the south and York River to the north
  o State designations: none known
  o Published references and studies: none known

• Central Coastal
  o Total area: 7 square miles in York
  o The sub-watershed encompasses 13% of the area of York
  o Major features:
    ▪ Coastline along the Atlantic Ocean, including Harbor Beach, Long Sands Beach, Short Sands Beach, and the Nubble, from York River to the south to Cape Neddick River to the north
  o State designations: none known
  o Published references and studies: none known

• Northern Coastal
  o Total area: 3 square miles in York
  o The sub-watershed encompasses 5% of the area of York
  o Major features:
    ▪ Phillips Cove, a designated Coastal Barrier Resource System
    ▪ Coastline along the Atlantic, including Cape Neddick River to the south.
  o State designations: none known
  o Published references and studies: none known

c. Groundwater

Technically ground water is part of the watershed and is tightly linked to the hydrologic cycle within the watershed. However, groundwater basins are defined by the geology underneath watersheds so they do not always have the same boundaries as their overlying watersheds. In addition watersheds have traditionally been defined and managed with respect to surface water and the network of channels and streams that connects to the surface outlet of the watershed. Although the groundwater discussion will not be specifically linked to the major watersheds of the Town of York it’s important to remember that what happens within a watershed can have an impact on ground water quality and quantity.
Groundwater occurs in Maine in two primary kinds of aquifers, (1) sand and gravel, and (2) bedrock. York does not depend on groundwater for municipal water district supplies, but many home owners get their water from individual fractured bedrock wells.

1) Sand and Gravel Aquifers. These are unconsolidated sand and gravel deposits, most of which were deposited during the last glacial episode which ended about 14,000 - 11,000 years ago in Maine. These deposits have excellent porosity (spaces between grains) and permeability (connection of spaces) that make them significant groundwater resources in the state.


By this mapping of gravel aquifers, York has only one small “significant aquifer” zone in the area of Cider Hill. The Cider Hill sand and gravel aquifer has been designated by Maine Geological Survey as a surficial deposit with moderate to good potential groundwater yields greater than 10 gallons per minute to a properly constructed well. It is interesting to note that this sand and gravel deposit does not show up on the State’s surficial geology map—which shows a few other ice-contact deposits but not this one.

2) Bedrock Aquifers. Much of York’s groundwater resources consist of fractured bedrock aquifers. The entire state of Maine is underlain with hard ledge (bedrock) composed of igneous (granite, etc.) and metamorphic (gneiss, etc.) rock. Almost everywhere, this bedrock is fractured due to the many geological processes the rocks have endured since they formed between 360 and 650 million years ago. The fractures in the rock provide the open space (porosity) through which groundwater flows. Fractured bedrock in Maine is recharged locally. The usage of groundwater from drilled wells affects the water table only locally. The average depth for a drilled well in Maine is about 250 feet.

d. Water Quality

Direct discharges of pollutants from point sources have been greatly reduced over the past 30 years as a result of the Clean Water Act and other federal statutes. Today, most of our water pollution comes from stormwater. Every time it rains, the rainwater washes off driveways, roofs, parking lots, roads, agricultural fields, construction sites, forestry operations, and other surfaces carrying with it contaminants to our streams, lakes, ocean and groundwater. This type of pollution is known as nonpoint source pollution (NPS). NPS is the number one threat to the waters of the Town of York and the state of Maine. Maine has 2,500 Great Ponds, and almost 10%, or 234 lakes, are known to have water quality problems. Many of these lakes are experiencing "cultural eutrophication", or increased algal growth, that reduces water clarity and dissolved oxygen for fish habitat. There are 230 closed shellfish areas (269,387 acres "off limits" to harvesting) and 724.5 miles of rivers, streams and brooks that fail to support fully all their designated uses. NPS pollution is the major reason for most of these water quality problems. Thought the surface waters of York currently meet state water quality standards, residential growth, at the pace it is occurring in southern Maine, can have a detrimental impact on water quality.

1) Surface Water Quality. The state's water quality classification system allows the state to manage its surface waters based on water quality standards. The systems designate uses, such as drinking water supply, fish habitat, and recreation, and minimum levels of quality necessary to support such uses. The classifications range from AA to D for fresh surface waters, with AA being the highest water quality conditions. Estuarine and marine waters are classified from SA (highest classification) to SC, and all lakes and ponds are classified GPA.

All of York’s rivers and streams have been designated class B, except for two tributaries of the Ogunquit River and Chicks Brook, which have class A designations. York’s marine and estuarine water are all designated class SB.

In 1998, The Maine Land and Water Resources Council adopted the “Nonpoint Source Priority Watersheds List.” The list identifies priority coastal waters, rivers, streams, and lakes based on specific criteria for the purpose of directing resources to local groups that are implementing watershed management plans. The watersheds in York that have been listed include the York River Watershed and the Ogunquit River Estuary. The lakes in York that have been listed include Boulter Pond, Chases Pond, and Folly Pond. (For more information see 5 MRSA §3331 (7))

Another DEP priority list is the result of rules enacted under the Stormwater Management Law (DEP Rules Chapter 500 and 502), which focuses on impacts from new development. The law establishes general
stormwater standards for all watersheds to increase protection for both pristine and threatened water resources, while minimizing incentives for sprawl. Under this law, new developments in these watersheds are required to install additional pollution control measures. The stormwater lists Chapter 502 of DEP’s rules include a lists “urban impaired streams” and “lakes most at risk from new development.” There are no “urban impaired streams identified in the Town of York. However, Boulter Pond, Chases Pond and Scituate Pond are each listed as “lakes most at risk from new development”, though not of highest priority.

According to DEP, as of January 2006, it appears that all of York’s rivers and streams currently meet state water quality standards. However, several of the town's estuaries and harbors do not meet state standards due to bacteria levels from outfalls, overboard discharges and nonpoint source pollution. These include the York River Estuary, Lobster Cove, Cape Neddick and Brave Boat Harbor. Also, it appears that there is insufficient data to determine if Perkins Cove (Josias River Watershed) and York Harbor meet state standards. The ponds in York currently meet state standards however the state has very little monitoring data on them. Data indicates that Scituate Pond has relatively poor water quality with high potential for nuisance algal blooms. See Appendix E – Water Quality Summary Scituate Pond, York. It should be noted that State data may be out of date as their mapping shows licensed overboard discharges in the York River even though these were successfully removed by 2002.

Because watersheds (or “sub-watersheds”) of first-, second-, and even some third-order streams typically are small, they can be especially vulnerable to large impervious areas, like commercial parking lots. Many of the “urban impaired streams” on DEP’s list are lower order streams that drain small areas: one or two square miles of land or less. Though York has no urban impaired streams at this time it may be useful in the future to assess low order stream sub-watersheds that are experiencing significant commercial, industrial, or residential growth.

2) Groundwater Quality. Groundwater quality information was obtained from the Maine Department of Environmental Protection (DEP). Their data is stored in the Maine Environmental and Groundwater Analysis Database (EGAD). EGAD is designed to store site and water quality information including spatially located data for 37 different types of potential and actual sources of groundwater contamination in Maine.

The map entitled, “Potential or Actual Threats of Groundwater Contamination on EGAD, Town of York, with a date of January 5, 2006, is hereby incorporated into the Comprehensive Plan by reference. This DEP map shows the locations in the town of York that are sources or potential sources of groundwater contamination. These sites include town
dumps, landfills, industrial subsurface wastewater disposal and hazardous waste facilities. It is noted, however, that this map is included in the Plan to demonstrate the range of possible issues and problem spots, but the Town disputes the accuracy of certain specific attributes shown on the map, such as overboard discharges along the York River. Pollutants indicated on the map are listed in Table 2.

### TABLE 2: Types of Nonpoint Pollutants and Their Impacts

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Nonpoint Source</th>
<th>Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bacteria</td>
<td>Livestock, pet waste, septic systems, and boat discharge</td>
<td>Introduces disease bearing organisms to surface water and ground water, resulting in shellfish bed closures, swimming restrictions, and contaminated drinking water</td>
</tr>
<tr>
<td>Nutrients (phosphates &amp; nitrates)</td>
<td>Fertilizers, livestock, pet waste, septic systems, suburban &amp; urban development, and soil erosion</td>
<td>Promotes algae blooms and aquatic weed growth which can deplete oxygen, increase turbidity, and alter habitat conditions.</td>
</tr>
<tr>
<td>Sediment (Soil)</td>
<td>Construction, driveways, ditches, earth removal, dredging, mining, gravel operations, agriculture, road maintenance, and forest operations.</td>
<td>Increases surface water turbidity which in turn reduces plant growth and alters food supplies for aquatic organisms, decreases spawning habitat and cover for fish, interferes with navigation and increases flooding risk.</td>
</tr>
<tr>
<td>Toxics &amp; Hazardous Substances</td>
<td>Landfills, junkyards, underground storage tanks, hazardous waste disposal, mining, pesticides and herbicides, auto maintenance, runoff from highways &amp; parking lots, boats and marinas</td>
<td>Accumulates in sediment posing risks to bottom feeding organisms and their predators, contaminates ground and surface drinking water supplies; some contaminants which may be carcinogenic mutagenic and/or teratogenic can bioaccumulate in tissues of fish and other organisms including humans.</td>
</tr>
<tr>
<td>Airborne Pollutants (i.e., acid rain, nutrients &amp; metals)</td>
<td>Automobile and industrial emissions</td>
<td>Reduces pH in surface water which alters habitat and reduces natural diversity and productivity; increased nitrogen may enhance eutrophication of coastal waters. Mercury accumulates in fish tissue threatening bald eagles and people.</td>
</tr>
</tbody>
</table>

SOURCE: Maine Department of Environmental Protection
e. Floodplains
Floodplains are the low, mostly flat areas adjacent to rivers, streams, ponds and tidal water, which are periodically flooded by these waters. Although flooding can have beneficial effects in the natural environment, in a developed area flooding causes damage to private property and public infrastructure, degrades the environment, and poses risks to public health and safety.

Floodplains have been mapped by the Federal Emergency Management Administration (FEMA). These maps delineate the boundaries of the 100-year and 500-year flood levels for all the major waterways, tributaries and coastal areas. Mapping in York was most recently updated in 2002.

The map entitled, “100-Year Floodplains, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference.

With a number of surface water bodies in York, the chance of frequent flooding is high, although water supply ponds can be regulated in an attempt to lessen the impact of flooding. Wetlands are also able to absorb a significant amount of flood waters. Of the 1,172 acres of wetlands in York, fifty percent have been found by the state to have “Values at a Significant Level” for flood flow function.

The Town has embarked on a study of drainage problems in the area between the York and Cape Neddick rivers, especially in the area behind the dunes along Long Sands and Short Sands beaches where extensive flooding occurs on a regular basis.

B. AIR RESOURCES
Air quality is an issue of obvious importance. Air pollution adversely affects public health, the environment, and the economy. York is located in a non-attainment region per the standards of the Clean Air Act. This means the air quality in York is poor at times and action is required to make improvements. In general, ground-level ozone, one of the components of smog, has exceeded threshold standards on certain days each summer. Typically this is a result of winds pushing a pollution plume up the coast from the metropolitan region of Boston and cities farther south, not a result of activities in York.

Non-attainment for ground-level ozone is ranked on a 5-tier series. On a scale of 1 to 5, where 1 is the closest to good-quality air and 5 is the smog in Los Angeles, California, air quality along the York County coast is classified as a 2. Technically, this is classified as moderate non-attainment.

The State has included the Town of York in the Metropolitan Portland Air Quality Region (Title 38 §583). Responsibility for improving and maintaining air quality problems rests with the state government (primarily Maine Department of
Environmental Protection), the federal government (primarily the U.S. Environmental Protection Agency), and regional transportation planning agencies (Southern Maine Regional Planning Commission and Portland Council of Governments). Generally, each state with non-attainment areas is required to budget for emissions of mobile sources (vehicles, etc.), stationary sources (factories, power plants, etc.), and area sources (lawn mowers, b-b-q grills, trains, etc.). They are then required to pursue policies to achieve these emission budgets.

As a local government, the Town of York is not directly responsible for air quality compliance. That said, the Town’s policies have an impact on air quality because of the relationship between air quality and driving, sprawl, availability of transit, and so forth.

C. COASTAL RESOURCES
The Town’s coastal resources are of obvious importance to the Town, the state and the nation. Beyond this parochial concept, the Gulf of Maine is a resource shared with Canada, and the oceans are shared by all countries. As such, the State has adopted coastal management policies (Title 38 §1801) that direct all communities along the coast to plan for appropriate use of coastal resources. The State’s goals under the Growth Management Program expressly require communities to address coastal resources, including rivers, estuaries, coastal areas, wetlands, shorelands, dunes and the marine resources industries (Title 30-A §4312.3). This is followed by express requirements to address these same resources in the Inventory and Analysis section of the Comprehensive Plan (Title 30-A §4326.1).

Before getting into the details of the coastal resources in York, it is worth stepping back and considering the big picture first. The Pew Oceans Commission released a report entitled, “America’s Living Oceans; Charting a Course for Sea Change” (Pew Oceans Commission, May 2003). The Commission was established as a non-partisan, independent group of American leaders whose mission was “to identify policies and practices necessary to restore and protect living marine resources in U.S. waters and the ocean and coastal habitats on which they depend” (Executive Summary, page ix). They concluded that the World’s oceans are in crisis. While there are many issues tackled that are beyond the control of any community, the report does place a significant focus on land use practices along the nation’s coasts. Inappropriate development, habitat loss, and non-point pollution are among the types of problems that communities cause. With a productive estuary like the York River contained primarily in the Town of York, the Town’s responsibility to protect resources vital to the oceans is clear.

1. Extent of Marine Influence
The State has identified the extent of marine influence in a series of maps called the Coastal Marine Geologic Environment maps. These maps identify all coastal resources by their relationship to tidal waters: subtidal, intertidal, and supratidal environments. The following definitions are taken from this map series. Subtidal
environments are defined as, “environments existing below low water and subject to tidal current forces and wave-generated current forces.” Intertidal environments are defined as, “environments between the highest high water datum and the lowest low water datum subject to twice daily tidal flooding and all other marine forces.” Supratidal environments are defined as, “environments just above the highest high water datum, but under the partial influence of marine processes and forces.”

This series of Maine Geological Survey maps entitled, “Coastal Marine Geologic Environments,” prepared by Barry S. Timson in 1976, are hereby adopted by reference into this Plan: Dover East Quadrangle, Maine (Open-File No. 76-85); Kittery Quadrangle, Maine (Open-File No. 76-101); York Beach Quadrangle, Maine (Open-File No. 76-145); and York Harbor Quadrangle, Maine (Open-File No. 76-146).

What these maps show is that there are 4 primary areas where the coastal marine environment extends inland significantly.

- The first area is Brave Boat Harbor. South of the York River, this is the only place where intertidal resources extend west across Route 103.
- The second area is the York River, which extends as an intertidal environment all the way through York and into Eliot. Off the main course of the York River, tidal environments extend significantly away from the River at the following locations: Barrells Mill Pond (intertidal up to Indian Pond); Cider Hill Creek (intertidal north of Route 91); the outlet of Boulter Pond (intertidal to Route 91); Smelt Brook (intertidal and supratidal north of Route 91); Rogers Brook (intertidal to Birch Hill Road); and Gordon Brook (intertidal south of Beech Ridge Road, under the Maine Turnpike, but not to Route One).
- The third area is the Cape Neddick River, which has an estuarine channel (subtidal environment) that extends upstream of the Clark Road bridge, but does not extend to Route One.
- The fourth area is at Phillips Pond. North of the Cape Neddick River, this is the only place where intertidal resources extend west across Shore Road.

2. Marine Resources & Public Access to Coastal Waters

Marine resources play an important role in York's way of life. Marine-oriented businesses contribute to the local economy and York's coastal resources provide numerous recreational, public access, and scenic opportunities. These resources, which include three harbors, several beaches, and many rocky coastline areas, have been prominent in York's history and all indications are that the Town's maritime activities will continue to flourish.

There are two major concerns regarding York's marine resources: (1) maintaining the environmental quality of the ocean and coastline; and (2) balancing the multiple, and often competing, uses of the Town's coastal areas. The specter of water pollution from both land-based and oriented sources, which would result in
a lowering of water quality, is a looming threat to the long-term commercial and recreational use of York coastal areas.

The second issue regards the need to balance the needs of the many different users of York's harbors and coastal waters. Mooring space for fishermen and recreational boaters is already at a premium. There may also be a potential conflict between the water-dependent and non-dependent users of York's waterfront. Lessening traffic congestion in waterfront areas and equitably allocating parking spaces between these two different user groups are just some of the many issues that must be resolved in order to strive towards finding the appropriate balance between the various waterfront users.

There have been only minor changes in York's facilities and marine resource management activities since 1991. The most significant change accomplished during this period was the completion of the maintenance dredging of York Harbor in 1996. Regarding public access to waters, the Town has a purchase and sale agreement on Strawberry Island, which will provide carry-in access, shorefront fishing, and an opportunity to expand Town Dock #1. The public has used the land in the past, but only on an informal basis. This parcel is a good location for a boat launch and has land suitable for dinghy storage. The future growth of any water dependent activities is limited by the lack of facilities such as parking and restrooms. Finally, the comprehensive planning and management of York's marine resources, including the York and Cape Neddick rivers in particular, have been supplemented by non-governmental organizations in the past several years.

While the actual management and regulation of municipally owned and controlled resources and facilities such as shellfish beds, moorings and public wharves remains the responsibility of municipal agencies, a coalition of non-profit environmental groups has formed the York Rivers Association to represent their interest before municipal and Federal agencies responsible for marine resource planning and management. Among the activities conducted by the Rivers Association have been:

- publication of periodic newsletters dealing with critical rivers and land use policy and management.
- interactive public forums dealing with rivers history, conflicting usage and management/protection option
- sponsorship of comprehensive inventory and planning guidelines
- research into public access ownership and protection

Most recently, the Rivers Association has been successful in obtaining a two-year commitment from the National Park Service to provide assistance in the development and implementation of a York River Watershed Conservation Program. This program will include the establishment of a river trail, resource
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protection component, and will facilitate access to other governmental assistance and funding.

Another significant marine resource related action undertaken by the Federal government has been the formal designation of the Upper York River as a Division of the Rachel Carson National Wildlife Refuge. There is no specific geographic boundary delineating which parcels will be acquired to augment this Southern Maine Wildlife Sanctuary, however, the U.S. Fish and Wildlife Service is now able to budget Congressional appropriations to acquire land in the area. Another initiative conducted in 2004 by the U.S. Fish and Wildlife Service through the Rivers Association was the potential restoration of the dredge spoils area adjacent to Harris Island.

The State has established as public policy that continued public access to the coastal shore is of great public interest (see MRSA Title 38 §1801.3). As opposed to private access, which is available only by permission of the property owner, public access is available to everyone. In York, public access takes multiple forms.

In this section, York's marine resources, harbor facilities, and coastal land uses will be described and analyzed.

a. Port and Harbor Locations

There are three harbors in York, which are York Harbor, Cape Neddick Harbor, and Brave Boat Harbor. According to the York Harbor Master, there are only "one and three-fourths [completely functional] harbors" in the Town of York due to boat access limitations caused by the tide. York Harbor is the only harbor in York that is truly passable at all tides. Cape Neddick Harbor is considered by the Harbor Master to be “one half” accessible because it is not passable below half tide and Brave Boat Harbor is being considered to be only "one quarter" accessible as it becomes primarily dry land at low tide.

York Harbor is located in the southerly section of York's coastline. It has depths of 8 to 20 feet at the mean low water (MLW) mark in the Harbor itself and depths of 11 to 18 feet at MLW in the York River channel between the bridges. York Harbor's normal mean high water (MHW) is 8.6 feet above the MLW. The York River begins at the Route 103 bridge with a fixed height of 15 feet at MHW and a channel width of 50 feet. Watercraft with high masts are restricted from going upriver because of the bridge's low height. “Rock’s Nose” and “Stage Neck” protect York Harbor from heavy sea conditions. Because of this protection, there are a large number of boat moorings in York Harbor. York Harbor does not freeze in the winter, which allows these moorings to be kept in the water on a year-round basis.

There are sections of York Harbor that have been dredged, such as the North Basin and the South Basin. The North Basin is located adjacent to Town Dock
#1, north of Bragdon Island, while the South Basin is located adjacent to Town Dock #2, north of Harris Island and east of Harris Island Road. The York Harbor dredging spoils were placed in a location west of the Harris Island Road.

Cape Neddick Harbor is situated in the northern section of York, and has depths of 1 to 17 feet at the mean low water mark. This Harbor is exposed from the south, and is particularly affected by winds from the east and the south. In the winter, however, it is generally ice free. There are a small number of moorings in Cape Neddick Harbor, which are kept in the water on a year-round basis. Before the bridge was constructed, the harbor was used for large sailing vessels.

Brave Boat Harbor is located along the Kittery/York Town line. It has harbor depths of 1 to 4 feet at MLW. There are no public moorings situated in Brave Boat Harbor, since it is generally inaccessible to the general public for mooring purposes. The harbor is bounded by the Rachel Carson National Wildlife Refuge and privately owned land.

b. Shellfish Areas
There are three major shellfish areas in York Harbor. One of these shellfish areas is in Barrell’s Mill Pond, with access available from Route 103, Barrell Lane, and the Conservation area. No lobstering is allowed west of Rock’s Nose because this part of the Harbor is a breeding area. The second and third shellfish areas have clam beds. The Clam seeding program has focused on two areas in York Harbor: (1) the southerly side of the York River, west of Sewall’s Bridge (which is accessed from Southside Road), and (2) the southerly side of the York River, between Harris Island, the Wheeler Marsh and Harris Cove (with access from Route 103 and Western Point Road). There has been an active clam seeding program since 1988. Complimenting the seeding program is another initiative to remove all licensed overboard discharges from the York River Watershed. By 2003, the Planning Department and Code Enforcement Department had successfully worked with property owners to eliminate these discharge systems, thereby removing a major source of contaminants from the River.

When shellfishing areas are open, the Town issues 125 recreational adult clamming licenses annually on a first-come, first-served basis; we also issue 25 junior licenses. Licenses must be obtained from the Town Clerk by anyone who digs clams in Town. The Town Shellfish Warden is charged with ensuring that shellfish harvesting is conducted within the Town. When the Town’s clam flats are open, many of the Town’s shellfishing licenses are obtained very soon after they become available. The people who receive Town licenses harvest shellfish for recreation, not as a commercial venture.
c. Waterfront Users

York's waterfront users can be divided into two categories: commercial and recreational. It is estimated that total marine employment in York is between 125 and 150 people. On the commercial side there is a broad range of users, such as: fishermen and lobstermen (28 full-time lobstermen, 12 part-time lobstermen, three ground-fishing boats with two persons per boat); 5 charter fishing operations; 9 tuna boats and 11 marina or boat docking facilities, residential and commercial; whale watching tour boats; wholesale and retail seafood dealers; bait vendors; a marina with storage and repair facilities; a 60 ton marine railway; a boat building facility; a ship chandlery; a boat and motor sales business; and a boat fuel station. There are several types of land uses and people who utilize York's coastal waterfront for recreational purposes, including the following: restaurants; lobster pounds; lodging facilities; seasonal and year-round housing; boaters (on both sail and power boats); beach visitors; swimmers and surfers; skin divers; and tourist-oriented businesses.

The current level of use for all of the private and public marine resources is very high. The York harbors offer both commercial and recreational opportunities for both residents and non-residents. Given its proximity to Boston and to Southern New Hampshire, York's harbor attracts many non-resident visitors and users.

d. Public and Privates Facilities Providing Access to the Water

York has extensive amount of public access to the water provided by its existing municipal facilities and public improvements. This public facility inventory consists of: two Town docks in the York Harbor area, one of which was enlarged in 1988; seven Town moorings; Fisherman's Walk, which extends from Mill Dam Road to Stage Neck; the Route 103 Bridge and the Sewall’s Bridge, both of which are used for bottom fishing; York Harbor Beach; the Hartley-Mason Reservation; Long and Short Sands Beaches; Cape Neddick Beach; Sohier Park; Nubble Light; the gazebo at York Beach; Wiggly Bridge at Mill Pond, and the Cliff Walk, a scenic shoreline pedestrian trail in York Harbor. Acquisition of Strawberry Island, adjacent to Town Dock #1, will provide important additional areas for carry on and fishing.

Public boat launches are limited to two locations along the tidal portion of the York River. For powerboat launching, the only public option is the launch at Scotland Bridge on the York River. This launch is suitable for canoes and kayaks, as well as small, trailered boats. Boat size is limited because this site is located upstream of several low bridges that significantly limit the height of boats launched here. Parking is extremely limited, and there is little room to maneuver vehicles and trailers off of the travel lanes of Scotland Bridge Road. Accesses for larger boats in the York River and onto the Cape Neddick River are available only via private facilities.
For launching canoes and kayaks, there are several options. The only formal public access is at Strawberry Island, adjacent to Town Dock #1. This is a recently acquired property (leased in 2004, with an option to purchase) to be used expressly for canoe and kayak launching. Other options are all informal. There are many informal access points along various roads where they cross or run adjacent to tidal waters. Access can be obtained at Goodrich Park, although the site is poorly configured for carry-in access. Access from Route 103 at Wiggly Bridge is also possible.

For the boating public, the Town maintains 2 public docks. Town Dock #1 is located on Harris Island Road adjacent to Route 103. Town Dock #2 is also located on Harris Island Road, but farther from Route 103.

The private facilities with access to the York River include: the Stage Neck Inn; Dockside; the York Harbor Marina; the Agamenticus Yacht Club; the Harborside (with pier and dock); Donnell's dock (water and electricity) and launching ramp facility; John Hancock Wharf (a.k.a. Marshall Wharf); Leighton's Pier and the York River Yacht Pier on the north side of the York River; and Sewall’s Bridge Wharf and Cadwalader's Wharves on the south side of the York River near Bridge, McIntire and White Wharves next to Route 103. On the Cape Neddick River, a private boat launch is located at the Cape Neddick Lobster Pound.

e. Mooring and Berthing Facilities
There are boat moorings located in both York Harbor and Cape Neddick Harbor. The total number of moorings in York River is approximately 350, with a waiting list of 354, according to the Harbor Master’s Secretary in May 2004. Of the 354 on the York Harbor waiting list, 228 are for powerboats, 126 are for sailboats. In addition to these mooring facilities, there are short-and long-term berthing spaces available at the Town Docks (short-term), Donnell's Wharf, Edwards Wharf, York Harbor Marine Service, and Marshall Wharf. Both commercial and recreational boaters use all of these berthing facilities. Public off-street parking areas in York that facilities include 25 spaces at Town available adjacent to the harbor facilities, but these spaces are in high demand during the summer months. The parking spaces associated with private mooring and berthing locations have not been inventoried, but most of these private facilities do provide off-street parking. The availability of parking at berthing, mooring, and launching facilities is a concern in York.

The Town currently does not regulate moorings in Cape Neddick Harbor, although there is informal control by the users at this time. Most moorings in the Cape Neddick River are west of the Shore Road Bridge, but there is an increasing trend to establish moorings on the ocean side of the bridge.
f. Existing Municipal Fees and Revenues
An annual "harbor usage" fee is charged to all boat owners with moorings berthing spaces within the Town of York. The amount of the yearly fee is based on a boat's size and age. The monies generated by the harbor usage fee are earmarked for a dedicated municipal fund, which is used to pay for the upkeep of the Town docks and other necessary harbor improvements such as dredging.

g. Public Beaches
York has 4 major swimming beaches: Harbor Beach, Long Sands Beach, Short Sands Beach, and Cape Neddick Beach. Long Sands and Short Sands beaches are extensive sand beaches, each attracting a large number of visitors during the summer. Harbor and Cape Neddick beaches are smaller, and tend to be used more by the community. During the summer, lifeguards are stationed at Harbor, Long Sands and Short Sands beaches. A recent trend is public use of the Steadman Woods/Wiggly Bridge area as a beach. This is of concern because the area is predominantly mudflat and salt marsh, which is extremely sensitive and fragile. The small stony area may be able to accommodate a very limited amount of use, but further analysis should be undertaken before establishment of any public policy regarding use of this area.

h. Public Parks
There are 6 parks where the public can have access to the coast: Rachel Carson National Wildlife Refuge, Hartley Mason Reserve, Sohier Park, Ellis Park, Goodrich Park, and Steadman Woods.

- The Rachel Carson National Wildlife Refuge in York is part of a larger complex of lands managed for wildlife purposes, but there are walking paths within the Refuge that provide for visual access to the coast.
- The Hartley Mason Reserve is a privately held property made available to the public for passive recreation. It is located adjacent to the Harbor Beach, and is crossed by the Fisherman’s Walk.
- Sohier Park is a Town-owned park at the end of the Nubble, and includes the Cape Neddick Light Station (a.k.a. Nubble Lighthouse). This park is heavily visited because Nubble Lighthouse is a nationally recognized attraction along Maine’s coast. August 2004 traffic counts indicated an average of about 1,500 vehicles entering the park daily.
- Ellis Park is privately held property that is dedicated to public use. It is located adjacent to the Atlantic Ocean at Shorts Sands Beach. The Park includes dunes, lawns, a playground, a parking lot, and a bathhouse.
- Goodrich Park is a Town-owned park located on the banks of the York River, between U.S. Route One and I-95. The Grant House is located on this property. Mrs. Mary Patterson donated Goodrich Park and the Grant House to the Town for public use and resource conservation in December 1971.
• Steadman Woods is owned by the Old York Historical Society, and is located along the York River just upstream of Route 103. This property contains walking paths on the west end of Wiggly Bridge and, as such, forms the southerly end of the Fisherman’s Walk.

i. Scenic Opportunities
Visual access to the coast is widely available. Most people view the ocean and tidal waters from public roads. Route 1A, which runs along Long Sands and Short Sands beaches, is the most traveled. Shore Road, which connects York Beach with Ogunquit to the north, follows the coast and has several significant vantage points, particularly in the vicinity of Phillips Cove. Route 103 crosses the York River at York Harbor and has a sheltered view of Brave Boat Harbor. Cider Hill Road (Maine Route 91) and Birch Hill Road have magnificent views of the tidal marshes near the headwaters of the York River. All these roads serve both vehicle and bicycle traffic, and Route 1A has a sidewalk along both beaches for pedestrian views. The Fisherman’s Walk, also known as the Cliff Path, is a public walkway that begins in Steadman Woods that follows the York River downstream to Harbor Beach and the Hartley Mason Reserve, and then follows the rocky coastline around Eastern Point to Cow Beach. Walkers on this path have spectacular views of the River and Ocean. Finally, one can have a broad view of the Atlantic Ocean, out to Boon Island and the Isles of Shoals from the summit of Mt. Agamenticus. There are too many viewpoints to list, but the social value of these vistas is without question. More detailed coverage of scenic resources is provided elsewhere in this report.

j. Analysis and Summary
York has maintained a stable marine waterfront, which is used by both residents and nonresident visitors. The Town has managed its harbors and waterfront areas, such that they are heavily used but not completely overcrowded.

One emerging trend in York is that public access to the shore over private property may become increasingly scarce. There has been customary usage by the public of several privately owned access points, such as the Newick land on Strawberry Island, which is in the process of being purchased by the Town, and Donnell's Wharf. Boat launching is currently allowed on Donnell's Wharf for a nominal fee. There is no guarantee that this boat launch facility will remain open to the public indefinitely.

A second trend is the desire of waterfront property owners to install new or expand existing float systems, to increase their existing dockage or to obtain new pier access. The community needs to assess the capacity of the harbors in York to handle any additional dockage and consider revision of the regulations governing docks, to ensure that rational decisions are made about the expansion of harbor facilities. The Town is proposing to conduct a
waterfront master plan to identify areas suitable for water dependent uses and this plan should be a high priority.

The maintenance of good water quality and the long-term use of the Harbor as fishing and shellfish harvesting areas are related and important issues that need to be addressed in York. Fishing and shellfish harvesting provides jobs for York residents, which provides both direct and indirect economic benefits the Town of York. The temporary or permanent loss of the Town's shellfish areas, for example, would negatively impact the local economy, and would also adversely affect a part York's traditional and historic community character.

A major consideration in determining harbor capacity is the landside impacts. Vehicular traffic on roads near the water is likely to increase, as recreational boating becomes more popular and as nonresident users increase in number. Parking is another major issue in York, especially since the current amount of parking is limited in waterfront areas. Efforts to control this parking situation could include the use of parking meters, "parking on one side only" restrictions, resident only areas and two hour parking limits. The Town may also want to consider allowing parking at the high school with a shuttle bus system, in order to reduce the current summertime parking pressures and traffic congestion near York's beach and other waterfront areas. Multiple ticketing of parking violators may also deter long-term users who are, in effect, paying only $20.00 for a parking ticket that allows them to stay parked in one spot all day. Resident parking permits may also be effective in allocating priority parking spaces to residents, as long as other adequate provisions are also made to meet the non-residents' parking needs.

The demand for moorings may be another source of conflict in the Town. The current waiting list may result in a boater waiting ten to twenty years to obtain a mooring. Such a waiting list, which is more than double the number of available moorings, is an obvious sign that the demand for moorings is not being met in the harbors. Given this large backlog, the Town may want to consider reorganizing York Harbor's current placement of moorings and be able to assign a few additional moorings. The Town has established a fee for those people desiring be on the waiting list for mooring space. This fee has helped to trim the list down to a realistic number of names, which could be used to assess the true demand for mooring space. Depending on this "true" demand for moorings, the Town could then consider reorganizing the moorings to create additional mooring space. If the moorings are reorganized, a balance between a more efficient mooring allocation pattern and a safe harbor congestion level will need to be sought. One question the Town needs to determine is the market for which they are aiming. Is it the local market, or does the Town of York also want to attract boaters from neighboring areas?
Maintaining an adequate amount of berthing or mooring space for commercial fisherman is another consideration. The Town may want to consider allocating a certain number of mooring spaces for people who depend on the water for a living. One possibility is that when new floats or docking space is approved, a certain percentage would have to be dedicated to commercial fisherman.

Dredging is another issue that will become more pressing as the Basin areas and Harris Island fill in with silt. Dredging could open up more mooring or berthing area, but might also have a negative effect on the marine environment. Also, obtaining federal and state permits for coastal dredging is also very difficult, unless a strong need and the ability to minimize environmental damage can be proven by the applicant. Federal financial assistance for harbor dredging is extremely competitive.

In order to preserve the municipal investment of York's marine facilities and to preserve the long-term viability of marine uses, the Town may wish to consider establishing specific waterfront zones. The primary uses in these zones would be water dependent activities. The security of ensuring that development, which needs to be on the water, can be developed on the water may override potential concerns of exclusive waterfront zones. The advisability of these actions can more closely be examined through preparation of the recommended harbor management plan.

Appendix A includes an inventory list of marine resources as of May 2005.

A map entitled, “Public Access to Coastal Waters, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of March 1, 2006, is hereby incorporated into the Comprehensive Plan by reference.

3. Coastal Sand Dune Systems

In York the State has identified two coastal sand dune systems: along Long Sands Beach; and along Short Sands Beach. While dunes comprise only about 2% of Maine’s coastline, they comprise a significantly larger percentage of York’s coastline. The Maine Geological Survey (MGS) has mapped dunes throughout the State. Five of these maps reference dunes in York. This series of MGS maps entitled, “Beach and Dune Geology,” prepared by Stephen M. Dickson in 2001, is hereby adopted by reference into this Plan: Long Beach, Lobster Cove, York, Maine (Open File No. 01-433); Long Beach, Prebbles Point, York, Maine (Open-File No. 01-434); Long Beach, York, Maine (Open-File No. 01-435); Long Beach, Railroad Ave., York, Maine (Open-File No. 01-436); and Short Sands Beach, York, Maine (Open-File No. 01-437).

The State has adopted definitions of dunes (see Title 38 §480-B, and Coastal Sand Dune Rules §3), but in short, dunes are inland areas of sand and gravel deposits associated with a coastal beach. Frontal dunes are closer to the ocean, and back
Dunes are tucked behind the frontal dunes. Dunes are an important component of the natural environment along the coast. Dunes fulfill a multitude of functions. Most notably, they buffer inland areas from storms, provide important wildlife habitat, and enhance the scenic beauty of the coastline. The State, through MRSA Title 38, §480-A through §480-Z, has enacted legislation to require protection of dunes. This statutory protection is implemented, in part, through the Department of Environmental Protection’s Coastal Sand Dune Rules (Chapter 355). The State’s Coastal Management Policies (Title 38 §1801) do not expressly address dunes, but clearly values associated with dunes are covered in these policies. Further, the goals established by the Legislature for the Growth Management Program include call for protection of critical natural resources, including sand dunes (Title 30-A §4312.3.F).

The dunes in York have been heavily developed, and have been so for over a century in many places. Despite the heavy impacts already imposed on most of the dunes in York, their natural function and values can readily be expected to increase if the State is correct in its projection that sea level will rise 2’ in the coming century. The buffering function will become more vital, and it is likely that much of the development on the frontal dunes will be subject to increasingly frequent and more severe damage during storm events. Development of municipal policies regarding dunes must occur in conjunction with a response to the issues of sea level rise and beach erosion.

a. Long Sands
At Long Sands, there are a combination of gravel beaches and sand beaches, interrupted by two areas of ledge (one at Lobster Cove and the other across from the Anchorage Motor Inn). In total, this beach is over 2 miles in length. From the south, gravel beach extends about 2,300 feet north (to the vicinity of the York Harbor Motel), and from here to the northern end it is a sand beach.

There are 2 sections of frontal dune along Long Sands. The first frontal dune is located at Lobster Cove. It is a short dune, about 400’ in length, that extends inland only about 50’ from the beach. This area remains in its natural, undisturbed condition. This is significant because it is the only undisturbed frontal dune remaining in York. The second frontal dune is very large, beginning just north of Libby’s Campground and running north approximately 1.7 miles to point where the beach ends at the Cape Neddick peninsula. It extends between 100’ and 200’ inland from the beach. Practically the opposite of the pristine condition of the frontal dune at Lobster Cove, the entire length of this frontal dune is separated from the beach by Route 1A (York Street and Long Beach Ave) and the associated seawall. Inland it encompasses the buildings that front on these roads, and a few that are farther back as well.

There are no back dunes identified along Long Sands. There are two areas on the southern end identified as back dune washover fans, which are areas
behind frontal dunes that contain deposits from large waves and high tides during severe storms.

b. Short Sands
At Short Sands, there is a sand beach (about ¼ mile in length), a frontal dune behind the sand beach, and a back dune behind the frontal dune. The sand beach is relatively undisturbed, although there are development-impacts at both ends (walkway, drainage culverts, and a parking lot (for the Union Bluff). Along the back of the beach is a seawall with a sidewalk along its top, which separates the beach from the frontal dune. Except in the vicinity of the parking lot, the beach is within Ellis Park.

The frontal dune extends from Ocean Ave to the south to Beach Street to the north. It extends about 175’ inland from the seawall at the sand beach. The majority of the frontal dune is part of Ellis Park. The southern half of the frontal dune is comprised of two equally-sized areas of relatively undeveloped dune, split by a sidewalk and an open shelter along the seawall sidewalk. At about 300’ in length each, these two areas represent a significant stretch of relatively undeveloped dune, even if they are separated from the beach by a seawall and sidewalk.

The northern half of the frontal dune is fully developed. From the center to the north, there is a large playground, a paved parking lot, a public bathhouse, and 4 major commercial buildings (Fun-O-Rama, York Beach Bowling, etc.). The commercial buildings and a narrow stretch of the parking lot are privately owned, but the majority of the parking lots, including the bathhouse, are within Ellis Park.

The back dune extends from Long Beach Road to the south, to Railroad Ave to the north. From the frontal dune, the back dune extends between 250’ and 350’ inland. The back dune includes all of Ocean Ave, and continues inland for a couple hundred feet. The area inland includes houses, the Ocean House condominiums, and large commercial buildings (The Sands Motel, Inn On The Blues, Sheltons, Goldenrod, etc.). Also, about 1/3 of the upland area of Ellis Park is located in the back dune, developed on the northern end (parking lot and basketball courts) and mown lawns and the gazebo to the south.

4. Coastal Island Registry
The Department of Conservation’s Bureau of Parks and Lands maintains a listing of all coastal lands that are surrounded by water at high tide, and this is called the Coastal Island Registry (see MRSA Title 33 §1201 et seq). The list includes the island name, owner information, and location (municipality and county). The Registry does not include larger, developed islands such as Harris Island. In the 1970s the State required registration of private property ownership of such islands. Any islands not registered within the specified time limit have been placed under the stewardship of the State, though they are not necessarily State-
owned. Of the approximately 3,600 such islands along the Maine coast, about 1,300 are held by the State. The State was not able to generate a map showing the coastal islands in York—all data is available in table format only.

However, there are 12 islands in York listed in the Coastal Island Registry. This number accounts for Boon Island and Boon Island Ledge, which were not listed under any community because of their distance from the shore. Of the 12 islands:
- 7 are held by the State—the only named island in this group is Boon Island Ledge;
- 2 are Federally-owned—Boon Island, and one island in the Rachel Carson Wildlife Refuge;
- 1 is Town-owned—The Nubble; and
- 2 are privately owned—Bragdon Island and Pine Island, both of which are located in the York River. (The Registry lists the names Prebble, Bragdon and Pine for these 2 islands.)

5. Coastal Barrier Resource System
The State of Maine designated 32 areas along the coast as the state’s Coastal Barrier Resource System. This occurred in response to the federal Coastal Barrier Resources Act of 1982. The areas designated included coastal barriers, and adjacent wetlands, marshes, estuaries, inlets and nearshore waters. The laws acknowledge the scenic, scientific, recreational, natural, historic, archeological and economic values of these barriers. Both laws aim to protect these resources from irreversible damage or loss by development on or adjacent to these barriers by strictly limiting the expenditure of state and federal funds in these areas for incompatible purposes, although some expenditures such as maintenance of existing roads may still be funded. The only implication of this designation for private property owners is that flood insurance from the National Flood Insurance Program is not available for a new construction or structures substantially improved on or after November 16, 1990. This program is controlled by MRSA Title 38 §1901-1905.

There is one designated coastal barrier resource system in York: Phillips Cove. This system is located on along Shore Road, beginning just north of Wadleighs Head to the south and ending just north of Phillips Pond. Within this system there are 37 parcels and 8 structures (7 houses, 1 outbuilding). The map and lot number for each parcel with a structure are as follows: map 8/lot 3; map 8/lot 3A; map 9/lot 7A; map 9/lot 7B; map 9/lot 7F; and map 11/lot 3.

The following map is hereby incorporated by reference into this Plan: “Coastal Barrier Resource System; Phillips Cove Unit ME-23” by U.S. Fish and Wildlife Service, October 24, 1990. The boundary of the designated coastal barrier resource system is also shown on the Town’s Flood Insurance Rate Map (FIRM), specifically on Community Panel Number 230159-0013 D (revised through June 17, 2002), available for public inspection in the Code Enforcement Office.
6. Heritage Coastal Areas
The Town is required by MRSA Title 30-A §4326.1.C to address Heritage Coastal Areas in this Inventory and Analysis section of the Comprehensive Plan. The State’s Heritage Coastal Areas Program was created by the Legislature in 1986. The intent of the program was to identify and seek voluntary protection of areas along the coast that are of natural, historic and scenic importance. Despite the statutory requirement for towns to address Heritage Coastal Areas in their comprehensive plans, the State repealed the Heritage Coastal Areas Program in 1993.

Technically there is nothing to address because the program no longer exists, but a review of the historical records in Town files highlights something very important about York. In a letter from Richard D. Kelly Jr., Planner with the State Planning Office, to David Linney, York Planning Board Chairman, dated January 7, 1988, there were 11 areas that potentially qualified to be included in the Heritage Coastal Areas Program in the region from Kittery to Scarborough. Of these 11 areas, 5 were in York:
1. Brave Boat Harbor
2. York River/Harbor
3. Cape Neddick
4. Mt. Agamenticus/Chases Pond
5. Cape Neddick River

Two of these areas, the York River/Harbor and the Mt. Agamenticus/Chases Pond areas, were eventually nominated for formal inclusion in the Program. Regardless of the demise of this Program, the concentration of so many significant resources in a single town is unique, and demonstrates the great value of the Town’s natural resource base.

7. Sea Level Rise
See “Adaptation to Sea Level Rise” Chapter.

8. Beach Erosion
See “Adaptation to Sea Level Rise” Chapter.

9. Coastal Bluffs and Landslide Hazards
Maine’s coastal bluffs, defined as steep shoreline slopes of sedimentary materials at least 3’ tall, are common. They occur in areas that are not our classic rocky coast, and that are not part of a beach/dune system. Because these bluffs are sedimentary materials such as marine clays, they can be unstable, and as such it is important for the Town to understand them.

The Maine Geological Survey (MGS) has identified coastal bluffs and evaluated coastal landslide hazards at a regional level. Their mapping is not adequate for making site-specific land use decisions, but they are adequate to identify areas of
These maps unfortunately do not cover the entire area of York. The area of available coverage includes Brave Boat Harbor, the Atlantic coast north to the York River, and the York River itself up to Scotland Bridge. While much of York’s remaining coastline is beach or rocky, there is an obvious area of concern at Dover Bluffs on the Nubble. Dover Bluffs are very tall, show visible signs of erosion of the bluff face, and are topped by a row of valuable homes. Less clear is the presence of other areas of coastal bluffs in other unmapped areas, such as upstream of Scotland Bridge in the York River, and along the Cape Neddick River. The Board of Selectmen should request the MGS to complete coastal bluff and landslide hazard mapping along the entire coast of the Town.

The Coastal Bluff maps that cover a portion of York, prepared by Brandes, Dickson, Kelley and Hildreth in 2002, entitled, “Coastal Bluffs,” are hereby adopted by reference into this Plan: Dover East Quadrangle, Maine (Open-File 02-186); Kittery Quadrangle, Maine (Open-File 02-193); and York Harbor Quadrangle, Maine (Open-File 02-224). Additionally, the map prepared by Miller, Rainey, Dickson and Kelley in 2006, entitled, “Coastal Bluffs,” is hereby adopted by reference into this Plan: York Beach Quadrangle, Maine (Open-File 06-59).

The Coastal Bluff maps identify sedimentary bluffs of 3’ or greater height above the high tide elevation, then classify each segment of bluff by shoreline type (ledge, armored, salt marsh, beach/flat) and bluff face stability (stable, unstable, highly unstable). At Brave Boat Harbor, there is a small area of coastal bluff classified as unstable. The remaining bluffs in this Harbor and along the Atlantic coast to the north are classified as stable. Along the York River, there are many segments of bluff classified as unstable or highly unstable.

The Coastal Landslide Hazard maps that cover a portion of York, prepared by Stephen M. Dickson in 2001, entitled, “Coastal Landslide Hazards,” are hereby adopted by reference into this Plan: Dover East Quadrangle, Maine (Open-File No. 01-515); Kittery Quadrangle, Maine (Open-File No. 01-522); York Beach Quadrangle, Maine (Open-File 06-60); and York Harbor Quadrangle, Maine (Open-File No. 01-553).

The Coastal Landslide Hazard maps classify bluff areas based on the stability of the core materials. This is an important distinction from the stability of the bluff face because it identifies risk based on clues that may not be outwardly visible to the untrained eye, and because face stability does not always indicate low landslide risk. Of the mapped areas, the only bluff segments classified as landslide risk areas occur along the York River. There are 10 such segments. The lack of complete mapping, however, must be considered because it is likely that other areas of landslide hazard exist in York.
Because bluff erosion and landslides can pose a significant risk to properties and potentially to people’s safety, the Town should use this information to develop appropriate land use policies in the policy chapter of the Comprehensive Plan, and to enhance emergency response planning. Policies must also take into account related issues such as sea level rise, which will likely affect the stability of coastal bluffs.

D. HABITAT

From a perspective of land use planning and regulation, management of habitat is an important consideration. Every place is habitat for something, whether for desirable species such as deer and trout, or for undesirable species such as mosquitoes and skunks. The natural patterns of the landscape, in combination with land development patterns, determine the habitat available today. Further development will continue to alter the landscape, and thus the habitats, thereby affecting all living things in York. This section provides an overview of important habitat types and some of the habitat-related issues which should be addressed in the Policy Section of the Comprehensive Plan.

This section is divided into 4 parts:
• plants;
• animal habitat;
• invasive species; and
• arthropod-borne diseases (West Nile Virus, Eastern Equine Encephalitis, and Lyme Disease).

It is important to note that these divisions are artificial. These are integrated components of a single system, so there is some overlap in the text.

Much of the information in this section of the Chapter is also compiled in the State’s Beginning With Habitat (BWH) materials. The document entitled, “Beginning With Habitat: An Approach to Conserving Open Space,” prepared originally for York in 2001 and subsequently updated, is hereby adopted by reference as part of this Chapter. This document includes supplemental reports and a series of maps, and these are expressly included in the adoption by reference. The text includes citations for specific maps where appropriate. It should be noted that some of these materials are not necessarily as detailed or current as some locally-generated materials, but they are useful just the same. The BWH materials were prepared by: Maine Department of Inland Fisheries and Wildlife (IF&W); Maine Natural Areas Program (MNAP); Maine State Planning Office (SPO); Wells National Estuarine Research Reserve (WNERR); Maine Audubon Society; Southern Maine Regional Planning Commission (SMRPC); United States Fish and Wildlife Service (USF&W); and Maine Cooperative Fisheries and Wildlife Research Unit.
1. Plants
Throughout York are a wide variety of natural communities including great pools, wetland complexes, vernal pools, salt marshes, dune grasslands, and cobble beaches. Two forest types—northern softwood (pine, hemlock, larch, spruce, fir, and juniper) and southern hardwood (sugar maple, red maple, yellow birch, hemlock)—overlap in the Town of York. The overlap of these two forests creates a habitat range that supports the richest diversity and the largest number of plant and animal species in the entire state of Maine. At least twenty plant and three animal species are at their northern range here in York, occurring only sparingly further northward.

a. Rare or Exemplary Natural Communities
MNAP tracks habitat communities that are either rare types, or outstanding examples of more common types. The Town of York has seven types of Rare or Exemplary Communities that have been field verified between 1985 and 2002, as indicated in Table Three. Each of these plant communities is specifically located on the BWH map entitled, “Town of York: High Value Plant and Animal Habitats.”

<table>
<thead>
<tr>
<th>Community Type</th>
<th>General Location</th>
<th>State Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chestnut Oak Woodland</td>
<td>Mt. Agamenticus</td>
<td>Critically Imperiled in ME</td>
</tr>
<tr>
<td>Hemlock-Hardwood Pocket Swamp</td>
<td>Mt. Agamenticus</td>
<td>Imperiled in ME</td>
</tr>
<tr>
<td>Atlantic White Cedar Swamp</td>
<td>Mt. Agamenticus</td>
<td>Imperiled in ME</td>
</tr>
<tr>
<td>White Oak-Red Oak Forest</td>
<td>Mt. Agamenticus</td>
<td>Rare in ME</td>
</tr>
<tr>
<td>Brackish Tidal Marsh</td>
<td>Godfrey's Cove</td>
<td>Rare in ME</td>
</tr>
<tr>
<td>Coastal Dune Marsh</td>
<td>Brave Boat Harbor</td>
<td>Rare in ME</td>
</tr>
<tr>
<td>Red Maple Alluvial Swamp</td>
<td>Mt. Agamenticus</td>
<td>Apparently secure in ME</td>
</tr>
</tbody>
</table>

b. Rare Plant Species
In addition to Natural Communities, MNAP also tracks plant species that are rare in Maine. Rare plants may be located either inside or outside of an identified Natural Community. Nineteen rare plant species have been field verified in the Town of York between 1985 and 2002, as indicated in Table Four. The general area in which each of these plants has been found in York is identified on the BWH map entitled, “Town of York: High Value Plant and Animal Habitats.”
TABLE 4: Rare Plants in York

<table>
<thead>
<tr>
<th>Common Name and State Rank</th>
<th>Status: (E) Endangered- rare, in danger of being lost from Maine in the foreseeable future, or federally listed as endangered; (T) Threatened- rare and, with further decline, could become endangered, or listed as threatened.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alga-like Pondweed (T)</td>
<td>Featherfoil- (E)</td>
</tr>
<tr>
<td></td>
<td>Spotted Wintergreen</td>
</tr>
<tr>
<td>American Sea-blite</td>
<td>Flowering Dogwood (E)</td>
</tr>
<tr>
<td></td>
<td>Summer Grape (T)</td>
</tr>
<tr>
<td>Atlantic White-</td>
<td>Saltmarsh False-</td>
</tr>
<tr>
<td>cedar</td>
<td>foxglove</td>
</tr>
<tr>
<td></td>
<td>Sweet Pepper-bush (T)</td>
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<tr>
<td>Broad Beech Fern</td>
<td>Sassafras</td>
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<td></td>
<td>Tall Beak-rush</td>
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<tr>
<td>Chestnut Oak (E)</td>
<td>Sharp-scaled Manna-</td>
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<td></td>
<td>grass</td>
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<td></td>
<td>White Wood Aster</td>
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<tr>
<td>Dwarf Glasswort</td>
<td>Smooth Winterberry</td>
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<tr>
<td></td>
<td>Holly</td>
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<tr>
<td>Eastern Joe-pye</td>
<td>Spicebush</td>
</tr>
<tr>
<td>Weed (E)</td>
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</table>

2. Animals
York has a broad range of animal habitat types.

a. Unfragmented Blocks of Habitat
Perhaps the single most striking wildlife feature in York is the presence of many large blocks of unbroken habitat. These are areas without roads and buildings, although there may be woods roads and a few scattered buildings. Unfragmented blocks are important because the size of block generally limits the diversity of animal species. Blocks less than 250 acres in size are very limited in terms of wild species that can be supported. Between 250 and 500 acres, diversity starts to increase, especially with respect to smaller birds. Between 500 and 2,500 acres, a wider range of animals and birds are present. At 2,500 acres and above, the block size does not generally restrict species.

The Town adopted a map of unfragmented blocks as part of the Comprehensive Plan’s Existing Land Use Chapter. There is also a map of unfragmented blocks that extends beyond York’s boundaries included in the BWH report (“Town of York: Undeveloped Habitat Blocks”). However, the most striking map is one prepared by The Nature Conservancy (TNC). The map entitled, “North Atlantic Coast Ecoregion Block Size” (TNC, MEFO
Map #3-04.2, April 30, 2004) is adopted by reference into this Plan. This map depicts the Atlantic coast from the Pine Barrens of New Jersey to Lincoln County in Maine, and it shows the unfragmented blocks in York are among the most prominent along the northern Atlantic Coast. Only 2 unfragmented areas of 500+ acre blocks are identified between Cape Cod and Portland—one being the Mount Agamenticus region and the other being the area in New Hampshire around Pawtuckaway State Park (about 20 miles inland). This map is one of the most striking depictions of the unique situation of the Mount Agamenticus region.

Within York there are 2 blocks in excess of 2,500 acres—one just to the north of Mountain Road and the other just to the south of Mountain Road. Including land area outside of York but still within the blocks, BWH approximates their sizes in 2001 at 5,643 and 6,516 acres, respectively. By the Town mapping, there are 4 blocks larger than 500 acres, three of which are east of the Maine Turnpike.

b. Connections Between Blocks
While block size is important, so to is connectivity between the blocks. Lacking connections, each block becomes a relatively isolated island. It is important to reserve corridors connecting the blocks to the extent this can be accomplished. Wildlife tends to travel along riparian (stream bank) corridors, along ridges, and in undeveloped areas. The Policy Section of the Comprehensive Plan should identify areas of potential wildlife corridors connecting the unfragmented blocks and develop Town policies regarding protection of these important connections.

c. Habitat Areas of Interest
There are a number of overlapping classifications made in describing wildlife habitat. These result from diverse ownership, different public policies, and a variety of other reasons. There is a high degree of overlap in the following descriptions, but each offers a distinct perspective on habitat issues.

1) Rachel Carson National Wildlife Refuge. The Rachel Carson National Wildlife Refuge (NWR) is series of protected habitat areas along the southern coast of Maine, from Kittery to Cape Elizabeth. The majority of this Refuge is located to the north, but a small portion is located in York. The Brave Boat Harbor Division is comprised of estuarine habitat in Kittery and York. The Refuge is federally owned, and is managed by the U.S. Fish & Wildlife Service (USF&W) of the Department of the Interior specifically for habitat.

The purpose of the Rachel Carson NWR is to, “provide waterfowl and other migratory birds with high quality feeding, nesting and resting habitat” (Rachel Carson National Wildlife Refuge, brochure by U.S. Fish & Wildlife Service, October 1999). The focus in this refuge is on tidal salt
marshes, but other habitat types are included as well. The refuge exists in concert with over 500 other refuges in the national system.

Ward Feurt, Refuge Complex Manager in charge of the Rachel Carson NWR, has indicated an interest on the part of the USF&W to acquire additional habitat areas in the upper reaches of the York River. The mission of USF&W is to protect “trust species”, those being a series of endangered species, migratory birds and anadromous fish (those that breed in fresh water but live in salt water the rest of their life cycle). The upper reaches of the York River have extraordinary opportunity to protect habitat areas valuable to anadromous fish and as well as other wildlife species.

2) Wells and York Game Sanctuary. The Wells and York Game Sanctuary is established by State law (Title 12 §7651) as one of 37 game sanctuaries in Maine. These sanctuaries are established to provide areas with alternative hunting and trapping regulations. There is no State ownership, nor is there any restriction on development within this area. The Sanctuary is mentioned in the Town’s Firearms Discharge Ordinance to help ensure hunters are aware of its presence.

3) Mount Agamenticus Wildlife Management Area. The wildlife management area in York and South Berwick is established by State law (Title 12 §7652.3) as one of 44 wildlife management areas in Maine. The greater Mt. Agamenticus area extends from York Pond in Eliot northeast through the Tatnic Hills area in Wells. The greater Mt. Agamenticus area includes rugged terrain, several lakes and ponds, and numerous small wetlands that together comprise the largest contiguous block of lightly developed land in southern York County. Mt. Agamenticus is the most outstanding feature at the site, both topographically and ecologically. Other prominent physical features are Horse Hill, Second and Third Hills, the Chick’s Brook watershed, Chase’s Pond, Folly Pond, Middle Pond, Bell Marsh, Warren Pond, Welch’s Pond, Round Pond, and York Pond.

The area’s numerous upland and wetland complexes are ecologically significant because they contain plant and animal assemblages that are at their northern range limits. For example, at least three animal and 20 plant species are restricted to this extreme southern portion of Maine, and many other common species in this area occur only sparingly further northward. This pattern extends to natural communities as well. The Atlantic white cedar swamp, hemlock – hardwood pocket swamp, and pitch pine bog that occur in this area are all restricted to southern Maine, and the oak-pine-hickory forest that extends from Mt. Agamenticus north through Third Hill includes the only remaining intact Chestnut oak woodland community in the entire state.
4) **Essential Wildlife Habitat.** The Maine Endangered Species Act was adopted in 1975 to protect threatened and endangered animals. The Act primarily protects designated animals directly from hunting, trapping, and trading. The Act does offer IF&W the opportunity to protect habitat of threatened and endangered species under certain circumstances by designation of Essential Wildlife Habitat. IF&W can designate an area as essential habitat through a public rulemaking process, and once designated, no state agency or municipal government may permit, license, fund or carry out projects that would significantly alter the habitat or violate protection guidelines adopted for the habitat without prior approval of IF&W. Since 1989, IF&W has designated four Essential Habitat categories: bald eagle, roseate tern, least tern, and piping plover. Additions of newly qualified areas, as well as deletions of sites no longer eligible, are ongoing for these four species. In the future, additional listed species may receive attention under the Essential Habitat rule, however, not all endangered species require Essential Habitat designation to ensure their survival.

As of March 16, 2005, there are no designated Essential Habitats within the Town of York. However, the Bald Eagle and the Piping Plover are suspected to have nesting areas in the town. Since there are no Essential Habitat areas identified in York, there are no mandatory actions required by the town to protect endangered species other than to protect endangered and threatened species from being killed, taken as pets, transplanted or otherwise harassed.

5) **Significant Wildlife Habitat.** Significant Wildlife Habitats are depicted on the map entitled *Town of York High Value Plant and Animal Habitats*. These are habitat areas designated by IF&W. The Maine Natural Resources Protection Act (NRPA), passed in 1988, led to the identification and mapping of animal habitats based on specific requirements. To date, the only formally designated Significant Wildlife Habitat areas are Seabird Nesting Islands. There is no State-designated Significant Wildlife Habitat in York.

6) **High Value Habitat.** In March of 2001 the Gulf of Maine Coastal Program (GOMCP) completed the *USF&W Gulf of Maine Watershed Habitat Analysis*. This watershed-wide study is intended to provide a comprehensive analysis, narrative descriptions, and display of habitats based on environmental characteristics and available occurrence information, including that from the scientific literature and from unpublished surveys. Habitat maps for individual species have been further processed into composite maps highlighting areas of highest resource value.
As part of the study the GOMCP mapped habitats of 64 Trust Species. Trust Species include: federally endangered, threatened and candidate species; migratory birds, anadromous and estuarine fish that are significantly declining nationwide; or migratory birds, anadromous and estuarine fish that have been identified as threatened or endangered by two or more of the three states in the Gulf of Maine watershed. There are 48 bird, 9 fish, 4 plant, 1 mammal, 1 invertebrate and 1 reptile species. A composite map of habitat for these Trust Species is included in BWH, and it is entitled, “Valuable Habitat for U.S. Fish and Wildlife Service Priority Trust Species for the Town of York, Maine.”

The most important (top 25 percent) habitats for these 64 species are shown on another BWH map, entitled, “Town of York: High Value Plant and Animal Habitats.” These are represented in four basic habitat types (forested, grassland, wetland and salt water environments). Areas less than 5 acres are not shown.

7) Other Designations of Interest. The following types of habitat are of importance and are included in the BWH mapping:

- **Deer Wintering Areas** – Defined as a forested area used by deer when snow depth in the open hardwoods exceeds 8 inches, and mean daily temperatures are below 32 degrees Fahrenheit. In York, Deer Wintering Areas are found within the unfragmented blocks surrounding York’s great ponds and another along Chicks Brook between Second and Third Hill. See BWH map entitled, “Town of York: High Value Plant and Animal Habitats.”

- **Shorebird Habitat** – Includes migratory shorebird coastal staging areas defined as areas that meet shorebird feeding and roosting requirements during migration. These habitats consist of coastal areas, which provide both tidal mud flats rich in invertebrates for feeding, and areas such as gravel bars and sand spits for roosting. In York, Shorebird Habitat areas have been identified at Phillips Pond, Phillips Cove, Lake Caroline, Cape Nedrick Harbor, the northern stretch of Long Beach, Barrell Mill Pond, the tidal flat along the York River west of Sewall Bridge, the tidal flat surrounding Harris Island, Godfrey’s Cove, and Brave Boat Harbor. See BWH map entitled, “Town of York: High Value Plant and Animal Habitats.”

- **Waterfowl/Wading Bird Habitat** – Waterfowl habitat is characterized both seasonally and behaviorally as: breeding habitat; migration and staging habitat and wintering habitat. Wading bird habitat consists of breeding, feeding, roosting, loafing, and migration areas. In York, Waterfowl/Wading Bird Habitat has been identified at Phillips Pond, Bell Marsh Reservoir, Scituate Pond, Godfrey’s Pond, and along Dolly
Comprehensive Plan – York, Maine


- **Tidal Waterfowl/Wading Bird Habitat** – Waterfowl habitat is characterized both seasonally and behaviorally as: breeding habitat, migration and staging habitat, and wintering habitat. Wading bird habitat consists of breeding, feeding, roosting, loafing, and migration areas. Habitats can include seaweed communities, reefs, aquatic beds, emergent wetlands, mudflats, and eelgrass beds. In York, Tidal Waterfowl/Wading Bird Habitat areas have been identified along most of York’s coastline and harbors, Barrells Mill Pond, the banks of the York River and its tributaries such as Smelt Brook and Cider Hill Creek. See BWH map entitled, “Town of York: High Value Plant and Animal Habitats.”

- **Riparian Habitat** – The edge along waterbodies, streams and wetlands is important habitat for wildlife as an area of transition to upland habitats. Many species require a mix of upland and riparian habitats to feed, rest, travel, and reproduce. See BWH map entitled, “Town of York: Water Resources and Riparian Habitats.”

8) **Rare Wildlife Sightings.** In addition to Essential and Significant Habitat, IF&W also tracks the status, life history, conservation needs, and occurrences for Endangered and Threatened species habitats, other rare animal habitats, and the locations of the rare animals themselves. These rare animals include "species of special concern" that may be very rare or vulnerable, for which biologists are gathering more information.

In the Town of York, IF&W has tracked approximately 54 separate habitat areas since 1986. These identified species and habitat sitings are depicted on the BWH map entitled “Town of York: High Value Plant and Animal Habitats.” Though many of the field observed sitings are concentrated around the great ponds and Mt. Agamenticus area, there are sitings all around York. Of particular note, however, are the multiple sightings of Blanding’s Turtles and Spotted Turtles. York has exception habitat for these turtle species.

9) **Focus Areas.** The Maine Landowner Incentive Program is a State initiative to work with landowners to conserve important wildlife habitat, plant habitat, and natural communities. The program, administered by IF&W, pays property owners for conservation actions through mechanisms such as conservation easements, conservation management agreements, and habitat management activities. This program is limited to 15 areas of Focus Areas identified by the State. These 15 Focus Areas represent an initial sampling of the State’s habitats with rare species and
high quality natural habitats. Two of these occur in York—the Mount Agamenticus area and the Brave Boat Harbor area.

The Mt. Agamenticus area, located in Eliot, South Berwick, Wells, Ogunquit and York, includes rugged terrain, several lakes and ponds, and numerous small wetlands that combined, comprise the largest contiguous block of lightly developed land in southern York County. Also found in the greater Mount Agamenticus area are natural communities such as the Atlantic White Cedar Swamp, the Hemlock-Hardwood Pocket Swamp, the Pitch Pine Bog and the Oak-Pine-Hickory Forest with the only remaining intact Chestnut Oak Woodland community in Maine.

The Brave Boat Harbor/Gerrish Island area, located in York and Kittery, includes dune grasslands, spartina saltmarshes, oak forests, freshwater swamps, and vernal pools. Both of these focus areas provide high quality habitat for a number of rare plant and animal species.

10) Vernal Pools. The following paragraphs are a description of vernal pools copied from the Web page of the Maine Department of Environmental Protection:

Vernal pools or "spring pools" are shallow depressions that usually contain water for only part of the year. In the Northeast, vernal pools may fill during the fall and winter as the water table rises. Rain and melting snow also contribute water during the spring. Vernal pools typically dry out by mid to late summer. Although vernal pools may only contain water for a relatively short period of time, they serve as essential breeding habitat for certain species of wildlife, including salamanders and frogs. Since vernal pools dry out on a regular basis, they cannot support permanent populations of fish. The absence of fish provides an important ecological advantage for species that have adapted to vernal pools, because their eggs and young are safe from predation.

Species that must have access to vernal pools in order to survive and reproduce are known as "obligate" vernal pool species. In Maine, obligate vernal pool species include wood frogs, spotted and blue-spotted salamanders (two types of mole salamanders) and fairy shrimp. While wood frogs and mole salamanders live most of their lives in uplands, they must return to vernal pools to mate and lay their eggs. The eggs and young of these amphibians develop in the pools until they are mature enough to migrate to adjacent uplands. Fairy shrimp are small crustaceans which spend their entire life cycle in vernal pools, and have adapted to constantly changing environmental conditions. Fairy shrimp egg cases remain on the pool bottom even after all water has disappeared. The eggs can survive long periods of drying and freezing, but will hatch in late winter or early spring when water returns to the pool.

At this time there the Town lacks comprehensive mapping of vernal pools, and has no policies relating to them. DEP is in the process of adopting
new rules regarding vernal pools under the Maine Natural Resources Protection Act (NRPA). If adopted these new rules could have a significant impact on development review.

3. Invasive Species

Invasive species can be plants, animals, insects, and other organisms (e.g., microbes) introduced to areas where they did not exist before. In addition to being transported by birds and mammals through their droppings, invasive species are also spread by human activities, including:

- transporting species between water bodies via watercraft, trailers, and other equipment;
- releasing invasive species into the wild from aquariums, water gardens, research and education projects, and illegal stocking;
- discharging untreated biological waste from aquaculture, seafood or other processing facilities that introduce pathogens and other organisms to marine waters;
- releasing ships’ ballast water containing invasive species into marine waters; and
- transporting infested soils to be used for filling construction sites and wetlands.

As of 2003 at least 45 species of invasive plants and animals exist in Maine. The non-native species become naturalized in wetlands, lakes, woods, fields or roadsides. Once introduced, managing and controlling them is a significant challenge. They generally lack predators or other natural controls and can tolerate a wide variety of environmental conditions, which allows them to establish self-sustaining populations easily.

Invasive species threaten Maine’s native ecology. They degrade habitat for native plants and animals, choking out native vegetation, diminishing the availability of food plants for wildlife, and altering the behavior of native animals such as pollinators, plant-eating insects and fruit-eating birds. Unchecked, invasion by non-natives could drive some species to extinction. For this reason, invasive plants are a major concern to people who want to protect native species and natural areas. Invasives also cause adverse economic impacts, including the cost of monitoring and control, loss of property value, and loss of tourism dollars due to fishing and water sport restrictions on infested waterbodies.

Most of the information gathered about invasive species in Maine pertains to plant species. However, there are many documented cases of non-native fish infestations degrading Maine’s waterbodies and killing off native fish species. Both smallmouth and largemouth bass are widely established in southern Maine, primarily the result of illegal introductions.

The Maine Department of Environmental Protection (DEP) and the Maine Department of Inland Fisheries and Wildlife (IF&W) are currently focusing their
prevention, education outreach, and legislative efforts on aquatic invasive species rather than the terrestrial type. Boating activity is the primary way in which plants spread from one water body to another. Plant parts carried on boats, motors, trailers, and fishing gear from an infested water body to one that is not, can lead to disaster. Plants can survive out of the water for days. Once introduced to a water body they can spread rapidly and become a major nuisance. There is no known method of eradicating invasive aquatic plants once they have become established. Maine is now the only state where most of these plants have not been identified.

The following aquatic species have been identified as invasive species in Maine:

### Aquatic

1. Eurasian water milfoil (*Myriophyllum spicatum*)
2. Variable-leaf water milfoil (*Myriophyllum heterophyllum*)
3. Parrot feather (*Myriophyllum aquaticum*)
4. Water Chestnut (*Trapa natans*)
5. Hydrilla (*Hydrilla verticillata*)
6. Fanwort (*Cabomba caroliniana*)
7. Curly-leaf pondweed (*Potamogeton crispus*)
8. European naiad (*Najas minor*)
9. Brazilian elodea (*Egeria densa*)
10. Frogbit (*Hydrocharis morsus-ranae*)
11. Yellow floating heart (*Nymphoides peltata*)

In addition to their focus on aquatic invasives, the DEP monitors and provides information on three common terrestrial invasive species found in wetlands: Purple Loosestrife, Glossy Buckthorn and Common Reed. The following is a list of invasive plants that present threats to native Maine terrestrial habitats:

### Terrestrial

1. **Asiatic Bittersweet**
2. **Autumn Olive / Russian Olive**
3. **Black Swallowwort**
4. **Common Reed (Phragmites)**
5. **Garlic Mustard**
6. **Glossy Buckthorn**
7. **Japanese Honeysuckle**
8. **Japanese Knotweed/Mexican Bamboo**
9. **Japanese Stilt Grass (Chinese Packing Grass)**
10. **Lesser Celandine**
11. **Mile-a-Minute Weed (Devil's Tail, Tearthumb)**
12. **Multiflora Rose, Rambler Rose**
13. **Porcelainberry**
14. **Purple Loosestrife**
15. **Shrubby Honeysuckles**
In 1999 the State of Maine enacted Title 38, §419-C regarding prevention of the spread of invasive aquatic plants. This statute addresses the transportation, cultivation, distribution and sale of invasives. In 2001, the State of Maine took additional action and enacted Title 38 §1864. This statute permits the Commissioner of IF&W may issue an emergency order to restrict access to or restrict or prohibit the use of any watercraft on all or a portion of a water body that has a confirmed infestation of an invasive aquatic plant.

The extent of invasive species in York is not currently understood, but certainly there are invasives present at this time. Asiatic Bittersweet, Common Reed, and Purple Loosestrife are widespread. As resources become available, the Town should inventory invasive species occurring in York, and should monitor changes of extent over time.

For more information on invasive aquatic plants regulations see Title 38 §1861-1864 and §1871-1872. Information is also available on the State’s Web page, on the IF&W and Maine Natural Areas Program pages.

4. Arthropod-Borne Diseases
There are 3 diseases new to this region that relate to the area’s ecosystem. Mosquitoes and ticks transmit these diseases, and management of these vectors will require management of our ecosystem.

a. West Nile Virus (WNV)
West Nile Virus is a mosquito-borne disease that is becoming endemic in North America. It is primarily a bird disease but humans and horses are also at risk. The CDC in Atlanta predicts that WNV will become a permanent component of our landscape. As of January 2005, WNV has been found in every state in the Union and in every Canadian Province. Its distribution each year is unpredictable and can be epidemic even in areas with few mosquito breeding habitats. In 1999, 2000 and 2001 the northeast had numerous epicenters. In 2002, the Midwest fell victim, especially Chicago. In 2003, Colorado had hundreds of human cases and many deaths. Phoenix, Arizona was the hot spot in 2004. The reality of WNV is that it can occur anywhere. WNV appears to explode in dry years with hot summers.

Maine is the only state in the United States not have a documented human case despite been detected annually in birds and mosquitoes. In reality, Maine probably has had non-fatal human WNV cases. Most human cases of WNV are not fatal. Historically, it is persons with weakened immune systems that are at high risk. There is no human vaccine, but a horse vaccine is available.

York and Cumberland counties have high risk factors for WNV. The human population density is higher than the rest of Maine. Many migratory birds pass through coastal wetlands on their northern and southern trips through our area. The prime mosquito vector species for WNV transmission between birds and
from birds to humans are common. The concentration of humans, birds and mosquitoes in a relatively small area accelerates the WNV transmission cycle and increases the likelihood of human cases.

b. Eastern Equine Encephalitis (EEE)

Eastern Equine Encephalitis is a mosquito-borne disease with high mortality in humans and horses. Previously, EEE was infrequently identified in New England. With states testing mosquitoes and dead birds for WNV, it is now common practice to also test for EEE. EEE has probably been present on an annual basis in Maine but has escaped detection due to limited testing. In September of 2001 the Maine Bureau of Health laboratory in Augusta positively identified EEE in a dead American Goldfinch in South Berwick. In 2003 and 2004, EEE was found in southeastern Massachusetts. In 2004, Exeter, New Hampshire, near the Maine border, had positive mosquito pools. Two confirmed cases of EEE occurred in York in 2005.

The primary mosquito vector species of EEE in the northeast is limited to breeding in red maple swamps and woodland pools. Mapping these wetland habitats is very important. York has many red maple swamps and suitable habitat for *Culiseta melanura*, the EEE vector.

c. Lyme Disease

The Maine Bureau of Health has identified Kittery Point and York as prime areas for Lyme Disease. The historical progression of Lyme Disease in Maine began in York County and moved along the coast to the Canadian border. The Deer Tick vectors Lyme Disease. Deer Ticks are very small and commonly misidentified as the American Dog Tick. Deer Ticks must remain on a human host for ten hours or more for successful transmission of the pathogen. Lyme Disease is found in dog populations and actually is responsible for a fatal kidney disease called nephritis. The high incidence of Lyme Disease in York is likely the result of York’s rapid growth during the past twenty years. As deer habitat and residential development collide, humans and deer populations are in close proximity. Large deer populations provide large Deer Tick populations.

High risk areas should be identified in the Comprehensive Plan. Deer ticks are commonly found at the backyard/woods edge interface. If the forest floor is cleared of underbrush, prime tick habitat can be reduced. Nursing homes and retirement communities should minimize tick habitat on their grounds and assure residents check themselves daily for deer ticks. Landscape plans for new homes and developments should be designed in a manner that does not increase deer tick habitat.

E. PROTECTED CONSERVATION LANDS
Within the Town of York there are nearly 7,000 acres of conservation land in public or private ownership. The vast majority of conservation land in York is located in the greater Mount Agamenticus area, although there are significant holdings throughout Town. For the past 30 years there has been a concentrated effort to acquire and protect lands in the Agamenticus. The Town initially acquired the old “Big A” ski area. Subsequent acquisitions were facilitated by the Land for Maine’s Future program, and now are being pursued under the Mount Agamenticus Challenge.

The goal of the Mount Agamenticus Challenge is to protect one of Maine's most important ecosystems. Launched in 1999, the Challenge is a broad-based partnership led by The Nature Conservancy, the Great Works Regional Land Trust and the York Land Trust. The partners have protected more than 3,000 acres in York and surrounding communities since its inception. More recently, the Mount Agamenticus Challenge acquired nine separate parcels that total nearly 150 acres of wetlands, vernal pools, and rich forests. The partnership is making progress toward its goal of conserving 7,000 acres over five years.

The map entitled, “Conservation Lands, York Comprehensive Plan, Inventory and Analysis, Natural Resources Chapter” with a date of February 10, 2006, is hereby incorporated into the Comprehensive Plan by reference.

1. Publicly Held Lands and Easements

   Government conservation land and easements are held by the Town of York, the York Water District (YWD), the Kittery Water District (KWD), the Maine Department of Inland Fisheries and Wildlife (IF&W), and the U.S. Fish and Wildlife Service (USF&W). The Town, state and federal holdings are held exclusively for conservation purposes. More than half of the land, that owned by the two water districts, is conservation land only to the extent it serves to protect the sources of their public water supplies. There are no conservation restrictions on these lands, and the districts are not obligated to keep them. Still, they are protected from development pressures in the short term and are shown as conservation lands.
2. Privately Held Lands and Easements
Private conservation land and easements are held by the York Land Trust, The Nature Conservancy (TNC), the Great Works Regional Land Trust, and the Old York Historical Society. The York Land Trust and TNC are the most active of the private conservation owners in York.

a. The York Land Trust
In partnership with others organizations and of its own accord, the York Land Trust provides stewardship for 36 individual properties representing almost 1,500 acres. The York Land Trust is dedicated to conserving and protecting lands of ecological, historic, scenic, agricultural and educational significance in the greater York, Maine area.

The Trust works to preserve York’s natural resources in the following important ways:
- Permanently protects land through conservation easements, land donations, and direct purchases.
- Educates the community about the methods and benefits of land conservation.
- Rigorously monitors and manages conservation lands.
- Collaborates with state agencies, town government, and other conservation organizations to protect critical ecosystems and habitat for wildlife.
- Fosters an appreciation for the natural environment through educational programs, public presentations, walking tours and outings.

The York Land Trust envisions a community of citizens who understand the importance of maintaining a healthy natural environment while meeting the community's social and economic needs. This environment will support a high quality of life for its citizens, maintain the character of York and provide opportunities for public enjoyment of conserved lands and parks. Growth and development will be carefully planned and managed. Proactive land conservation will protect in perpetuity the natural resources, waterways, wildlife and scenic beauty with which our community is so generously endowed.

b. The Nature Conservancy
Since 1951, TNC has been working with communities, businesses and people to protect nearly 117 million acres around the world to preserve the plants, animals and natural communities that represent the diversity of life on Earth. These resources are protected to help ensure sustainability of the world’s biodiversity. In southern Maine their efforts are focused on protecting the greater Mount Agamenticus area, which TNC identified as one of the hundred most significant habitat areas on the planet.
F. SCENIC RESOURCES
The Town of York has a wide variety of Scenic Resources, both natural and cultural. These resources provide the visual environment that helps makes York a unique experience for residents and visitors. This inventory is a starting point for the development of policies to address protection of scenic resources. As the Town develops more detailed contour data and its GIS capacity advances, viewsheds associated with these points and corridors can be evaluated for specific controls to ensure their protection in perpetuity.

1. Scenic Points
These are points accessible to the public having a view that encompasses an area, the viewshed, as seen from a particular location, the viewpoint, extending to the visual horizon and may be limited in direction to a particular horizontal sector. A geographical point and sector defines them along with descriptions of what makes the view scenic.

- Viewing platform near top of Mt. Agamenticus
- Balcony on Mt. Agamenticus Lodge
- Route 103 York River Bridge
- Sewalls Bridge
- Rice’s Bridge
- Interstate 95 York River Bridge
- Scotland Bridge
- Cooks Bridge
- Chases Pond from Chases Pond Road
- Chases Pond from Situate Road
- Situate Pond from the boat launch
- Route 103 at Brave Boat Harbor
- South Side Road toward the York River
- York Harbor Beach
- Long Sands Beach
- Short Sands Beach
- Passaconaway (Cape Neddick) Beach
- Phillips Cove
- Hartley Mason Reserve
- Sohier Park
- All ocean views from public roads

2. Scenic Routes
These are public ways with views that encompass an area, the view corridor, as seen from multiple locations along the route, and are not generally limited to particular directions. The geographical route with starting and end points defines them along with descriptions of what makes the route scenic.
• Spur Road
• Shore Road
• Route 103
• Route 91
• Cliff Walk
• Fisherman’s Walk
• York River, from the Atlantic Ocean to the head of tide
• Cape Neddick River, from the Atlantic Ocean to the head of tide
• Brave Boat Harbor, from the Atlantic Ocean to the head of tide
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11. 100-Year Floodplain. February 10, 2006

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2. General Soil Map; York County, Maine.
3. Gravel Aquifers.
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5. Bedrock Well Depths in the Kittery 30X60-minute Quadrangle.
8. Beach and Dune Geology.
10. Coastal Bluffs.
11. Coastal Landslide Hazards.
12. North Atlantic Coast Ecoregion Block Size.

Note: all maps of Beginning With Habitat are adopted by reference.
B: INVENTORY OF MARINE RESOURCES

YORK HARBOR BOARD
INVENTORY OF MARINE RELATED RESOURCES & FACILITIES

YORK HARBOR- east of the Rte 103 bridge
- Webber Wharf
- Strater Wharf
- York River
- All Recreational and Commercial moorings in the York River
- North and South dredged mooring basins
- Harris Island
- York Harbor Marine Service
- Town Dock #2 and approaches
- Harbormaster office building, Town Dock #2
- Parking lot south of Bragdon Island, west of Harris Island Road
- Bragdon Island
- Newick Wharf
- Parking lot north of Bragdon Island along the east side Harris Island Road towards Strawberry Island
- Strawberry Island
- Town Dock #1 and approaches
- 2 Bait sheds at Town Dock #1
- Parking along Rte 103 south of the Harris Island Rd and Rte 103 intersection
- Clam Flats- north of Western Point Rd and east of rte 103.
- Shore of the York River from the Tonge’s/ Hoy dock east to Stage Neck including Varrell’s Wharf, Donnell’s Marina and boat ramp, the Agamenticus Yacht Club and Harborside Inn docks
- Garrett Wharf
- The Fisherman’s walk

YORK RIVER- Rte 103 Bridge to Sewall's bridge
- York River
- Clam flats along wiggly bridge walk
- Steedman woods
- Wiggly bridge and approaches
- Parking lot across from the Wiggly Bridge walkway
- Hancock wharf west to Sewall’s bridge including Chase Wharf, Leighton Wharf, York River Yacht Club
- York River Lobster Company lobster car
- Sewall’s Bridge Wharf
- Cadwalader Wharf
- Albright Wharf
• White Wharf on Pine Island Road
• Macintyre Wharf
• Pumpkin Cove mooring basin
• All Recreational and Commercial moorings in the York River

**YORK RIVER Sewall’s bridge to headwaters**
• York River
• Shorefront Property owners moorings
• Boat ramp at Brickyard Landing, Dock lane
• Shellfish flats
• Brickyard mooring basin
• Access ramp northeast of Rice’s Bridge
• Boat launch at Scotland Bridge
The Maine Department of Environmental Protection (ME-DEP) and the Volunteer Lake Monitoring Program (VLMP) have collaborated in the collection of lake data to evaluate present water quality, track algae blooms, and determine water quality trends. This data set does not include bacteria, mercury, or nutrients other than phosphorus. Water quality monitoring data for Scituate Pond has been collected since 1984. During this period, 5 years of basic chemical information was collected, in addition to Secchi Disk Transparencies (SDT). In summary, the water quality of Scituate Pond is considered to be below average, based on measures of SDT, total phosphorus (TP), and Chlorophyll-a (Chla). The potential for nuisance alga blooms on Scituate Pond is high and have occurred in the past.

Water Quality Measures: Scituate Pond is a colored lake (average color 73 SPU) with an average SDT of 1.7m (5.6ft). The range of water column TP for Scituate Pond is 30-26 parts per billion (ppb) with an average of 27 ppb, while Chla ranges from 5.2-12 ppb with an average of 9.1 ppb. Recent dissolved oxygen (DO) profiles show no DO depletion since the lake is shallow and wind mixing keeps the water column oxygenated. The potential for TP to leave the bottom sediments and become available to algae in the water column (internal loading) is low. Oxygen levels below 5 parts per million stress certain cold water fish, and a persistent loss of oxygen may eliminate or reduce habitat for sensitive cold water species.

The flushing rate is the amount of time required for the lake water to be renewed each year. The average flushing rate is about 1-1.5 flushes per year for Maine lakes. The flushing rate for Scituate Pond is 9.8 flushes per year.

The SDT trend, from 1984- 1999, in Penesseewassee Pond shows a significant improvement or positive water quality trend, but this could easily change with increased development pressure and changes in regional weather patterns.

See ME-DEP Explanation of Lake Water Quality Monitoring Report for measured variable explanations. Additional lake information can be found on the World Wide Web at: pearl.spatial.maine.edu and/or state.me.us/dep/blwq/lake.htm, or telephone ME-DEP at 207-287-3901 or VLMP at 207-225-2070. Filename: scit5596, revised: 03/2001, by: ME.
GROWTH PROJECTIONS

This chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about the local economy and labor force. This information is essential to inform decisions in several sections of the Comprehensive Plan, including economic development, fiscal policy, land use and transportation.

The text of this Chapter is organized into two sections: Residential Growth Projections and Commercial and Industrial Growth Projections.

It is important to preface this Chapter with a warning about projections. Projections, by their very nature, are simply educated guesses about what the future holds. There is no crystal ball. There is no certainty. It is a matter of making assumptions based on what is known at this point in time, and extrapolating trends into the future. As new information becomes available and circumstances change (for example if the federal government decides to close the Portsmouth Naval Shipyard) the projections in this chapter will become outdated, and therefore will be less relevant and useful. It will not be feasible to incorporate all projections made in the future into this Chapter. It is hereby established that projections contained in this Chapter should not be used to the exclusion of all others. It will be the responsibility of the data user to determine which projections and information are most suitable.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others being prepared at this time, marks a change in format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep the Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section. When the entire set of Inventory and Analysis chapters is adopted, the 1999 Inventory and Analysis section of the York Comprehensive Plan can be repealed.

Summary

York is growing. Population, housing and non-residential uses are each experiencing growth at a significant rate. Projecting population by a variety of techniques shows growth ranging between 3,500 and 8,800 additional year-round residents in the coming 20 years. In terms of housing
Residential Growth Projections

This section examines expected future population growth in the Town of York and how it will affect planning issues such as housing and public facilities. There are three types of projections covered in this section: population, housing and school enrollment.

1. Population Projections

Population projections for the Town of York have been completed by age group for each five-year interval from 2000 through 2025. In order to examine different scenarios of future population growth, three different sets of population projections were done.

- **Survival and Net Migration Method** – This method uses subregional annual birth, death and net migration rates from the years 1990-2003 to project population through 2025.

- **Historic Growth Rate Method** – This method takes the Town’s compound annual growth rate (CAGR) for the years 1980-2000 to estimate future population if the Town continues to grow at the same rate into the future.

- **Capped Growth Method** – This method examines the effect of allowing the Town’s residential growth limitation of 84 units per year on future population growth. It assumes that exactly 84 units will be built each year through 2025.

A. **UNIVERSAL ASSUMPTIONS**

Each of the three methods of projecting future population growth has many of its own unique assumptions, which are discussed in greater detail below. However, there are several assumptions that are consistent for all three methods. These universal assumptions are listed below.

**Average Household Size**

Average household size has been on the decline locally, regionally and nationally for several decades. In the Town of York, the average household size has dropped from 2.65 persons in the 1980 Census to 2.42 in the 2000 Census. This represents a decline of more than two percent for each five-year period between 1980 and 2000.
For these projections, it is assumed that the rate of decline in average household size will slow in the future to one percent per five-year period, as extending the historic rate would result in a 2025 average household size of 2.16—this much of a drop is unlikely to occur. Given the aging population in the State of Maine and in York, and recent research into the number of school-age children living in newer homes, it may be appropriate to conduct sensitivity analysis on this variable for average household sizes as low as 2.0 people per household.

The assumed average household sizes are as follows:

**Table 1**

<table>
<thead>
<tr>
<th>Year</th>
<th>Average Household Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>2.42</td>
</tr>
<tr>
<td>2005</td>
<td>2.40</td>
</tr>
<tr>
<td>2010</td>
<td>2.37</td>
</tr>
<tr>
<td>2015</td>
<td>2.35</td>
</tr>
<tr>
<td>2020</td>
<td>2.32</td>
</tr>
<tr>
<td>2025</td>
<td>2.30</td>
</tr>
</tbody>
</table>

*Source: Southern Maine Regional Planning Commission*

**Age Profile**

Age profile assumptions are based on Maine State Planning Office projections of age shifts for the Town of York through 2015. These projections foresee a continued shift towards an older population in York. The shift in age profile has been flattened out somewhat, as these projections take the state’s expected 2015 age profile and apply it to 2025. For each five-year interval between 2000 and 2025, the shift is projected to occur at a uniform rate. As with household size assumptions, sensitivity analysis on this variable may also be warranted because it may be unrealistic to assume the aging trends will stop after 2015.

For example, the 45-49 age group represented 9.3% of the Town’s population in 2000 and the state’s 2015 projections show it growing to 11.5% of the population. In these projections, the 11.5% share for this age group is not achieved until 2025. In the interim, the shift occurs as follows:

**Table 2**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>45-49</td>
<td>9.3%</td>
<td>9.8%</td>
<td>10.2%</td>
<td>10.6%</td>
<td>11.1%</td>
<td>11.5%</td>
</tr>
</tbody>
</table>

*Source: Southern Maine Regional Planning Commission*

To simplify age projections, the five-year groups were combined into six categories that more accurately reflect housing markets:
1. Pre-School (Age 0-4)
2. School Age (Age 5-19)
3. Household Formation (Age 20-34)
4. Move-Up (Age 35-54)
5. Empty Nester (Age 55-64)  
6. Retiree (Age 65+)

The projected age profile follows.

### Table 3  
**Age Profile Assumptions**  
(Age Group as Percent of Total Population)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-School (0-4)</td>
<td>4.9%</td>
<td>4.9%</td>
<td>4.8%</td>
<td>4.7%</td>
<td>4.6%</td>
<td>4.6%</td>
</tr>
<tr>
<td>School Age (5-19)</td>
<td>19.5%</td>
<td>18.8%</td>
<td>18.1%</td>
<td>17.4%</td>
<td>16.7%</td>
<td>16.0%</td>
</tr>
<tr>
<td>HH Formation (20-34)</td>
<td>11.3%</td>
<td>10.8%</td>
<td>10.3%</td>
<td>9.8%</td>
<td>9.4%</td>
<td>8.9%</td>
</tr>
<tr>
<td>Move-Up (35-54)</td>
<td>35.0%</td>
<td>34.9%</td>
<td>34.9%</td>
<td>34.9%</td>
<td>34.9%</td>
<td>34.8%</td>
</tr>
<tr>
<td>Empty Nester (55-64)</td>
<td>12.3%</td>
<td>12.9%</td>
<td>13.4%</td>
<td>14.0%</td>
<td>14.6%</td>
<td>15.2%</td>
</tr>
<tr>
<td>Retiree (65+)</td>
<td>17.0%</td>
<td>17.7%</td>
<td>18.4%</td>
<td>19.1%</td>
<td>19.8%</td>
<td>20.5%</td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission

### Seasonal Housing as Share of Total Housing

York has a substantial seasonal population. According to 2000 Census data, about 33 percent of the Town’s existing housing stock is comprised of units that are only “for seasonal, recreational and occasional use.” Thus, future projections of population and housing will need to account for some amount of seasonal occupations.

Throughout Maine, most of the growth in historically tourist-oriented communities such as York is from new year-round residents, and not from vacationers. Thus, the assumption is that 85 percent of future housing units in York will be for year-round use and just 15 percent will be for seasonal use. This assumption does not take into account the potential for existing seasonal units to be converted into year-round units. While seasonal conversions will undoubtedly occur in York, there will be new seasonal units built to replace them. The 85/15 split therefore takes into account the potential for some losses in the seasonal supply due to conversions to year-round use. (Note: cursory research on newly constructed homes shows that only about 30% have registered voters—which could be an indication of a much higher rate of seasonal use.)

Compared to historical data from 1970 to 2000, 85% of new construction being year-round is high. In this period actual figures show year-round construction closer to 75% of the total. However, the introduction of the Growth Management Ordinance in 2000 is reasonably expected to cause current conditions to differ from prior periods. For this reason, the 85% assumption is reasonable. Anichdotal information from Tim DeCoteau, a Code Enforcement Officer in York for almost 2 decades, also lends credibility to this assumption. He indicated there are a few new seasonal homes built each year, and of the couple dozen tear-downs...
York experiences annually, a significant portion are new seasonal units replacing older seasonal units.

**Population in Group Quarters**

Though most of York’s population lives in households, a small share of the Town’s residents is housed in group quarters. Data from the 2000 Census show that 1.44 percent of York residents live in group quarters. It is assumed that this share will continue through 2025.

**B. SURVIVAL AND NET MIGRATION METHOD**

The Survival and Net Migration Method of projecting population growth is based on three rates: birth, death and net migration. Data were assembled on annual births, deaths and in and out-migration for the years 1990 through 2003 for York and its surrounding communities (Eliot, Kittery, Ogunquit, South Berwick and Wells). The sub-region was used as the measuring stick in order to get a better sense of these rates beyond the Town of York.

Table 4 below displays birth, death and migration rates for the subregion for the 1990-2003 period. The calculation of these rates is shown in Appendix A.

<table>
<thead>
<tr>
<th>Item</th>
<th>YORK</th>
<th>Eliot</th>
<th>Kittery</th>
<th>Ogunquit</th>
<th>South Berwick</th>
<th>Wells</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birth Rate</td>
<td>10.94</td>
<td>10.71</td>
<td>13.05</td>
<td>6.75</td>
<td>14.08</td>
<td>10.11</td>
<td>11.58</td>
</tr>
<tr>
<td>Death Rate</td>
<td>9.29</td>
<td>6.90</td>
<td>8.49</td>
<td>13.48</td>
<td>6.19</td>
<td>8.11</td>
<td>8.18</td>
</tr>
<tr>
<td>Net Migration Rate</td>
<td>25.46</td>
<td>8.86</td>
<td>-0.22</td>
<td>37.18</td>
<td>6.65</td>
<td>21.32</td>
<td>13.68</td>
</tr>
</tbody>
</table>

*Source: Southern Maine Regional Planning Commission*

The above annual rates of change were applied to York’s 2000 Census population to project total population for each five-year interval through 2025. The universal age profile assumptions were then applied to these totals to produce population projections, as shown in Table 5.
Table 5
Projected Population Change, 2000-2025
Survival and Net Migration Method

<table>
<thead>
<tr>
<th>Age Group</th>
<th>2000</th>
<th>2005</th>
<th>2010</th>
<th>2015</th>
<th>2020</th>
<th>2025</th>
<th>Num Chg</th>
<th>% Chg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-School (0-4)</td>
<td>636</td>
<td>680</td>
<td>730</td>
<td>780</td>
<td>830</td>
<td>880</td>
<td>244</td>
<td>38%</td>
</tr>
<tr>
<td>School Age (5-19)</td>
<td>2,506</td>
<td>2,620</td>
<td>2,730</td>
<td>2,850</td>
<td>2,970</td>
<td>3,090</td>
<td>584</td>
<td>23%</td>
</tr>
<tr>
<td>HH Formation (20-34)</td>
<td>1,449</td>
<td>1,510</td>
<td>1,550</td>
<td>1,610</td>
<td>1,670</td>
<td>1,720</td>
<td>271</td>
<td>19%</td>
</tr>
<tr>
<td>Move-Up (35-54)</td>
<td>4,494</td>
<td>4,870</td>
<td>5,290</td>
<td>5,740</td>
<td>6,210</td>
<td>6,750</td>
<td>2,256</td>
<td>50%</td>
</tr>
<tr>
<td>Empty Nester (55-64)</td>
<td>1,582</td>
<td>1,790</td>
<td>2,030</td>
<td>2,310</td>
<td>2,600</td>
<td>2,940</td>
<td>1,358</td>
<td>86%</td>
</tr>
<tr>
<td>Retiree (65+)</td>
<td>2,187</td>
<td>2,480</td>
<td>2,780</td>
<td>3,150</td>
<td>3,520</td>
<td>3,960</td>
<td>1,773</td>
<td>81%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>12,854</strong></td>
<td><strong>13,950</strong></td>
<td><strong>15,110</strong></td>
<td><strong>16,440</strong></td>
<td><strong>17,800</strong></td>
<td><strong>19,340</strong></td>
<td><strong>6,486</strong></td>
<td><strong>51%</strong></td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission

C. HISTORIC GROWTH RATE METHOD

The Historic Growth Rate Method is the most basic of the three—it simply takes the Town of York’s compound annual population growth rate from 1980-2000 of 2.11 percent and extends it into the future. This method is a good way of understanding the question of “what happens if we continue to grow at the same rate?”

Table 6 below shows total projected population and population by age group for by five-year interval from 2000 through 2025.

Table 6
Projected Population Change, 2000-2025
Historic Growth Rate Method

<table>
<thead>
<tr>
<th>Age Group</th>
<th>2000</th>
<th>2005</th>
<th>2010</th>
<th>2015</th>
<th>2020</th>
<th>2025</th>
<th>Num Chg</th>
<th>% Chg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-School (0-4)</td>
<td>636</td>
<td>700</td>
<td>760</td>
<td>830</td>
<td>910</td>
<td>990</td>
<td>354</td>
<td>56%</td>
</tr>
<tr>
<td>School Age (5-19)</td>
<td>2,506</td>
<td>2,680</td>
<td>2,870</td>
<td>3,060</td>
<td>3,250</td>
<td>3,460</td>
<td>954</td>
<td>38%</td>
</tr>
<tr>
<td>HH Formation (20-34)</td>
<td>1,449</td>
<td>1,540</td>
<td>1,640</td>
<td>1,730</td>
<td>1,820</td>
<td>1,920</td>
<td>471</td>
<td>33%</td>
</tr>
<tr>
<td>Move-Up (35-54)</td>
<td>4,494</td>
<td>4,980</td>
<td>5,530</td>
<td>6,130</td>
<td>6,800</td>
<td>7,540</td>
<td>3,046</td>
<td>68%</td>
</tr>
<tr>
<td>Empty Nester (55-64)</td>
<td>1,582</td>
<td>1,830</td>
<td>2,130</td>
<td>2,460</td>
<td>2,850</td>
<td>3,290</td>
<td>1,708</td>
<td>108%</td>
</tr>
<tr>
<td>Retiree (65+)</td>
<td>2,187</td>
<td>2,510</td>
<td>2,920</td>
<td>3,350</td>
<td>3,860</td>
<td>4,430</td>
<td>2,243</td>
<td>103%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>12,854</strong></td>
<td><strong>14,240</strong></td>
<td><strong>15,850</strong></td>
<td><strong>17,560</strong></td>
<td><strong>19,490</strong></td>
<td><strong>21,630</strong></td>
<td><strong>8,776</strong></td>
<td><strong>68%</strong></td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission
D. **CAPPED GROWTH METHOD**

The Capped Growth Method depends on three variables:
- New year-round units built annually;
- Average household size; and
- Group quarters population

These assumptions are all taken from the Universal Assumptions section above. Applying the year-round assumption of 85 percent to the existing maximum rate of growth of 84 units per year, it is assumed that 71 new year-round units will be added each year during the projection period. As shown in Table 1, the average household size is assumed to decline from 2.42 persons in 2000 to 2.30 persons in 2025. Finally, group quarters population is estimated to continue at 1.44 percent of total population.

Based on these assumptions, as well as the age profile assumptions from above, the Capped Growth population projections were calculated. Table 7 displays total projected population and population by five-year interval from 2000 through 2025.

**Table 7**

<table>
<thead>
<tr>
<th>Age Group</th>
<th>2000</th>
<th>2005</th>
<th>2010</th>
<th>2015</th>
<th>2020</th>
<th>2025</th>
<th>Num Chg</th>
<th>% Chg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-School (0-4)</td>
<td>636</td>
<td>660</td>
<td>690</td>
<td>710</td>
<td>730</td>
<td>750</td>
<td>114</td>
<td>18%</td>
</tr>
<tr>
<td>School Age (5-19)</td>
<td>2,506</td>
<td>2,550</td>
<td>2,580</td>
<td>2,610</td>
<td>2,620</td>
<td>2,610</td>
<td>104</td>
<td>4%</td>
</tr>
<tr>
<td>HH Formation (20-34)</td>
<td>1,449</td>
<td>1,470</td>
<td>1,480</td>
<td>1,470</td>
<td>1,460</td>
<td>1,460</td>
<td>11</td>
<td>1%</td>
</tr>
<tr>
<td>Move-Up (35-54)</td>
<td>4,494</td>
<td>4,750</td>
<td>5,000</td>
<td>5,240</td>
<td>5,470</td>
<td>5,710</td>
<td>1,216</td>
<td>27%</td>
</tr>
<tr>
<td>Empty Nester (55-64)</td>
<td>1,582</td>
<td>1,750</td>
<td>1,920</td>
<td>2,110</td>
<td>2,290</td>
<td>2,480</td>
<td>898</td>
<td>57%</td>
</tr>
<tr>
<td>Retiree (65+)</td>
<td>2,187</td>
<td>2,410</td>
<td>2,640</td>
<td>2,860</td>
<td>3,100</td>
<td>3,350</td>
<td>1,163</td>
<td>53%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>12,854</td>
<td>13,590</td>
<td>14,310</td>
<td>15,000</td>
<td>15,680</td>
<td>16,360</td>
<td>3,506</td>
<td>27%</td>
</tr>
</tbody>
</table>

*Source: Southern Maine Regional Planning Commission*

E. **COMPARISON OF THREE METHODS**

The expected change in population in the Town of York from 2000 through 2025 ranges from about 3,500 persons (Capped Growth) to 8,800 persons (Historic Growth Rate). The middle scenario (Survival and Migration) envisions about 6,500 new residents over the 25-year period.

The Survival and Migration Method presents the most likely outcome, as it uses actual historic data on birth, death and migration rates in the region. The other two methods each stem from artificial assumptions:
• The Historic Growth Rate Method is based on a smaller population base (just 8,465 people in 1980)—as the population base increases, sustaining this rapid growth rate is unlikely.
• The Capped Growth Method places a limit on the number of housing units that can be built each year. As the population base grows, this assumption by its very definition must slow down the percentage rate of growth.

The most likely scenario to occur is growth that is somewhere higher than the Capped Growth Method and between the Survival and Migration method. The Survival and Migration method probably presents the most realistic picture of the future population growth in York, but there is strong public pressure to maintain some level of residential growth control. Based on this understanding, the Town must be prepared to absorb about 4,000 to 5,000 new residents in the coming 20 years.

Figure 1 below shows historic population growth from 1950 to 2000 and the projected growth for each of the three scenarios.

Figure 1

Historic and Projected Population Growth, 1950-2025

<table>
<thead>
<tr>
<th>Year</th>
<th>People</th>
</tr>
</thead>
<tbody>
<tr>
<td>1950</td>
<td>3,256</td>
</tr>
<tr>
<td>1960</td>
<td>4,663</td>
</tr>
<tr>
<td>1970</td>
<td>5,690</td>
</tr>
<tr>
<td>1980</td>
<td>8,465</td>
</tr>
<tr>
<td>1990</td>
<td>9,818</td>
</tr>
<tr>
<td>2000</td>
<td>12,854</td>
</tr>
<tr>
<td>2005</td>
<td>16,360</td>
</tr>
<tr>
<td>2010</td>
<td>19,340</td>
</tr>
<tr>
<td>2015</td>
<td>21,630</td>
</tr>
</tbody>
</table>

People

Year

F. COMPARISON WITH REGIONAL AND STATE PROJECTIONS

The Maine State Planning Office (SPO) projects population through the year 2015 for each municipality in the state. SPO projections for York predict a 2015 population level of 16,594. This is a very similar projection to the 2015 projection from the Survival and Net Migration method of 16,400. Projections for 2015 for the other scenarios are 17,560 for Historic Growth Rate and 15,000 for Capped Growth.

SPO’s projections envision York continuing to grow at a much faster rate than York County as a whole and the State of Maine. The overall 2000-2015 growth rates projected by SPO are: Town of York: 29%; York County: 15%; and State of Maine: 8%.

2. Housing Projections

Housing projections are based on the three different methods of population projections from the preceding section. The translation of population projections to housing projections was done in a three-step process:

1. Calculate new household population by netting out group quarters population growth from total population growth
2. Calculate total number of new year-round housing units (i.e., households) by dividing total household population by average household size
3. Calculate total number of new housing units by adding seasonal units to year-round units

The assumptions for all of these calculations are the same as for the population projections (see Universal Assumptions section above).

Table 8 below shows the projected need for new housing for each of the three growth scenarios.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Survival &amp; Migration</td>
<td>585</td>
<td>650</td>
<td>740</td>
<td>740</td>
<td>870</td>
<td>3,585</td>
</tr>
<tr>
<td>Historic Growth Rate</td>
<td>725</td>
<td>870</td>
<td>920</td>
<td>1,050</td>
<td>1,190</td>
<td>4,755</td>
</tr>
<tr>
<td>Capped Growth</td>
<td>415</td>
<td>420</td>
<td>420</td>
<td>400</td>
<td>410</td>
<td>2,065</td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission

The expected amount of new housing units needed in York between 2000 and 2025 is therefore between 2,100 and 4,800, with a moderate estimate of 3,600. This averages out
to between 84 and 190 units per year, with the middle estimate being 144 per year. Actual town permit data from 2000 through 2003 show that 353 units were added through 2004. Accounting for this real change, the amount of new units needed between 2005 and 2025 ranges from 1,700 to 4,400.

In 2001 the York Open Space Committee commissioned a build-out study. This study concluded in a document, “Final Report: Build-Out Analysis for the Town of York,” dated September 4, 2001. This was prepared by RKG Associates of Durham, NH, and Lobdell Associates, Inc., of Landaff, NH. This report is hereby incorporated by reference into this Chapter.

The build-out analysis sought to define the maximum number of housing units that could be developed in York given zoning density limits, soils constraints, and availability of municipal sewer service. Assuming all available land develops as residential, somewhere in the order of 4,000 additional residential units could be built in York. The highest projection of growth (historic growth rate method) shows York reaching its buildout around 2025—just 2 decades from now. The lowest projection (capped growth method), if extrapolated, puts York at its maximum residential build-out by about 2050.

To gain a more thorough understanding of the types of housing that will be needed in the future in the Town of York, these total housing projections were then broken out by household type. The six age group categories from the population projections were combined into four different housing markets:

1. Young Families – includes ages 0-4 and 20-34
2. Older Families – includes ages 5-19 and 35-54
3. Empty Nesters – Ages 55-64
4. Retirees – Ages 65+

These categories are merely meant to illustrate the types of housing that will be demanded and are not all-inclusive. For example, the 20-34 age group will likely include many single people and non-family households, as well as young families with children. Also, a fifth category of housing is seasonal housing units.

Table 9 shows total 2000-2025 housing projections for each scenario by housing market grouping.

<table>
<thead>
<tr>
<th>Method</th>
<th>Young Families</th>
<th>Older Families</th>
<th>Empty Nester</th>
<th>Retiree</th>
<th>Seasonal</th>
<th>Total Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>Survival &amp; Migration</td>
<td>261</td>
<td>1,369</td>
<td>616</td>
<td>799</td>
<td>540</td>
<td>3,585</td>
</tr>
<tr>
<td>Historic Growth Rate</td>
<td>401</td>
<td>1,859</td>
<td>766</td>
<td>1,009</td>
<td>720</td>
<td>4,755</td>
</tr>
<tr>
<td>Capped Growth</td>
<td>101</td>
<td>709</td>
<td>416</td>
<td>539</td>
<td>300</td>
<td>2,065</td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission
3. **School Enrollment Projections**

The York School Department produces ten-year projections of school enrollment each year. As a check on these projections, school-age population statistics from the above population projections are compared with them in this section.

The most recent projections of school enrollment were completed by Planning Decisions, Inc., in November 2004. These projections put forth two alternative growth scenarios for enrollment through the 2014-2015 school year. The first, the Best Fit Model, was calculated based on recent birth and migration rates. The second, the Recent Development Model, assumes that the Town’s building cap will slow the rate of in-migration of families with children entering school.

Table 10 compares the two sets of enrollment projections.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Elementary (K-4)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Best Fit</td>
<td>737</td>
<td>777</td>
<td>757</td>
<td>20</td>
<td>2.7%</td>
</tr>
<tr>
<td>Recent Development</td>
<td>737</td>
<td>752</td>
<td>731</td>
<td>-6</td>
<td>-0.1%</td>
</tr>
<tr>
<td><strong>Middle (5-8)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Best Fit</td>
<td>669</td>
<td>641</td>
<td>674</td>
<td>5</td>
<td>0.1%</td>
</tr>
<tr>
<td>Recent Development</td>
<td>669</td>
<td>637</td>
<td>651</td>
<td>-18</td>
<td>-2.6%</td>
</tr>
<tr>
<td><strong>High (9-12)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Best Fit</td>
<td>703</td>
<td>686</td>
<td>676</td>
<td>-27</td>
<td>-3.8%</td>
</tr>
<tr>
<td>Recent Development</td>
<td>703</td>
<td>686</td>
<td>665</td>
<td>-38</td>
<td>-5.4%</td>
</tr>
<tr>
<td><strong>Total Enrollment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Best Fit</td>
<td>2,109</td>
<td>2,104</td>
<td>2,107</td>
<td>-2</td>
<td>-0.0%</td>
</tr>
<tr>
<td>Recent Development</td>
<td>2,109</td>
<td>2,075</td>
<td>2,047</td>
<td>-62</td>
<td>-2.9%</td>
</tr>
</tbody>
</table>

Source: Planning Decisions, Inc., November 2004

Despite continued growth in the Town of York (more than 1,000 new housing units), Planning Decisions’ projections foresee no gain in the overall school enrollment over the next ten years. This is due partly to low birth rates in York and partly to the fact that most in-migration is from empty-nesters and retirees who do not have school-age children.

Looking at grade level enrollment, elementary and middle school enrollments are expected to grow slightly in the Best Fit Model and to decline slightly in the Recent Development Model. High School Enrollment is expected to decline in both scenarios.
Recent research into school enrollment and new home construction has called some attention to assumptions about the number of children per household. As this research is formalized, it is likely to be reflected in future school enrollment projections.

The population projection scenarios from earlier in this chapter do show some growth in the school-age population. Depending on the scenario, the population between ages 5-19 is expected to grow by between 100 and 950 persons. However, there are other variables to consider in estimated actual public school enrollment: private schools, dropout rates, home schooling and enrollment in other districts.

The general conclusion from this comparison is that, though historic information suggests that school enrollment will remain flat over the next ten years, the Town of York should plan for some level of enrollment increase beyond the year 2015.

**Commercial and Industrial Growth Projections**

This section examines expected future employment growth in the Town of York and how it will affect the need for land for commercial and industrial development. There are two types of projections covered in this section: Employment; and Commercial and Industrial Land Needs.

1. **Employment Projections**

Projections of future employment in the Town of York are derived from employment forecasts for York County as completed by the Center for Employment and Business Research (CBER) at the University of Southern Maine. CBER’s projections look at future employment through the year 2025 by major industry group for the whole county.

Two sets of employment projections were completed:

- **County Growth Rate Method** – This method takes CBER’s annual average growth rates for each industry group and five-year interval from 2000 through 2025 and applies them to the 2003 employment level in the Town of York (take from the Economic Base chapter).

- **Adjusted Growth Rate Method** – This method takes into account the fact that, over the past 15 years, York’s employment level has grown much faster than has York County’s. The CBER growth rates from the county growth rate method have been doubled in this scenario. For negative growth rates, the rate of loss was halved.

In both scenarios, employment categories in the baseline data from the Maine Department of Labor differ somewhat from CBER’s categories. The CBER growth rates have been applied to the appropriate corresponding employment categories from the Department of Labor data.
A. COUNTY GROWTH RATE METHOD

The County Growth Rate Method makes the assumption that the Town of York’s employment base will grow at the same pace as York County’s over the period from 2003 to 2025. Table 11 below displays the expected annual growth rates by employment category and five-year interval for this method.

**Table 11**

Projected Annual Rates of Employment Change by Five-Year Interval

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>1.1%</td>
<td>-0.3%</td>
<td>-0.3%</td>
<td>-0.3%</td>
<td>-0.1%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>-3.8%</td>
<td>-0.5%</td>
<td>0.1%</td>
<td>0.3%</td>
<td>-0.1%</td>
</tr>
<tr>
<td>Trade, Transportation &amp; Utilities</td>
<td>-0.1%</td>
<td>0.3%</td>
<td>0.2%</td>
<td>0.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Information</td>
<td>1.8%</td>
<td>2.1%</td>
<td>1.5%</td>
<td>1.3%</td>
<td>1.2%</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>2.8%</td>
<td>1.2%</td>
<td>0.7%</td>
<td>0.4%</td>
<td>0.3%</td>
</tr>
<tr>
<td>Professional &amp; Business Services</td>
<td>1.8%</td>
<td>2.1%</td>
<td>1.5%</td>
<td>1.3%</td>
<td>1.2%</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>1.8%</td>
<td>2.1%</td>
<td>1.5%</td>
<td>1.3%</td>
<td>1.2%</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>1.8%</td>
<td>2.1%</td>
<td>1.5%</td>
<td>1.3%</td>
<td>1.2%</td>
</tr>
<tr>
<td>Other Services</td>
<td>1.8%</td>
<td>2.1%</td>
<td>1.5%</td>
<td>1.3%</td>
<td>1.2%</td>
</tr>
<tr>
<td>Other Categories</td>
<td>0.4%</td>
<td>0.9%</td>
<td>0.8%</td>
<td>0.6%</td>
<td>0.6%</td>
</tr>
</tbody>
</table>

Source: USM Center for Business & Economic Research; Southern Maine Regional Planning Commission

Table 12 applies these growth rates to the 2003 employment totals for each industry category to display future projections of employment for each one.

**Table 12**

Projected Annual Employment in York by Five-Year Interval

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>206</td>
<td>210</td>
<td>210</td>
<td>210</td>
<td>210</td>
<td>210</td>
<td>4</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>330</td>
<td>310</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>-30</td>
</tr>
<tr>
<td>Trade, Transport. &amp; Utilities</td>
<td>819</td>
<td>820</td>
<td>830</td>
<td>840</td>
<td>840</td>
<td>840</td>
<td>21</td>
</tr>
<tr>
<td>Information</td>
<td>50</td>
<td>50</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>10</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>171</td>
<td>180</td>
<td>190</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>29</td>
</tr>
<tr>
<td>Prof. &amp; Business Services</td>
<td>246</td>
<td>260</td>
<td>290</td>
<td>310</td>
<td>330</td>
<td>350</td>
<td>104</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>1,677</td>
<td>1,740</td>
<td>1,930</td>
<td>2,080</td>
<td>2,220</td>
<td>2,350</td>
<td>673</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>1,288</td>
<td>1,340</td>
<td>1,490</td>
<td>1,600</td>
<td>1,700</td>
<td>1,800</td>
<td>512</td>
</tr>
<tr>
<td>Other Services</td>
<td>135</td>
<td>140</td>
<td>160</td>
<td>170</td>
<td>180</td>
<td>190</td>
<td>55</td>
</tr>
<tr>
<td>Other Categories</td>
<td>96</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>5,018</td>
<td>5,150</td>
<td>5,560</td>
<td>5,870</td>
<td>6,140</td>
<td>6,400</td>
<td>1,382</td>
</tr>
</tbody>
</table>

Source: USM Center for Business & Economic Research; Southern Maine Regional Planning Commission
B. ADJUSTED GROWTH RATE METHOD

The Adjusted Growth Rate Method makes the assumption that the Town of York’s employment base will grow at twice the rate as York County’s over the period from 2003 to 2025. For categories that are projected to lose jobs, the rate of decline has been halved.

In actuality, York’s employment base has grown more than ten times faster than York County’s since 1990. However, this rate of growth is not likely to be sustainable.

Table 13 below displays the expected annual growth rates by employment category and five-year interval for this method.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>2.2%</td>
<td>-0.2%</td>
<td>-0.2%</td>
<td>-0.1%</td>
<td>-0.1%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>-1.9%</td>
<td>-0.2%</td>
<td>0.3%</td>
<td>0.6%</td>
<td>-0.1%</td>
</tr>
<tr>
<td>Trade, Transportation &amp; Utilities</td>
<td>0.0%</td>
<td>0.6%</td>
<td>0.4%</td>
<td>0.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Information</td>
<td>3.7%</td>
<td>4.2%</td>
<td>3.0%</td>
<td>2.5%</td>
<td>2.4%</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>5.7%</td>
<td>2.3%</td>
<td>1.4%</td>
<td>0.8%</td>
<td>0.7%</td>
</tr>
<tr>
<td>Professional &amp; Business Services</td>
<td>3.7%</td>
<td>4.2%</td>
<td>3.0%</td>
<td>2.5%</td>
<td>2.4%</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>3.7%</td>
<td>4.2%</td>
<td>3.0%</td>
<td>2.5%</td>
<td>2.4%</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>3.7%</td>
<td>4.2%</td>
<td>3.0%</td>
<td>2.5%</td>
<td>2.4%</td>
</tr>
<tr>
<td>Other Services</td>
<td>3.7%</td>
<td>4.2%</td>
<td>3.0%</td>
<td>2.5%</td>
<td>2.4%</td>
</tr>
<tr>
<td>Other Categories</td>
<td>0.8%</td>
<td>1.8%</td>
<td>1.5%</td>
<td>1.3%</td>
<td>1.1%</td>
</tr>
</tbody>
</table>

Source: USM Center for Business & Economic Research; Southern Maine Regional Planning Commission

Table 14 applies these growth rates to the 2003 employment totals for each industry category to display future projections of employment for each one.
### Table 14
**Projected Annual Employment in York by Five-Year Interval**

**Adjusted Growth Rate Method**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>206</td>
<td>220</td>
<td>220</td>
<td>220</td>
<td>220</td>
<td>220</td>
<td>14</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>330</td>
<td>320</td>
<td>320</td>
<td>320</td>
<td>320</td>
<td>330</td>
<td>0</td>
</tr>
<tr>
<td>Trade, Transport. &amp; Utilities</td>
<td>819</td>
<td>820</td>
<td>840</td>
<td>860</td>
<td>860</td>
<td>860</td>
<td>41</td>
</tr>
<tr>
<td>Information</td>
<td>50</td>
<td>50</td>
<td>60</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>40</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>171</td>
<td>190</td>
<td>210</td>
<td>220</td>
<td>230</td>
<td>240</td>
<td>69</td>
</tr>
<tr>
<td>Prof. &amp; Business Services</td>
<td>246</td>
<td>260</td>
<td>320</td>
<td>370</td>
<td>420</td>
<td>470</td>
<td>224</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>1,677</td>
<td>1,800</td>
<td>2,210</td>
<td>2,560</td>
<td>2,900</td>
<td>3,260</td>
<td>1,583</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>1,288</td>
<td>1,380</td>
<td>1,690</td>
<td>1,960</td>
<td>2,220</td>
<td>2,490</td>
<td>1,202</td>
</tr>
<tr>
<td>Other Services</td>
<td>135</td>
<td>150</td>
<td>180</td>
<td>210</td>
<td>240</td>
<td>270</td>
<td>135</td>
</tr>
<tr>
<td>Other Categories</td>
<td>96</td>
<td>100</td>
<td>110</td>
<td>120</td>
<td>130</td>
<td>140</td>
<td>44</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>5,018</strong></td>
<td><strong>5,290</strong></td>
<td><strong>6,160</strong></td>
<td><strong>6,910</strong></td>
<td><strong>7,630</strong></td>
<td><strong>8,370</strong></td>
<td><strong>3,352</strong></td>
</tr>
</tbody>
</table>

Source: USM Center for Business & Economic Research; Southern Maine Regional Planning Commission

### C. COMPARISON OF TWO METHODS

The two projections of future employment predict a net increase of between 1,400 and 3,300 new jobs in York from 2003 through 2025. In both scenarios, job growth is expected to be heavily concentrated in the two areas that are already the largest employment sectors in York: Education & Health Services and Leisure & Hospitality.

These two categories encompass three particular subsectors that can be expected to drive the local economy: health care, dining and lodging. As the Town’s population continues to age, the need for specialty medical care will continue to expand. As for dining and lodging, York’s growing population base and attractiveness to visitors should continue to create opportunities for growth in these areas.

### 2. Commercial and Industrial Land Needs

Translating projections of employment into the need for commercial and industrial land requires three key assumptions:

1. The share of commercial and industrial space for each employment category;
2. The gross square footage of commercial/industrial space per job; and
3. The amount of land needed to accommodate the gross square footage of space

Table 15 below shows the assumptions for the share of each employment category that is expected to need commercial versus industrial space.
Table 15
Projected Employment Growth Allocation

<table>
<thead>
<tr>
<th>Employment Category</th>
<th>Commercial</th>
<th>Industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Trade, Transportation &amp; Utilities</td>
<td>40%</td>
<td>60%</td>
</tr>
<tr>
<td>Information</td>
<td>80%</td>
<td>20%</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>Professional &amp; Business Services</td>
<td>80%</td>
<td>20%</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>80%</td>
<td>20%</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>Other Services</td>
<td>80%</td>
<td>20%</td>
</tr>
<tr>
<td>Other Categories</td>
<td>50%</td>
<td>50%</td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission

For the second variable, gross square footage of space per job, the assumptions are 250 square feet per commercial job and 400 square feet per industrial job. These figures reflect typical usage of commercial and industrial buildings.

The final variable, the land needed to accommodate the gross square footage of buildings, is based on reasonable estimates of land coverage and building height. For industrial space, it is assumed that 10,000 square feet of industrial floor space will be constructed for each acre of land developed. This represents a lot coverage of 23% for the buildings alone (not including roads and parking lots).

For commercial space, it is estimated that 15,000 square feet of commercial floor space will be developed per acre, a coverage of 34%. This higher ratio is based on the fact that commercial buildings are more likely to have multiple floors than are industrial buildings.

Tables 16 and 17 display the gross square footage and land area needed to accommodate the projected employment growth for each of the two methods.
Table 16
Commercial and Industrial Space Needs in York to 2025
(In Square Feet)

<table>
<thead>
<tr>
<th>Employment Category</th>
<th>County Growth Rate</th>
<th>Adjusted Growth Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Comm</td>
<td>Ind</td>
</tr>
<tr>
<td>Construction</td>
<td>0</td>
<td>1,600</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Trade, Transportation &amp; Utilities</td>
<td>2,000</td>
<td>5,200</td>
</tr>
<tr>
<td>Information</td>
<td>2,000</td>
<td>800</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>7,250</td>
<td>0</td>
</tr>
<tr>
<td>Professional &amp; Business Services</td>
<td>20,750</td>
<td>8,400</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>134,500</td>
<td>54,000</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>128,000</td>
<td>0</td>
</tr>
<tr>
<td>Other Services</td>
<td>11,000</td>
<td>4,400</td>
</tr>
<tr>
<td>Other Categories</td>
<td>500</td>
<td>800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>306,000</strong></td>
<td><strong>75,200</strong></td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission

Table 17
Commercial and Industrial Land Needs in York to 2025
(In Acres)

<table>
<thead>
<tr>
<th>Employment Category</th>
<th>County Growth Rate</th>
<th>Adjusted Growth Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Comm</td>
<td>Ind</td>
</tr>
<tr>
<td>Construction</td>
<td>0.0</td>
<td>0.2</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Trade, Transportation &amp; Utilities</td>
<td>0.1</td>
<td>0.5</td>
</tr>
<tr>
<td>Information</td>
<td>0.1</td>
<td>0.1</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>0.5</td>
<td>0.0</td>
</tr>
<tr>
<td>Professional &amp; Business Services</td>
<td>1.4</td>
<td>0.8</td>
</tr>
<tr>
<td>Education &amp; Health Services</td>
<td>9.0</td>
<td>5.4</td>
</tr>
<tr>
<td>Leisure &amp; Hospitality</td>
<td>8.5</td>
<td>0.0</td>
</tr>
<tr>
<td>Other Services</td>
<td>0.7</td>
<td>0.4</td>
</tr>
<tr>
<td>Other Categories</td>
<td>0.0</td>
<td>0.1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>20.4</strong></td>
<td><strong>7.5</strong></td>
</tr>
</tbody>
</table>

Source: Southern Maine Regional Planning Commission

The total estimated need for commercial and industrial land in the Town of York through 2025 is between 28 and 67 acres. The majority of the land need will be for commercial development. These totals do not account for redevelopment of existing properties.
Appendix A
Calculation of Birth, Death and Migration Rates

Birth, death and migration rates are essential to the Survival and Migration population and housing scenarios in this chapter. This appendix shows how these rates were calculated. All three rate calculations are based on historic rates from 1990 to 2003 for the sub-region surrounding York, which includes Eliot, Kittery, Ogunquit, South Berwick, Wells and York itself.

1. Birth Rate
The historic birth rate was calculated from data on live births of babies born to mothers living in each of the six towns from the Maine Bureau of Health, Office of Data, Research and Vital Statistics. For each year from 1990-2003, the number of live births was compared with the estimated population to determine an annual birth rate. This set of annual birth rates was then averaged for the fourteen-year period to determine the overall average birth rate for the subregion.

Table A-1 below shows the calculation of the birth rate for the subregion.

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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Births</td>
<td>574</td>
<td>512</td>
<td>542</td>
<td>474</td>
<td>462</td>
<td>447</td>
<td>446</td>
<td>452</td>
<td>461</td>
<td>463</td>
<td>509</td>
<td>487</td>
<td>451</td>
<td>474</td>
<td>6,754</td>
</tr>
<tr>
<td>Rate per 1,000</td>
<td>14.68</td>
<td>13.09</td>
<td>13.83</td>
<td>12.07</td>
<td>11.78</td>
<td>11.34</td>
<td>11.15</td>
<td>11.10</td>
<td>11.23</td>
<td>11.08</td>
<td>11.15</td>
<td>10.38</td>
<td>9.45</td>
<td>9.82</td>
<td>11.58</td>
</tr>
</tbody>
</table>

2. Death Rate
The historic birth rate was calculated from data on resident deaths from the Maine Bureau of Health, Office of Data, Research and Vital Statistics. For each year from 1990-2003, the number of deaths was compared with the estimated population to determine an annual birth rate. This set of annual birth rates was then averaged for the fourteen-year period to determine the overall average birth rate for the subregion.

Table A-2 below shows the calculation of the death rate for the subregion.

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Deaths</td>
<td>325</td>
<td>311</td>
<td>296</td>
<td>300</td>
<td>315</td>
<td>310</td>
<td>353</td>
<td>356</td>
<td>351</td>
<td>372</td>
<td>404</td>
<td>372</td>
<td>368</td>
<td>372</td>
<td>6,754</td>
</tr>
<tr>
<td>Rate per 1,000</td>
<td>8.31</td>
<td>7.95</td>
<td>7.56</td>
<td>7.64</td>
<td>8.03</td>
<td>7.87</td>
<td>8.83</td>
<td>8.75</td>
<td>8.55</td>
<td>8.90</td>
<td>8.85</td>
<td>7.93</td>
<td>7.71</td>
<td>7.71</td>
<td>8.18</td>
</tr>
</tbody>
</table>
3. **Net Migration Rate**

The historic net migration rate was calculated by netting out the natural population change (births minus deaths) from the total population change from 1990 to 2003. Over the fourteen-year period, the total population change in the subregion was 9,436 people, as the region’s population grew from 39,094 in 1990 to 48,530 in 2004. During this period, there were 1,949 more births than deaths reported. The total net migration into the subregion during the period was therefore 7,487 people.

Comparing the net migration of 7,487 with the 1990 population of 39,094 produces an annual average fourteen-year net migration rate of 13.68 per 1,000 population.
Municipal Capacity Chapter

Comprehensive Plan
Inventory & Analysis

November 3, 2009

Planning Board of York, Maine
Tom Manzi, Chair
Lew Stowe, Vice Chair
David Woods
Todd Frederick
Torbert Macdonald, Alternate
Tom Prince, Alternate

ENACTMENT BY THE LEGISLATIVE BODY

Date of Town vote to enact this Chapter of the Comprehensive Plan: ____________.

Certified by the Town Clerk: ____________________________ on ____________.

(signature) (date)
MUNICIPAL CAPACITY

A. INTRODUCTION
This chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about government land, facilities and services in York, with particular focus on those of the Town, and concludes with an assessment of the ability of the Town to accommodate growth and development. Because the existence of other governmental entities affects the Town’s need to provide services (public water, public sewer, and public housing, among others), these are briefly touched on simply to show why the Town does not provide these services.

The text of this Chapter is organized into five sections: 1) Town land and facilities; 2) other government facilities; 3) non-government land and facilities; 4) municipal services; and 5) municipal capacity to accommodate growth and development. This chapter also includes 2 (22” by 34”) maps. These large maps supplement the text. A complete citation, with map title and date, is provided in the corresponding section of the text.

This Chapter is an important component of the growth management system by which the Town plans its capital expenditures. Each year the voters make decisions about funding capital projects. Each capital project is voted by a line item in the Town’s annual budget. Voters also vote annually on a Capital Plan, which is a five-year schedule of projects. The projects approved for funding should be consistent with the Capital Plan. In turn, the Capital Program should be consistent with the Capital Investment Plan section of the Comprehensive Plan (a component of the Policy Chapter), which should, in turn, be consistent with the information contained in this Chapter. Ideally, all capital projects should be developed far in advance and should only be funded as they work their way through the 5-year timeline within the Capital Program. This would ensure the Town’s large capital expenditures are well planned years in advance, and would provide long advance notice to the public about major expenditures on the horizon. In practice this ideal approach has not been followed, and it is hoped that this chapter will facilitate an improved process.

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. This Chapter, and others prepared in recent years, marks a change in format for the Plan. The Inventory and Analysis section is being converted to a series of technical reports on individual subjects (population,
housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section. This new format should encourage the Town to keep the Plan up to date, and should increase public access to information contained in the Inventory and Analysis. During the transition from a single Inventory and Analysis section to a series of single-subject reports, some degree of overlap of content and information is expected. For purposes of interpretation, the most current document shall supersede any earlier version or chapter of the Inventory and Analysis section. When the entire set of Inventory and Analysis chapters is adopted, the 1999 Inventory and Analysis section of the York Comprehensive Plan can be repealed.

B. TOWN LAND, EASEMENTS AND FACILITIES

Local government is the primary provider of government services. For purposes of this Chapter, no distinction is made between the school and non-school functions as these are simply divisions within local government, so “Town” refers to all aspects of York’s local government. This section of the text provides a compilation of the Town’s property interests and facilities.

The map entitled, “Government Lands and Facilities, York Comprehensive Plan, Inventory and Analysis, Municipal Capacity Chapter, November 3, 2009,” is hereby incorporated into this document by reference. This map includes some facilities which are technically not public, but which function as public facilities, such as the York Public Library.

1. Town-Owned Land

The Town owns approximately 115 individual parcels of land at the time of writing. Those over an acre in size are shown on the Government Lands and Facilities Map.

Many of the Town-owned parcels are associated with Town facilities (each of the schools, the police and fire stations, the Bog Road athletic fields, etc.). Some, however, are not associated with any facilities (the old Town Farm, Wheeler Trust lands, etc.). In addition, some parcels are owned by the Town because of delinquency of tax payments. Because the Town’s traditional policy has been to attempt to return tax-acquired properties to their prior owners, not all Town-owned parcels shown on the Government Land and Facilities Map will remain in public ownership in the short term.

2. Town-Held Easements

The Town holds easements for a multitude of purposes. At least three are conservation lands associated with cluster developments (Phillips Farm Subdivision, White Pine Subdivision and Bayberry Subdivision). Others relate to drainage systems, improving road layouts, and public works maintenance. The total number of Town-held easements is unknown. It
would be reasonable to expect there are at least several hundred easements. At this time there is no central listing or inventory of Town-held easements. The Town is undertaking efforts to identify and catalog Town-held easements as of Spring 2009, and should continue the necessary effort to complete this inventory to the greatest extent possible. Research is currently being conducted of Town archives easements accepted at Town Meetings. This work should result in a compilation of easements by Town Meeting date of acceptance, article number, location of the easement, type/purpose of easement (road, drainage, conservation, etc.), and any corresponding documentation available. This data will eventually be referenced in the Comprehensive Plan, and compiled into a map for reference. This inventory will also need to be distributed, including the Department of Public Works, the Town Clerk, and recorded at the York County Registry of Deeds if appropriate.

3. **Preservation Interests**

Another mechanism for the Town to hold certain rights in a property is through a preservation interest. This is a mechanism to help ensure protection of historic and/or archeological values of a property. The Town holds a preservation interest in at least one property, the Brixham Grange Hall located at 435 Cider Hill Road. Additional information about preservation interests can be found in the State statues (see Title 33 §1551 - §1555).

4. **Town Facilities**

   a. **TOWN HALL (186 York Street)**

   This facility was originally constructed in 1811 as the York County Courthouse. In addition to a Courthouse, and a Town Hall, it has also functioned as a gymnasium, and as a host to local dances. It is 11,963 gross square feet in area. At the time of writing, the Town Hall houses the Town Manager’s office, the Finance Department, the Community Development Department, the Assessing Department, and the Town Clerk and Tax Collectors Department. A new Town Hall was proposed for construction on Town land in York Village in 2007 and 2008, but did not gain approval by the voters at the General Referendum. The current building lacks adequate office, meeting, and public record space.

   b. **SUPERINTENDENT’S OFFICE (469 US Route 1)**

   The current School Department Administrative building, at 469 US Route 1, was first rented in 2000. The School Department secured an initial five year lease, with an option to purchase the building. Within a year and a half the building was purchased with a higher than anticipated balance of revolving state funds for $800,000. At
this time it houses the entire administrative staff of the Superintendent’s Office. It sits on a three acre parcel. The building is approximately 7000 square feet in size, though some of this area is rented as private, commercial office space. After years of inadequate space for their office needs, the School Department is currently well housed for their administrative needs.

c. **POLICE STATION, SENIOR CENTER & WELFARE OFFICE (36 Main Street)**
   
   This facility was originally a four room school house – York Beach Elementary School, constructed in 1901. The addition that encompasses the Senior Center and the General Assistance Office was constructed in the 1950s. The original portion of the building currently houses the Police Department.

   The current building size for all three of these uses is approximately 12,000 square feet, with the Police Department itself occupying approximately 6,000 square feet. The school was occupied as a police station in 1980, and was intended to be a temporary location only.

   The current facilities are severely inadequate to meet the needs of the Police Department. Deficiencies include a lack of adequate parking, handicap accessibility, numerous fire safety code violations, heating and insulation needs, and insufficient space for the number of employees, offices and equipment. Finally, safety issues caused by roof/gutter problems resulted in numerous worker compensation filings in 2008. The building does not meet ADA requirements.

   d. **YORK BEACH FIRE STATION (18 Railroad Avenue)**
   
   The land the York Beach Fire Station sits on was deeded to the York Beach Fire Department in 1890. The facility was originally constructed 1917, and has always been used by the Fire Department, but in the past also served as space for the police, and as a community center, which has included a roller rink, basketball court, and a movie theater. Upon the consolidation of the York Beach Village Corporation and the Town in 1977, the entire facility was designated for the Fire Department. There was an addition to the building in 1965 to house two fire trucks, and another in 1985 to house another two trucks. In 2002 the apartment in the fire house where two on-call firefighters stay was remodeled. Currently the facilities for the York Beach Fire Department are adequate for staff and equipment.
e. **YORK VILLAGE FIRE STATION (1 Firehouse Drive)**
This facility was originally constructed in 1979, replacing a wooden building that previously occupied the property. There was also a building in the rear of the current station that collapsed from snow weight. That has never been replaced. This has resulted in a great deal of equipment parked outdoors and subject to weather and corrosion, accelerated loss of very costly equipment, and greater maintenance costs. Some of the Village Fire Station equipment is 25 years old or older, some of which has been refurbished, but much is in need of replacement.

f. **PUBLIC WORKS COMPLEX (CHASES POND ROAD)**
The facility on Chases Pond Road serves as the administrative headquarters for the Department of Public Works, as well as housing much of the department’s equipment. It is approximately 5,000 square feet in size. The nature of this department, much like the Fire Departments, requires large storage space. Much of the DPW equipment is parked outdoors year-round, leading to increased maintenance costs, and accelerated corrosion of large pieces of equipment.

g. **PUBLIC WORKS BARN (14 ROGERS ROAD)**
The Public Works Barn on Rogers Road was built in 1975 and provides an additional 2,200 square feet of work and storage space for the department. It includes a workshop for creating signs, storage for parking meters, maintenance areas, and houses a sidewalk and roadway sweeper.

h. **RECYCLING AND COMPOSTING FACILITY (65 WITCHTROT ROAD)**
The Department of Public Work has a recycling and composting center where recycling bins are stored and universal waste disposal is carried out. This facility, with outbuildings of approximately 2,800 square feet, provides additional department storage.

i. **GRANT HOUSE**
The Parks and Recreation Department offices are located in the Grant House at Goodrich Park. This facility has very limited meeting space, and no programming space. Recreation programs are offered at school facilities, athletic fields, and in rented space in the Landmark Plaza on Route One in Kittery. Vehicles are stored at this facility, and the barn is used as both a workshop and for storage.

Grant House was originally a private home, donated along with the land that comprises Goodrich Park, to the Town in the early 1970’s.
The donation consists of the house itself and an accompanying 35 acres. It has served as a meeting space for Town boards and committees, though most of this activity no longer takes place since the construction of the York Public Library meeting spaces. It has also served as a function center, rented out for events, prior to occupation by the Parks and Recreation Department. The current proposal for a new Town Hall would include space for Parks and Recreation, freeing up Grant House for other, originally intended uses.

\[ j. \quad \text{PARKS AND RECREATION FACILITIES} \]
1. Bog Road Fields
2. Mckee Skate Park
3. Strawberry Island
4. Goodrich Park
5. Sohier Park and Sohier Park Gift Shop
6. Ellis Park
7. Moulton Park
8. Hartley Mason Reserve
9. Mount Agamenticus and Mount A Lodge
10. Long Sands Beach and Long Sands Bath House
11. Harbor Beach and Harbor Beach Bath House
12. Cape Neddick Beach
13. Wheeler Trust Lands
14. Town Farm

\[ k. \quad \text{TOWN DOCKS} \]
There are two town docks in York Harbor. Both are located on Harris Island Road. Town Dock #1 is generally for commercial fishermen, and Town Dock #2 generally for recreational boaters, though there is some crossover between the two. Town Dock #1 and Town Dock #2 both allow short-term berthing spaces for recreational and commercial boats. Parking is extremely limited for both facilities.

As private property changes hands in York Harbor, informal arrangements between commercial fishermen and private land owners allowing fishermen to use dock space often disappear. This has been increased pressure for commercial fishing space at the Town docks as private arrangements for fishermen have dwindled. There has also been a loss of Marine related businesses on the York River that has contributed to there being more intensive utilization of Town docks. In addition to the two public docks, there is a recently acquired piece of waterfront land adjacent to Town Dock #1 that provides waterfront access for kayakers and other small crafts.
Hancock Wharf, owned by Old York Historical Society and located off Lindsay Road, recently was awarded funding by the Land for Maine’s Future Board to improve the site, and secure it for commercial fishing access. Used in the 1700’s as a commercial wharf for sailing vessels, and later for lobstéring, the funding allows for the retention of the historic use of this property. The wharf will provide 3 commercial lobster boats loading and unloading capacity, gear and bait storage, parking and access to fuel.

The Sewall’s Bridge Dock, is a privately held resource reserved for commercial fishing. Other public boat access to the York River includes a launch at Scotland Bridge, suitable for canoes, kayaks, and small trailered boats.

### I. SCHOOLS

The York School Department comprises two elementary schools, a middle school, and a high school, serving approximately 2,100 students, as well as offering adult and other community educational programming.

1. **Village Elementary School (124 York Street)**
   The Village elementary School was expanded in 1974, and currently serves students in grades K-2. One of two buildings on the site was destroyed by a fire in 1974. There was a renovation that included an addition in 1991.

2. **Coastal Ridge Elementary School (1 Coastal Ridge Drive)**
   Coastal Ridge Elementary School serves students in grades 2-4. The building was constructed in 1991. The Town approved a bond for both the renovation of the Village Elementary School and the construction of the Coastal Ridge Elementary School in that year.

3. **York Middle School (30 Organug Road)**
   York Middle School serves students in grades 5-8, and has capacity for 800 students. The building held the High School until the current high school was constructed in 1977. The building was constructed in 1905, renovated in 1930, and expanded to include a gymnasium in 1951. There was a 105,000 square feet addition built in 2001.

4. **York High School (1 Robert Stevens Drive)**
   York High School serves students in grades 9-12, and has capacity for 800 students. The school was built in 1977, and
remodeled in 1999 to include two new wings, comprised of an additional 30,000 square feet. A 10,900 square foot instructional music space was approved in the May 2008 General Referendum.

Both the Middle School and the High School have ample capacity for current student enrollment, having had additions based on population projections from the 1980s and early 1990s, when York saw heavy population growth. As a result space for students is not a limiting factor for the York School District for the foreseeable future, though academic, arts, and athletic programming all continue to present budget needs.

C. OTHER GOVERNMENT LAND AND FACILITIES

Property owned or controlled by other branches of government can have an impact on the needs of the community and on the ability of the Town to respond to local needs. The following is an inventory of lands and facilities of government entities other than the Town. No attempt has been made to identify easements held by these other branches of government.

1. **York Water District**
   The York Water District owns a significant portion of the land in the Chases Pond and Welch’s Pond watersheds, along with several other parcels outside the watersheds and many easements. Chases Pond provides over two million gallons of water to the Town every day. The Water District’s treatment plant is located below the outfall of Chases Pond, and their administrative offices are located on Woodbridge Road in York Village. The District also maintains water storage tanks at York Heights and Simpson Hill, and has ownership of the road ascending Mt. Agamenticus, which the Parks and Recreation Department maintains.

2. **Kittery Water District**
   The Kittery Water District owns a significant portion of land in the Folly Pond, Middle Pond, Boulter Pond and Bell Marsh Reservoir watersheds. Their treatment plant is located just below Boulter Pond. Their administrative offices are located in Kittery.

3. **York Sewer District**
   The treatment facility and administrative offices of the York Sewer District are located on Bay Haven Road, near the mouth of the Cape Neddick River. The District also owns several small properties within its service area which are used for ancillary facilities.
4. **York Housing Authority**
The York Housing Authority owns two properties in York. The first is Yorkshire Commons property, with 32 elderly housing units. The second is the Village Woods property, with 104 units of elderly housing.

5. **Town of Ogunquit**
The Town of Ogunquit owns a parcel of land on Clay Hill Road, and it maintains municipal athletic facilities (ball field, tennis courts, basketball court) on that property for the use of Ogunquit residents.

6. **State**
The state government owns land and several facilities in York. Most state facilities are associated with the Maine Turnpike, but there is also a District Courthouse on Chases Pond Road and a Department of Transportation maintenance barn on Route One north of Tall Pines Lane.

7. **Federal**
The federal government’s only holdings in York are the lands along Brave Boat Harbor which are part of the Rachel Carson National Wildlife Refuge.

D. NON-GOVERNMENT LAND AND FACILITIES

1. **York Land Trust**
The York Land Trust, a non-profit organization, is included here for the fact that they provide valuable public resources in Town. They work to obtain, manage and permanently protect land for conservation and recreation, as well as to preserve and encourage working waterfront, forest, and agricultural lands. They provide stewardship at this time for 36 individual properties representing, approximately 1500 acres, in the form of conservation easements, subdivision easements, and fee owned land. Below is a listing of fee-owned lands held by the York Land Trust, many offering public access:

   - **Cole Land**
     A 6-acre parcel of forestland and wetlands surrounded by other conservation land.
   - **First Parish**
     17-acres of salt marsh in the upper reaches of the York River set aside for habitat protection of shoreland birds and other species.
   - **Goodwin Land**
     22-acre parcel of forest and wetland in York and South Berwick near the Great Swamp and other preserved lands.
   - **Henderson Land**
     12-acre wooded lot where the Josias River meets the Muddy Brook in Cape Neddick.
Hilton-Winn Kings Grant Conservation Area
185-acres of forest, fields, wetland and 1,000 feet of river frontage on the Ogunquit River, located in spanning the York/Ogunquit Town lines.

Josiah Norton Preserve
250-acres of rolling wooded uplands with granite outcroppings and valuable wetlands.

Kobzik Land
6-acre parcel of woodland.

Lake Caroline Land
Two parcels of woodland and wetlands on Lake Caroline in Cape Neddick.

Littlefield Land
7-acre parcel of forestland with the dramatic “Otter Hole” pond.

McGrath Land
10 acres of forest off Josiah Norton Road with public access.

Smelt Brook Conservation Area
20-acres of upland forest and grassy salt marsh along the Smelt Brook tributary to the York River.

McIntire Highlands Preserve
296-acre preserve containing forestland with old growth timber, streams and wetlands.

Salfeety Land
7-acres of forest and frontage on the Josias River on Clay Hill Road in Cape Neddick.

E. TOWN SERVICES

1. Town Administration
   a. TOWN MANAGER
      The Town Manager is ultimately responsible for the delivery of all Town services. The Town Manager also assists the Board of Selectmen with their functions as developers of Town policy. The Town Manager is a crucial contact for the public, who often seek out this office to express their concerns about town policy and administration.

   b. TOWN CLERK/TAX COLLECTOR
      The Town Clerk’s office is the business office of the Town. It provides auto registrations and municipal licenses, receives phone and in-person inquiries, and payment of tax bills. The Town Clerk is also responsible for overseeing elections, which entails distributing and receiving absentee ballots, responsibility for polling places, and voter registration. It also has a primary archival role, keeping vital
statistics such as records of births, deaths, and marriages, as well as Town voting records and Town Board and Committee records from the 1600s to the present. It is a tremendous resource for genealogical research, as well as for Town political, budget, and zoning history.

Currently the lack of sufficient space in Town Hall effects this department in several important ways. The Town Clerk often deals with the public on sensitive subjects, without a venue that offers privacy. Examples include those coming to speak about difficulty in paying their taxes, and those making inquiries into marriage, divorce, and birth records. Ballots cannot be stored securely; ballot boxes, including uncast ballots, are not currently locked at night. There was once a door separating this office within the building that could be locked, and that was removed to allow for overflow lines at the Clerk windows. Its archival function is also compromised, in that archives, many hundreds of years old, require more space for proper storage, as well as a climate controlled environment for their preservation. The vault in which Town archives are locked is not fireproofed.

c. **ASSESSING**
This office annually assesses values of all real property in Town, land, buildings, and other improvements, determining their fair market value and consequently what property owners will pay on taxes. Throughout the year, property sales, divisions, and improvements are updated, including the creation of new easements. The office provides pertinent mapping services to the public, as needed, and maintains public records for daily public access. Though this data is requested in person, assessing data is largely accessed online, through the Town’s online mapping service which connects to a voluminous amount of parcel-based records.

The Assessor periodically offers educational opportunities on property assessment through York High School Adult Education programs.

The services offered by this department are affected by space constraints, like much of the work carried out in Town Hall. No more than two additional people can meet in the Assessor’s office at one time, and space for public records is cramped. Growth of the Town will increase this need, as record space diminishes, and population grows.

d. **FINANCE**
The Finance Department encompasses Human Resources, and a Technology Coordinator. The Department is responsible for Town accounting services, and works closely with the Budget Committee.
The Department’s Technology Coordinator’s responsibilities include support for PC’s, servers, website maintenance, installations of new software and updates, researching new technology related products and services, and managing an extensive catalog of electronically scanned documents. The Technology Coordinator also oversees the use of the local access television station. The Technology Coordinator's role in overseeing internet and television venues, as well as electronic record management, makes this position and this department integral to providing access to information to the public, and creating transparency in the public process. The use of television and the internet is an area that can be expected to expand to meet changing demand and always-changing technologies.

**COMMUNITY DEVELOPMENT**

The Community Development Department is an important daily point of contact with the public. The Community Development Department encompasses code enforcement, planning, and geographic information systems (GIS), as well as independent community development activities which include engaging people in the governance of their community. The department deals with land use, building construction, development and conservation issues facing York and the region.

The Code Enforcement element of Community Development manages both short and long term problems and projects. Code Enforcement has daily responsibilities such as issuing permits and answering questions during scheduled walk-in hours at Town Hall, inspecting development projects for compliance with building and safety codes, responding to code violations as they arise, from deck construction to wetland encroachments. Code Enforcement also includes a Shoreland Resource Officer, who works on long term projects such as water quality testing, as well as day to day shoreland and wetland violations.

The Department also encompasses Geographic Information Systems (GIS) services. The GIS Manager created and manages the Internet Mapping Site, available to the public, which incorporates a wide range of geographic information, including parcels, roads, zoning layers, topography, aerial photos, buildings, and more. The geographic information is linked to assessing data, and scanned public records for each property. The GIS Manager also undertakes analyses and map production on an ongoing basis for all departments in Town.
The Planning component of Community Development spans has several primary areas. The Town Planner gives technical advice and recommendations on Site Plan and Subdivision applications to the Planning Board, as well as, in collaboration with the Planning Board, drafting zoning ordinances and Comprehensive Plan amendments. The Town Planner also meets with prospective applicants, and the interested public to discuss applications to the Planning Board. In addition, the Planner works with Subcommittees formed by the Planning Board, and serves as a contact for other issues from Historic Preservation to trail development.

Some major challenges facing the Community Development Department are to anticipate the needs of the community as it moves towards buildout. While buildout, even considering the many variables involved, is not expected to occur for several decades at the least, making this a critical time for planning in the Town. It is a critical window for the location, patterns, and character of development in York, as well as for the ecological health of the Town. Conservation of land, such as the Town’s support for the recent acquisition of the Highland Farm property leave recreational and scenic legacies, but also contribute to the health of the York River, and the integrity of the landscape corridor from the York River to Mt. Agamenticus. Community Development is engaged in projects to anticipate and understand what buildout for York will entail. The GIS Manager is leading a detailed watershed analysis that has implications for conservation, water quality, and development policies. The results of the study may lead to zoning changes to protect water bodies at particular risk, for instance. This is a multi-year project, the eventual length of which is dependent on available funding; analysis of the Cape Neddick River watershed should be complete in Summer of 2009.

f. GENERAL ASSISTANCE

General Assistance is housed in the Senior Center, where its director is also the Senior Center Director of Operations. The function of this office is to offer some financial assistance for those in need, as well as information and education on issues such as locating domestic violence shelters, affordable housing information, and offering heating cost assistance in winter.

The housing of this office in the Senior Center, where there is no designated, private space for General Assistance, presents challenges in the areas of confidentiality and safety, as well as offering insufficient space for meetings that sometimes involve entire families.
g. **HARBOR MASTER**

The Harbor Master, and two Assistant Harbor Masters, police the variety of uses of York and Cape Neddick Harbors, including commercial fishermen, kayakers, and other recreational boaters. The Harbor Master’s monitors the condition of piers and docks, parking in the vicinity of docks, and maintaining clear and safe navigation of York Harbor.

Town Dock #1, constructed in the 1950s, is in need of replacement and is currently a safety concern.

The Harbor Master works with the Harbor Board, and is actively involved in trying to retain space for York’s current and future commercial fishermen. York’s commercial fishing boats include two draggers (where once there were five) one small trawler, and boats of 12-15 year-round lobstermen and approximately 15 part-time lobstermen.

## 2. Emergency Services

a. **POLICE**

The York Police Department provides patrol coverage, investigative services, juvenile services, and prosecutorial support. The department is committed to the concept of community policing. The department offers over 27 programs to the community including McGruff, Drug Education, School programs at all levels, Senior Citizen Programs, Safety Programs and Course teaching. They also receive inquiries on a wide range of topics not explicitly part of their responsibilities, reflecting their role as a community resource.

Like the emergency response provided by the Fire Departments and ambulance services, there is a seasonal component to the demands on and services of the York Police Department, since not only does the number of residents double in summer, but the number of day visitors swells dramatically. The department employs full time officers, part-time reserve officers, an administrative staff, and hires temporary summer officers to address additional seasonal needs. The summer officers patrol on foot and on bicycle. Though the number varies from year to year, 2010 will see the return of eight seasonal officers.

b. **FIRE DEPARTMENTS**

Since the 1977 consolidation of the York Beach Village Corporation with the Town, there have been two autonomous Town fire
departments, York Village Fire Department and York Beach Fire Department. The two departments have different areas of coverage, different facilities, and different staff, while offering the same services. Though they collaborate on some issues, like purchases that insure standardization of key equipment, and both will have to grapple with growth and development demands on their services in the coming years, the two departments also face different challenges. The York Beach Fire Department currently is adequately equipped, in terms of vehicles and equipment, storage for equipment, and staffing. York Village Fire Department is currently in need of investments in each of these areas. The number of paid staff has not changed since 1985, while the number of calls has increased significantly during that time, increasing each year by 5-10 percent. In contrast, the Beach Fire Department copes with a different dynamic of its areas of coverage being subject to greater seasonal population fluctuations than the Village.

Both Fire Chiefs affirmed that development in Town is a challenge not particularly hinged to total population growth, as much as the patterns of new growth. As new development encroaches into our rural, low density areas, response time increases, as well as the frequency responders have to travel longer distances. This new development, for the most part taking place west of Interstate 95, lacks the infrastructure of the Town’s Growth Area, such as water mains and hydrants, increasing fire safety risk in those areas. Both Fire Departments see the eventual need of substations west of Interstate 95. There has not yet been an investigation into what substations would cost, or what would be an appropriate threshold to establish that need, and therefore no capital planning.

Emergency services include fire suppression services, emergency medical services, water rescue, response to vehicle accidents, smoke alarm and carbon monoxide detector checks for commercial buildings, public assistance for telephone pole problems, as well as checking for hazardous environments in confined spaces with fire service sniffer dogs. The fire departments also provide fire prevention education in the community, including in the schools. Due to its proximity to the beach, and the attendant crowds in summer, York Beach Fire Station also receives direct requests for medical assistance, with people in need walking or being brought in.

c. **AMBULANCE**

York Ambulance Association service is administratively and fiscally separate from the Fire Departments, operating as a self-contained
organization. The Fire Department collaborates with York Ambulance in medical services to stabilize injured persons, while York Ambulance provides transportation to the hospital. Though the York Ambulance Association was funded by the Town of York for $40,000/year beginning in 2007, they still rely primarily on donations and user fees. Begun in 1972, it is staffed by 3 paramedics and 14 EMTs. In addition to the ambulances used by the York Ambulance Association, an EMS Bike, staffed by an EMT or a paramedic, patrols the Town on weekends, holidays and special events. Housed in the village, York Ambulance Association provides service for the entire Town. York Ambulance Service also relies on mutual aid services from American Medical Response in Kittery and the Ogunquit Fire Department.

d. DISPATCH
Dispatch receives all 911 emergency calls for the Town of York, 24 hours a day, of the York Police Department. York also provides 911 emergency dispatch calls for surrounding communities, including Ogunquit, Kittery, Eliot, Berwick and South Berwick, providing PSAP (Public Safety Answering Point) services. In addition to 911 calls, the Town receives fire and medical rescue calls for Ogunquit. Adding additional Towns may require adding more dispatchers, which would be ultimately limited by space constraints at the Police Department. Like many aspects of the Town, dispatch services are significantly affected by resident and visitor population fluxes throughout the year.

e. EMERGENCY MANAGEMENT
The Chief of Police is the Director of Emergency Management for the Town. The Town has plans for local events, as well as those that address county and federal requirements. M.R.S.A. Title 37 §781-834 details emergency management requirements for the state and municipalities. The Town’s Comprehensive Community Emergency Plan is the state required emergency plan. It identifies hazards and vulnerabilities, identifies key personnel and local resources and public and private infrastructure, and makes recommendations for prevention. In addition to this critical document, there are traffic incident and evacuation plans, hazard mitigation plans, Water District emergency plans, and Homeland Security plans, each addressing specific emergency areas.
3. Public Works

a. ROADS
The Department of Public Works maintains much of the Town’s infrastructure, including sidewalk, street, and drainage repair. Specific policies related to road services include patching of potholes, plowing/snow removal of streets, sidewalks, and parking lots, production, installation, and repair of street signs. Pavement markings, such as those indicating lane divisions and turn lanes are also under the Department of Public Works jurisdiction.

The department also offers maintenance of town roads and right of ways through such services as the trimming of trees, mowing, herbiciding and maintenance of road shoulders, litter pick-up, repair of sidewalks, brush clearing, and shoulder work. The department is responsible for the care of all trees in rights of way, including the removal of dangerous and diseased trees, tree planting, tree spraying, tree trimming, and brush removal. Included in this is maintenance of Town facilities that are not roadways for vehicular traffic, such as the wiggly bridge, the Cliff Walk and Fisherman’s Walk, and the causeway to Steedman Woods. Finally, the department is responsible for parking meter installation, removal, and maintenance.

As asphalt costs have increased, the department has not met its projected paving and road maintenance goals in recent years. The road network will cost more to maintain long term if not maintained year by year, and so the Town is accruing greater future costs as they fall behind on this need. A 2003 study by the private firm Vanesse Hanglin, Brustlin, Inc. (VHB), estimated that 1.1 million dollars would need to be allocated annually for road maintenance needs. The 2003 study needs to be reevaluated to adjust budget needs to rising asphalt costs. Since 2003 there has been $450,000- $600,000 per year allocated, creating an increasingly large maintenance gap.

b. WASTE
The Department of Public Works is responsible for curbside waste collection and recycling, as well as the operation and maintenance of the Town’s recycling facility. It also hosts an annual hazardous waste collection day, a tire collection day, and maintains a recycling facility where residents can deliver large items not collected curbside. In addition, the department runs a public awareness program in the need for recycling, and is responsible for contracting dumpster service for other town departments, including Town Hall.
and the Grant House. The department also offers engineering support services such as monitoring of water quality near landfills.

c. **STORMWATER**

It is the responsibility of the Department of Public Works to maintain the Town’s catch basins, storm drains, culverts, and minor spans for the collection of stormwater. Activities include cleaning catch basins, roadside ditches, and culverts. The department also performs maintenance of stream channels, maintenance of flood control facilities, and culverts.

The department holds many drainage easements, more than are currently accounted for. Researching a consolidated record of these easements is a daunting but necessary task for the future, and would help the Town deliver and track its stormwater and drainage related services. The Town has a prescriptive right to cross these easements to facilitate drainage and repairs. The department also will hold temporary easements for the length of specific projects.

As development increases the Town’s stormwater needs have increased, both in terms of the amount of people and property subject to harm, and in the effect of increased impervious surface on natural drainage patterns. Increasing development coupled with changes in weather patterns have resulted in severe storms in recent years, a pattern that is likely to continue. These conditions have all increased the responsibilities and needs of the Department of Public Works.

The Town commissioned a Stormwater Management Study in 2006 from the engineering firm Edwards and Kelcey. That study’s estimates for advised structural and non-structural responses to the Town’s stormwater needs are approximately $36,000,000, not encompassing all of Town, and not including ongoing maintenance needs. Many of the recommendations of the study can be addressed in development policies going forward, some of which are already reflected in recent revisions to the Zoning Ordinance and Site Plan & Subdivision Regulations, but much of it will require significant investment. Some of these needs can be supplemented by outside sources, and these options should be sought whenever possible. For instance, downtown York Beach has recently received federal funds for a drainage improvement project.

The effects of population growth and development will largely depend on what form that growth takes. Patterns of development more than total population growth is the critical factor in anticipating
Public Works needs, and by extension the Town’s critical ability to respond to drainage needs. Development that follows footprint of existing road and drainage infrastructure will be less expensive to the Town than new development outside of that infrastructure, even considering the challenges and requirements of our current road network.

d. ENGINEERING SUPPORT AND ENVIRONMENTAL COMPLIANCE
The department is responsible for the design and/or review of plans for town road construction, drainage, and bridge replacement projects, as well as construction supervision, inspection, and administration of all public works projects. In addition, the department is responsible for environmental compliance and related activities such as landfill monitoring. All highway opening and utility location permits requested by contractors or utilities are provided by the department. Public Works implements drainage and traffic master plans for the Town, performs survey and land acquisition functions, and reviews subdivision and construction plans. The Director of Public Works, in conjunction with the Town Planner, review site plans proposed by private developers, for traffic safety and impact.

4. Education

a. SCHOOLS
The York School Department provides public education for York students in grades Kindergarten-12. The Superintendent’s office is responsible for overall direction of curricular, financial and administrative functions of the York schools, employing 360 employees, and administering a budget of 24 million dollars. The School Superintendent is evaluated by the School Committee. The School Department employs a Curriculum Coordinator to align curriculums across the four schools. This position has been in place for the past eight years to insure consistency among the schools, particularly when transitioning from one to another. Students leaving elementary school for middle school can be certain that their curriculum is building off of groundwork laid in earlier grades. A coherent K-12 curriculum requires coordination among department heads, principals, and faculty. Another critical position guiding the delivery of services is the Technology Director. The Technology Director is concerned with technology integrated into the school facilities and curriculum. In addition to K-12 education, adult education courses are offered at the middle and high school. The School Department also offers co-curricular and extra-curricular programming. Co-curricular
activities, offered in every grade, include cultural and academic activities outside of the standard, required curriculum, such as Theater productions. Extra-curricular activities refers to athletics, and are offered in the middle and high schools. Many students participate in extra-curricular activities.
School property serves various community needs, such as large meeting space at the middle school, and summer and off-hour recreational uses of grounds and buildings.

b. TRANSPORTATION
Transportation services are fulfilled through contracted bus services. Transportation is administered through the Superintendent’s Office. York School Department is below state budget averages in this area, largely due to the department securing a fixed price on a three year contract that has insulated York from increases in costs for diesel fuel and labor. This contract will eventually be renegotiated, and will surely reflect cost increases.

Voters have been supportive of needed new buildings, renovations, additions, and parking needs of the School Department. Challenges to maintaining the delivery of services rests more in the funding and planning for the delivery of effective programming than in physical space needs at this time.

5. Parks and Recreation
The activities and responsibilities of the Parks and Recreation Department intersect with various other realms of town government and service delivery. The department name indicates its split focus between maintaining parks and recreation property, and its role in programming activities within and beyond those properties. As the Department of Public Works has moved toward a focus on the Town’s road network, Parks and Recreation has moved into maintenance activities, including water quality testing at the beaches in the summer, and maintenance of public buildings, as well as of beaches, school grounds, and athletic fields.

a. SCHOOL DEPARTMENT
Parks and Recreation has a long relationship with the York School Department. In recent years, school buildings and grounds have been treated as also belonging to the community at large for recreational and educational needs when school is not in session, including weekends, evenings, and holidays. Parks and Recreation not only provides the off-hour recreational programming, but also maintains the exterior of buildings and the school grounds, including some plowing.
b. **EASEMENTS**
The access road to the top of Mount Agamenticus is owned by the York Water District, but maintained by the Parks and Recreation Department. There is a lease between the Water District and Parks and Recreation outlining the terms of the maintenance and access agreement. There are also easements, acquired from private property owners, held for all access points to Long Sands Beach to allow for maintenance needs.

c. **MT. AGAMENTICUS**
Parks and Recreation is engaged with other state, local and non-profit organizations working together on a conservation plan for the future Mount Agamenticus, as part of the Mount Agamenticus Steering Committee. Parks and Recreation is interested in recreation via the extensive trail network, and the lodge at the summit which they currently maintain. The York Water District and the Town are also specifically concerned with water quality as impacted by the environmental health of the mountain.

Parks and Recreation also manages the leases and easements for the wireless communication towers at the summit. Currently there are five towers, and pressure for more.

d. **REVENUE SOURCES**
Parks and Recreation’s budget is met by a combination of tax revenue and user fees. While maintenance of public buildings, grounds, and beaches are budget items, Goodrich Park, Sohier Park, Hartley Mason park all generate their own revenue. Sohier Park, for instance, has a gift shop whose purchases go towards park maintenance. As user impacts and associated costs of maintenance increase, striving to maintain a creative, entrepreneurial approach to funding, and allowing for public access to these public places will be a delicate balance. Cape Neddick Light Station is of tremendous interest to visitors, and at the same time costs a tremendous amount to maintain the buildings. It is a site of revenue generating potential, and yet there would be costs and safety concerns associated with transporting and monitoring the public there, as well as impact on the historic site to be considered with the change of allowed uses. Mt. Agamenticus is increasingly heavily visited, raising questions of whether there should be a parking fee. This would generate needed revenue as well as perhaps lower the impact to the area, yet at the same time it would inhibit what is now a wonderful publicly accessible natural area.

e. **ADDITIONAL RECREATIONAL SPACE**
As the Town grows, the need for further indoor recreational space will increase. The schools currently provide space for indoor programs, but scheduling around the school calendar proves difficult. There is currently no Town pool.

Five years ago the Town bought two parcels of land on Bog Road for athletic fields to allow for future recreational needs. Woodlot Alternatives did a feasibility study for the property, and though currently in use as a playground and athletic fields, what indoor facilities will be there is still uncertain. Though an excellent acquisition, increasing the Town’s recreational capacity for the future, that section of Bog Road is not currently paved. If trips increase significantly, as they can be expected to with additional facilities constructed there, the current road will not be to Town standards to accommodate the additional traffic.

6. **Senior Center**

   Located in the section of the building that also houses the Police Department, General Assistance is also located at the Senior Center. Like many facilities in Town, the Senior Center faces space constraints, but manages to deliver a host of services, such as in-town transportation, meals, and public services in the form of medical, social, and recreational needs of York’s senior citizens. Events include field trips to cultural events such as plays in Boston, in-house Tai Chi classes, crafts, speakers, and many activities and uses on a day-to-day basis. The Senior Center includes office space, a kitchen, dining room, computers, and a large activity room. As the population of York changes and ages it is anticipated that the services and facilities required will need to adapt, as well.

7. **Boards and Committees**

   The role of citizen Boards and Committees in the governance of the Town of York cannot be understated. Below is a list of the Boards. Commissions and Committees recognized by the Town of York Home Rule Charter. In addition to these, other sub-committees are formed and appointed to work on specific topics, such as parking, re-zoning of York Beach, as needed. With the exception of the Voter Registration Board, which is appointed by a process outlined in the Town Charter, below is a list Town Boards and Committees divided by Selectmen appointment or election.

   BOARD/COMMISSION WITH MEMBERS APPOINTED BY BOARD OF SELECTMEN:
   - Appeals Board
   - Assessment Review Board
   - Cable TV Regulatory Commission
   - Conservation Commission
   - Harbor Board
   - Parks & Recreation Board
8. Cemeteries
There are 220 identified cemeteries and family burial grounds in York. The Town does not own or manage any of them. The information is provided in this Chapter because municipalities often have some responsibilities for cemeteries.

a. INVENTORY
There are 220 identified cemeteries in York. The vast majority of these are small family plots scattered throughout Town. A map of these is included in the Historic and Archeological Resources Chapter of the Comprehensive Plan.

b. VETERANS’ GRAVES
The Town is required by M.R.S.A. Title 13 §1101 to undertake basic maintenance at of the graves of veterans of the Revolutionary War and other conflicts. This requirement was imposed on the Town in 1999, and the municipal response is still being developed.

The Planning Department took responsibility for initial identification of all veterans’ graves. The actual research was completed by members of the American Legion and Veterans of Foreign Wars. Compilation of historical records was not a simple task, but the current estimate that American veterans buried in 61 cemeteries and burial grounds in York. The map entitled, “Veteran Cemeteries and Memorials, York Comprehensive Plan, Inventory and Analysis, Municipal Capacity Chapter, November 3, 2009,” is hereby incorporated into this document by reference. An interactive mapping system on the Town’s Web page has been developed by the Planning Department to allow the public to identify cemeteries and burial grounds with veterans’ graves, and to perform basic searches of the data by the veterans’ names, rank, and conflict.

Responsibility for maintenance of veterans’ graves has been assigned to the Parks and Recreation Department because it is similar to many of their other property maintenance responsibilities. The Department, working again with volunteers from the American
Comprehensive Plan – York, Maine

Legion and Veterans of Foreign Wars, has prioritized the maintenance needs and will systematically address maintenance.

c. AVAILABLE CAPACITY
The only active cemetery is that of the First Parish Church in York Village. The Church is located on a large property, roughly 100 acres in area. The First Parish Cemetery has recently been expanded and the Cemetery is expected to have adequate capacity for the coming few decades. At this time there is no immediate need for a public cemetery, nor has there been any public discussion about creating one. At some time in the future it may make sense to secure land for a public cemetery.

F. MUNICIPAL CAPACITY

1. Critical Limits and Gaps in Land, Facilities and Services

The majority of departments queried for this inventory indicated that delivered services to the Town very well, but were hamper serious facility, space, or equipment needs. As the Town grows these needs will become more pressing. There are needs specific to Departments, and needs specific to municipal facilities – as Town buildings hold multiple departments, future Town buildings are likely going to be designed to accommodate a different combination then the current arrangements. Therefore, it is worthwhile summarizing recurring issues raised by the Departments, as well as known facility needs. The two departments that did not identify a pressing need for facility expansion or improvement were the York Beach Fire Department, and the School Department, each having had significant investments in recent years. Facility needs are detailed in the following section below.

A lack of adequate space cuts across the reports of numerous departments, and several municipal buildings. The lack of privacy to deal with sometimes sensitive matters with members of the public affects the Community Development Department, Assessing, the Town Clerk’s office, General Assistance, the Village Fire Department, and the Police Department. A lack of adequate or appropriate space affects the storage and maintenance of public records for the Town, which spans meeting minutes, tax records, applications to Boards and Committees, assessing data, and all that the Departments housed in Town Hall are required to maintain as a matter of public record. At a basic level, municipal facilities such as Town Hall and the Police Station will
not have room to seat additional staff if more staff is required as the Town grows in population and sees further development.

Facility needs in Town have accessibility and safety implications, as well. Current municipal buildings do not meet the Americans with Disability Act (ADA) standards that new buildings would be required to meet. These requirements include but are not limited to ramps and elevators for those unable to climb stairs, and door widths to accommodate wheelchairs, for instance. In cases such as injuries caused by roof and gutter problems at the York Police Department in recent years, the issue is highlighted whether to invest in expensive improvements of existing buildings that will still not result in buildings adequate to the Town’s current and future needs, or to appropriate and approve resources for new facilities.

Existing conditions also highlight the issue of inefficiency. The Police Department, for instance, is in need of heating and insulation improvements that drive utility costs upwards. The Department of Public Works and the Village Fire Department both store equipment out of doors, decreasing their life span, increasing maintenance costs, and impacting their reliability in emergency response, plowing, and paving. Investing in enclosures for the storage of equipment for both of these departments would be a more efficient use of these resources.

The Town’s plethora of currently unrecorded easements presents a gap in the public record with administrative implications. It is the goal of the Town to record all future road, drainage, and conversation easements, and recreate a record of prior easements to the greatest extent possible. Work is underway to compile a database of previously accepted easements in 2009.

2. Desirable Improvements and Investments

a. Drainage/Short Sands Drainage Project. The Stormwater Management Plan Report completed in 2006 by Edwards and Kelcey estimated needed stormwater management improvements upwards of thirty million dollars in York Beach. Though all of these improvements clearly cannot be tackled in a short time, the Town is investing in drainage and infrastructure projects in York Beach, including a drainage project in the Short Sands Beach area. This project largely enabled by a FEMA grant, with matching funds from the Town, for a total cost of approximately 1.7 million dollars. The project will focus on a new pipe system with greater capacity for discharging stormwater, reducing the frequency and duration of beach flooding. The improvement will not eliminate flooding in York.
Beach, but by carrying water out of the Beach more quickly, the improvements will reduce damage to roadways, as well as residential, commercial, and municipal property. This project is slated to be completed in 2011, possibly earlier. Since the project will necessitate upending roads and sidewalks in the central York Beach area, the construction season will occur over the winter so as not to interfere with the peak tourist season.

b. Tax Increment Financing (TIF). The York Beach TIF is a funding tool specifically aimed at the following areas of improvements in York Beach: drainage and flood control infrastructure, sidewalk improvements, and municipal design and development capacity. The first TIF funds will have accrued by FY 2010. There is currently a Subcommittee of the Planning Board tasked with studying traffic, parking, infrastructure and streetscape, and architectural design standard, and making recommendations when appropriate. The Subcommittee will have an opportunity to make recommendations on the first potential uses of TIF funds for York Beach improvements in the coming year.

c. Municipal Buildings.
   - Town Hall.
     The need for a new Town Hall has been stated here and in other public forums. In May 2006 the Town acquired ownership of approximately 6 acres of land on Long Sands Road with the intention of constructing a new Town Hall to either supplement or replace the existing facility. Two public votes on funding for the new building, in May 2007 and May 2008, were not approved in the General Referendum. Adequate office and work space, space for public records, and meeting space are among the critical shortcomings of the current Town Hall. In addition to the Departments currently housed in Town Hall, the proposed new building might also encompass the Department of Parks and Recreation. In the interim, the Town is exploring the possibility of renting supplementary office space in the area. This is not yet scheduled for another Referendum, though the need for the facility remains.

   - Police Station.
     There is currently insufficient space for the number of employees, offices, equipment, and range of activities that the Police Department demands. The Police Department currently inhabits a space of approximately 6,000 square feet. A study conducted to estimated the needs of the department estimated a facility of approximately 22,000 gross square feet.
York Village Fire Department. Though originally intended to be a temporary location for the Village Fire Department, the most pressing facility needs for this department relate to storage of emergency response equipment, now stored out of doors and consequently subjected to the elements and accelerated wear. A Squad 1 fire truck was approved in the May 2009 Budget Referendum Warrant to will replace a 1986 Mack Rescue Pumper, filling a critical equipment gap.

Department of Public Works. Like the Village Fire Department, the Department of Public Works currently is required to store equipment out of doors year-round, leading to increased maintenance costs, and accelerated corrosion of large pieces of equipment. Additional storage for this department is a need.

d. Town Dock #1. Town Dock #1 was constructed in the 1950s, and is now in need of replacement as its condition is a safety concern. This was on the May 2009 General Referendum for $950,000, and was approved by the voters.

e. GIS/IMS. The Town of York’s internet mapping site is award winning, and far exceeds the capabilities and sophistication of many municipalities. There is always room for new analytical capability using this technology. The Community Development Department is exploring the possibilities of online systems that allow users to query our extensive databases. Included in these improvements would be customizable programs for different needs in Town. These technologies have been successfully employed elsewhere for crime analysis and to aid more efficient emergency response, to name a couple of the many possibilities of improved and expanded, user-friendly GIS resources.

f. Short Sands Pump Station. The York Sewer District offers infrastructure that the densely built areas of Town depend on for their growth. Some areas of the Town with sewer infrastructure have ample capacity. York Beach, on the other hand, cannot accommodate any growth before an upgrade of the Short Sands Pump Station. Age of facilities and pipe line sizes are limiting factors. In addition to the estimated five million dollar upgrade, a capacity study for the area which would include analysis of inefficiencies – places where water is entering the system through groundwater or individual sump pumps, for instance, would benefit the upgrades that need to take place. In
light of recent rezoning of York Beach, the current lack of capacity for additional sewer service in the area highlights the interdependencies of the tools the Town uses to guide and manage growth. Higher density development in the Town’s designated Growth Area is sensible from land conservation, emergency response, and infrastructure perspectives, but the capacity for growth that the YBVC Zoning District enabled is not currently matched by the Town’s sewer capacity.
Adaptation to Sea Level Rise Chapter

Comprehensive Plan
Inventory & Analysis

November 5, 2013

Planning Board of York, Maine at time of chapter adoption:
Todd Frederick, Chair
Al Cotton, Vice Chair
Lew Stowe, Secretary
Brud Weger
Peter Smith, Alternate

Prepared in conjunction with Southern Maine Regional Planning Commission

ENACTMENT BY THE LEGISLATIVE BODY

Date of Town vote to enact this Chapter of the Comprehensive Plan: ____________.

Certified by the Town Clerk: ______________________________ on ____________.

(signature) ___________________________ (date)
Adaptation to Sea Level Rise

This chapter is a portion of the Inventory and Analysis section of the York Comprehensive Plan. Its purpose is to provide information about anticipated changes in sea level rise. The text of this Chapter is organized into 3 sections: Introduction to Sea Level Rise; Vulnerability Assessment – Sea Level Rise; and Tidal Surge and Freshwater Contributions. There are also 3 appendices: Measuring Sea Level; Other Sea Level Rise Adaptation Efforts in Maine; and Presentation Slides - Adaptation to Sea Level Rise

Comprehensive Plans in Maine must comply with the legal requirements of state law, specifically Title 30-A §4326. The law establishes that land use policy must be based on information and analysis, and accordingly the law establishes that comprehensive plans must contain an Inventory and Analysis section. This Chapter is one part of the Inventory and Analysis section of the York Comprehensive Plan. The Inventory and Analysis section of the York Comprehensive Plan is a series of technical reports on individual subjects (population, housing, land use, natural resources, etc.). Each is complete as a stand-alone report on its specific subject, but taken as a set they comprise the complete Inventory and Analysis section.

Before starting the text, a brief note about units of measure is in order. Most of the science about sea level rise is performed and reported in metric units. The Town Comprehensive Plan and land use codes all utilize standard units, and it is unlikely there will be a public demand to convert to metric any time soon. That said, both measures are provided in the text of this report. Most, but not all conversions were from metric to standard, and the converted numbers are approximate. In graphics borrowed from other sources, expect to see metric units only. Metric abbreviations used here include “mm” for millimeter and “M” for meter.

Introduction to Sea Level Rise

Sea level is rising according to one hundred years of records from the Portland, ME tide gauge. Along with this change, storms are becoming more frequent and intense, and damages are increasing. The important question for the Town of York is: “How should the Town respond and adapt?” This chapter inventories the best available data on historical and recent trends in sea level change, and offers the best available current predictions for the future. This Chapter establishes the rational basis on which the Town’s policy response to sea level rise is based. See the Policy Section of the Plan for the actual policies.

This chapter does not delve into the underlying causes of the observed changes in sea level. The underlying causes of sea level rise are being debated nationally and internationally, and are the subject of extensive scholarly investigation worldwide. This chapter simply acknowledges the sea level changes as documented over the past century.
at the Portland tide gauge. Whatever the cause may be, it is important for the Town to react to changing physical conditions.

1. **Trends in Sea Level Rise**

As shown in this section, there is a clear historical pattern of sea level rise which began about 11,000 years ago and which is still occurring today. For the past couple thousand years there has been a pattern of only minor, gradual increases in sea level, although the most recent data appears to be showing an increasing rate of sea level rise.

Scientists believe that there are two dominant components to what is happening when global sea level is observed to increase. The first is thermal expansion, as the ocean temperature warms. The second is volumetric increase when the volume of water in the ocean increases, caused by melting of glaciers and ice sheets located on land.

When scientists look at data on a specific piece of coast, like at the shoreline of York, Maine, there are more local reasons for changes in sea level, other than those at the global level. Some movement of the land up or down is left over from the end of the last ice age. As the crust of the earth in this area was covered with thousands of feet of ice, it sank in response, just like when you lie down on a mattress. When the ice age ended, the land experienced “isostatic rebound,” as the crust bounced back up. Some isostatic rebound is still happening today after thousands of years, but the effect now is very slight. However, in the past, this phenomenon had a tremendous effect on Maine. In other parts of the United States, there was no ice age, and sinking of the land or “subsidence” is a problem. This is pronounced in the Chesapeake Bay area and the Louisiana coast, where higher rates of sea level rise are happening right now, compared to York, Maine. It should also be noted that seasonal wind patterns can change tide levels during different periods within each year. In our area, tides will run lower during periods of sustained northwest winds during the winter which blow water offshore.

Thirteen thousand years ago at the end of the last ice age, the land in Maine was so crushed by ice that sea level was 230 feet (70 meters) higher than it is today. At eleven thousand years ago after the ice had receded, the land rebounded so that sea level was about 200 feet (60 meters) below today’s levels. Continued melting of ice filled the oceans, and in the last five thousand years, levels in Maine have been very stable. It is important to note that this is the period when our modern beaches and wetlands that we know today were formed. See Figure 1.
Close to York, studies of marshes in Wells show that in the last five thousand years (the area shaded in blue in figure 1) the rate of change in sea level has leveled off from over 3/64 inch (1mm) per year to only 1/64 inch (0.2 mm) per year about a thousand years ago. This data was derived by radiocarbon dating of marsh borings. See Figure 2.
The peaceful period of gradual sea level rise that has been experienced for the past several thousand years appears to be over. The Portland tide gauge shows that over the last hundred years, since 1912, sea level has been rising at a rate of 1.9 mm per year. That would be 7½ inches (190 mm) during this period. This mirrors global ocean changes, as measured from orbiting satellites, of about 5/64 inch (1.8 mm) per year. See Figure 3.

**Figure 3 – Portland Tide Gauge – Mean Sea Level – 1912 to 2011**

![Graph showing sea level changes](image)

Data courtesy of NOAA CO-OPS, www.tideandcurrents.noaa.gov

Similar results are found up and down the coast, as documented at nearby tide gauges. See Figure 4.
Not only has the pace of sea level rise picked up over the last hundred years, the rate is increasing, and is up substantially since 1993. For the last 20 years or so, the rate of sea level rise has increased to 11/64 inch (4.3 mm) per year, or 17 inches (430 mm) per century. See Figure 5.

Figure 5 – Portland Tide Gauge – Mean Sea Level – 1993 to 2011

Slightly faster than global changes measured by satellite altimetry

\[ y = 4.4709x - 8925.4 \]
\[ R^2 = 0.3894 \]

4.47 ± 1.34 mm per yr or 1.47 ft (17.6") per century
Not only has the pace of sea level rise picked up locally here in Maine, but the rate of rise has picked up on global sea level, as measured by orbiting satellites. Since 1993, global sea level has risen at a rate of $\frac{8}{64}$ inch (3.2 mm) per year, or 12.5 inches (320 mm) per century. See Figure 6.

![Figure 6 – Global Rates of Sea Level Rise](image)

**2. Best Predictions of Future Sea Level Rise**

Having an overall understanding of past changes to sea level is essential to understanding the range of projections of future conditions. There seems to be widespread consensus in the science community that sea level will continue to rise in the coming century. A rising sea level has planning implications for coastal communities like York. Some buildings, roads and public facilities will be impacted on a daily basis or during storms where overall rising sea levels will worsen storm-related impacts. While the degree of certainty is unknown, it is nonetheless important to gaze into the crystal ball and consider the range of likely alternatives.

For planning purposes, and under the rules of the Sand Dune Act administered by the Maine Department of Environmental Protection, 2 feet (0.6 M) of sea level rise is expected by 2100. The current trends since 1993 shown on our local tide gauge, as well as the satellite measurements of the global ocean levels, are
showing faster increases than we have seen before. The amount of sea level rise in the last 100 years since 1912 has been about 7.5 inches (190 mm). The next hundred years will probably be triple that, according to the projections of the Intergovernmental Panel on Climate Change (IPCC) and reach at least two feet. The IPCC projections do not include contributions from the melting of glacial, land-based ice sheets.

Figure 7 shows that if you superimpose the Portland tide gauge data from 1993 to the present, as well as the satellite measurements of the global ocean level, that sea level rise during the last 20 years is tracking the HIGHEST PROJECTION curve of the IPCC.

![Figure 7: Recent Data Compared to Past Predictions](image)

There is another factor at work, which should be considered by the Town of York, which makes the prediction of one foot (0.3 M) of sea level rise by 2050, and 2 feet (0.6 M) of sea level rise by 2100, conservative numbers. Geologists are measuring that ice sheets on land in Greenland and the Antarctic are melting, which could add substantial amounts of water to the world’s oceans. This has not been a factor over the past hundred years. The recent SWIPA report (Snow, Water, Ice, and Permafrost in the Arctic) by Rignot and Others, from March 2011, predicts that “if the current Antarctic and Greenland ice sheet melting rates continue for the next four decades, their cumulative loss could raise sea level by 5.9 inches (150 mm) by 2050. When this is added to the predicted sea level contribution of 3.1 inches (79 mm) from glacial ice caps and 3.5 inches (89 mm)
from ocean thermal expansion, total sea level rise could reach 12.6 inches (320 mm) by the year 2050.” (More information is available from the American Geophysical Union, via the Web: http://www.agu.org).

Figure 8 shows a review of 9 recent peer reviewed studies that indicate between one and six feet of sea level rise by the year 2100, when the influence of ice sheets is included in sea level rise scenarios. The center of the red bar on the right side of the figure is the middle of all predictions, at around 4 feet (1.2 M). Most newer authors are factoring in a contribution from ice sheet melting processes, which drives their predictions higher.

![Figure 8: A Range of Sea Level Rise Predictions Through Year 2100](image)

It seems clear from these expert projections that York can expect and should plan for some degree of sea level rise in the coming years. How much and in what timeframe are the key unknowns.

**Vulnerability Assessment – Sea Level Rise**

Buildings, roads and public infrastructure are susceptible to impact as sea level rises. GIS analysis was conducted to estimate the changes to impacts associated with sea level rises of 1 foot (0.3M), 2 feet (0.6M), 3.3 feet (1M) and 6 feet (1.8M). These are general estimates based solely on the current building stock and current infrastructure, and are
suitable for planners to understand the relative changes in impacts at varying states of sea level rise.

In addition to a simple increase in the water level at highest annual tide, the analysis was repeated to consider the impacts of storm conditions under those higher sea level scenarios. Storms such as this effectively increase the sea level for the duration of the storm. The 1978 storm is the storm of record with respect to ocean-related storm impacts, and it produced a temporary increase in sea level of about 2½ feet.

1. **Impacts to Buildings**

Figure 9 shows the results of the vulnerability assessment of York’s buildings to sea level rise. Under normal conditions, a one-foot sea level rise impacts only a couple additional buildings, but if a large storm hits during a high tide then storm-related building damage would about double, jumping from 101 to 204 buildings impacted. With two feet of sea level rise, 38 buildings will routinely be flooded by astronomical high tides several times each year, without any storm or wave activity. Adding storm-related impacts, 342 buildings would be damaged. The number of buildings damaged increases at an increasing rate as the sea level increases. The areas of greatest vulnerability are behind Long Sands Beach, in the village at Short Sands, and near the mouth of the Cape Neddick River.

![Figure 9. Buildings Damaged Under Varying Scenarios](image)

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Highest Annual Tide (6.4 ft)</th>
<th>1978 Storm (8.9 ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>4</td>
<td>101</td>
</tr>
<tr>
<td>+0.3 m (1 ft) SLR</td>
<td>6</td>
<td>204</td>
</tr>
<tr>
<td>+0.6 m (2 ft) SLR</td>
<td>38</td>
<td>342</td>
</tr>
<tr>
<td>+1.0 m (3.3 ft) SLR</td>
<td>192</td>
<td>528</td>
</tr>
<tr>
<td>+1.8 m (6.0 ft) SLR</td>
<td>564</td>
<td>868</td>
</tr>
</tbody>
</table>

*Includes only primary buildings, excludes decks, dock structures, outbuildings, pools, mobile homes

Elevations referenced to NAVD88

*Assumes “bathtub” flooding, no wave setup, static topography, and that a building is “inundated” if the flooding scenario covers the centroid of the building footprint, regardless of the flooding depth. Does not assign any kind of damage function.
The vulnerability assessment did not estimate the dollar value of damage to buildings. In order to find out the economic impact of such damage, further GIS analysis would be necessary, estimating the predicted depths of floods in various locations. Such “depth-damage” function can be applied and summed over the areas shown as flooded on a computerized mapping system.

2. Impacts to Transportation Infrastructure

Figure 10 shows the results of the vulnerability assessment of York’s roads to sea level rise. Under normal conditions, a one-foot sea level rise has a relatively limited impact, but if a large storm hits during a high tide then an additional 2 miles of roads would be inundated. With two feet of sea level rise, the amount of inundated roads jumps to 1.1 miles under astronomical high tides, and up to 6.6 miles during storm events. The amount of road inundation increases at an increasing rate as the sea level increases.

Figure 10. Miles of Road Flooded Under Varying Scenarios

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Highest Annual Tide (6.4 ft)</th>
<th>1978 Storm (8.9 ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>0.1 miles</td>
<td>1.9 miles</td>
</tr>
<tr>
<td>+0.3 m (1 ft) SLR</td>
<td>0.2 miles</td>
<td>4.1 miles</td>
</tr>
<tr>
<td>+0.6 m (2 ft) SLR</td>
<td>1.1 miles</td>
<td>6.6 miles</td>
</tr>
<tr>
<td>+1.0 m (3.3 ft) SLR</td>
<td>3.8 miles</td>
<td>9.5 miles</td>
</tr>
<tr>
<td>+1.8 m (6.0 ft) SLR</td>
<td>9.9 miles</td>
<td>15.9 miles</td>
</tr>
</tbody>
</table>

*Assumes “bathtub” flooding, no wave setup, static topography, and that a road is “inundated” if the flooding scenario covers the entire road, regardless of the flooding depth. Does not assign any kind of damage function.

The vulnerability assessment did not estimate whether these flooded roads in the scenario would be able to be reopened after flood waters receded, or whether they would be damaged and closed until repairs could be made. A depth-damage analysis would need to be conducted to predict damage levels, as discussed in the previous section.
Road impacts are primarily limited to the vicinity of Long Sands Beach, Short Sands Beach, and the mouth of the Cape Neddick River. With 2 feet of sea level rise, the most significant impact is Shore Road just north of the bridge over the Cape Neddick River. There the road will be impassable during the periods of highest tide during good weather. Adding storm conditions to sea level rise, additional blockages of Route 1A in the Short Sands and Long Sands area are predicted, and many of the side streets in the bowl behind these beaches will also be inundated. At 2 feet of sea level rise, the neighborhood on the northern shore at the mouth of the Cape Neddick River (accessed via Wanaque Road) will become inaccessible at highest annual tides. During a big storm with 2 feet of sea level rise, the neighborhood around the Cape Neddick Lobster Pound and campground will also be inaccessible. With 3 feet of sea level rise, a large storm event will isolate not only these neighborhoods, but also the entire RES-6 zone (the neighborhood around Freeman and Main streets) will become isolated, and the entire Nubble neighborhood will have marginal access to Route One via Long Beach Ave (likely to be closed during a storm) and through Rogers Road.

3. Impacts to Sewage Treatment

The most important public facility likely to be impacted is the sewage treatment plant. Sewage treatment plants historically have been located near or on the shore, as this is typically the lowest point in a community. The more sewage can run downhill to the plant without the need for extensive pumping, the more energy and money can be saved. York is no different than most places in this regard, with its sewage treatment plant located adjacent to Cape Neddick harbor at an elevation close to sea level. This leaves the facility vulnerable to sea level rise.

Analysis shows that a 1 foot increase in sea level, even with an associated storm, will not likely inundate any part of the treatment plant. Figure 11 shows that with two feet of sea level rise, the area immediately adjacent to the plant site would be routinely inundated during astronomical high tides several times each year, without any storm of wave activity. Figure 12 shows that should a storm with water heights seen during the 1978 event happen with 2 feet of sea level rise, with 2.6 feet of wave action (which might easily be expected in this coastal area), the plant could be flooded enough to compromise its ability to operate. Needless to say, should a sewage treatment plant be flooded, bypassing of untreated sewage could result, and this would have an adverse impact on the local marine environment and the nearby beach.
Figure 11. Potential Impact to Sewer District Treatment Plan with 2 feet of Sea Level Rise, on top of the highest annual tide.

Figure 12. Potential Impact to Sewer District Treatment Plan with 2 feet of Sea Level Rise, and 2.6 feet of wave setup action, during a storm equivalent to the 1978 Storm.
It should be noted that in neighboring Ogunquit, the sewage treatment plant has also been identified as vulnerable to sea level rise. A study recently completed for the Ogunquit Sewer District by Woodard and Curran Engineers has recommended that Ogunquit consider relocating away from its current site in 30 years, with the main recommendation that Ogunquit should connect alternately to the Wells sewage treatment system.

**Tidal Surge and Freshwater Contributions**

The Maine Coastal Program and Maine Geological Survey point out that when Towns prepare for long term sea level rise, any actions taken will also protect against tidal surges which can happen at any time in the short term. Therefore, these State agencies counsel Towns that many actions to adapt to sea level rise can be made now with no regrets.

Tidal surge is the term for any time the observed water level in a tidal water body is higher than the predicted level in the tide tables. Figure 13 illustrates that during June 4, 2012, there was a surge of almost 2 feet recorded at the Wells tide gauge, associated with a not particularly notable rain storm. This means that tides were running almost two feet higher than on the chart. On this particular night early that summer, seaweed was washed up onto the road at Long Sands and needed to be removed by the Town Public Works Department. Any actions taken to adapt the road at Long Sands Beach to protect against 2 feet of sea level rise would also have helped with this sort of public works maintenance problem.

![Figure 13. Example of Tidal Surge on June 4, 2012, as measured at Wells, ME](image-url)
If surge happens at low tide, any associated problems are minimal or non-existent. When surge happens at a high tide, flooding and damage can occur. Figure 14 shows the frequency of surges in our area, between 3 and 4 feet, which occur at high tide.

**Figure 14. Frequency of various tidal surges.**

<table>
<thead>
<tr>
<th>Interval (yrs)</th>
<th>Surge at MHW (ft)</th>
<th>High Water Level (ft, MLLW)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1.1</td>
<td>11.7</td>
</tr>
<tr>
<td>5</td>
<td>2</td>
<td>12.6</td>
</tr>
<tr>
<td>10</td>
<td>2.4</td>
<td>12.9</td>
</tr>
<tr>
<td>25</td>
<td>2.9</td>
<td>13.4</td>
</tr>
<tr>
<td>50</td>
<td>3.3</td>
<td>13.7</td>
</tr>
<tr>
<td>100</td>
<td>3.7</td>
<td>14.1</td>
</tr>
</tbody>
</table>

Based on statistical analysis of hourly annual maximum tidal data at the Portland tide gauge from 1912-2012.

Surge levels and tide levels found on NOAA charts are “Still Water” elevations, like the waterline in a calm bath tub. Of course, it is unusual for the salt water in our area to be that still. Most of the scenarios of sea level rise found in the vulnerability assessment for this Plan did not take into account wave action or changes to shoreline from erosion. It is relatively easy to predict static water levels over time – tide tables have done it for years. Wave action and erosion are harder to predict. Erosion events can be very dramatic, and cause drastic changes, or can happen gradually over time, or both.

Predicted tide and surge levels also do not take into account concurrent intense rain events, which add freshwater runoff to the saltwater. During the Mother’s Day and Patriot’s Day storms in 2006 and 2007, as experienced in York Beach, the impacts from freshwater flooding greatly compounded the saltwater tidal surge levels. Therefore the scenarios of possible damages from sea level rise to buildings, roads, and the sewage treatment plant are very conservative. Any of the predictions can be considered to be on the low side, with any extreme rainfall, erosion or wave action that happens during storms, surely making things even worse.
APPENDIX A

Measuring Sea Level

“How Do They Measure Sea Level”

An accurate measurement of sea level is very hard to pin down. But it is an important measurement for two main reasons:

- By having an accurate sea level measurement, it is possible to measure the height of everything on land accurately. For example, calculating the height of Mt. Everest is complicated by sea-level measurement inaccuracies.

- By knowing sea level, we can determine if the oceans are rising or falling over time. The concern is that global warming and other weather changes caused by man might be leading to an overall rise in sea level. If so, coastal cities are in big trouble.

The problem with measuring the sea level is that there are so many things that perturb it. If you could take planet Earth and move it out into deep space so that the sun, moons and other planets did not affect it and there were no temperature variations worldwide, then everything would settle down like a still pond. Rain and wind would stop, and so would the rivers. Then you could measure sea level accurately. If you did this, the level of the ocean's water projected across the entire planet would be called the geoid. On land, you can think of the geoid as the level that ocean water would have if you were to dig a canal from the ocean's shore to any point on land. But the Earth is not in deep space -- it is in the middle of a chaotic solar system. There are all sorts of things changing the water level at any given point, including:

- The tides, caused by the moon

- Large and small waves caused by wind and the tides

- High- and low-pressure areas in the atmosphere, which change the surface level of the ocean

- Temperature changes in the ocean, which change the density and volume of the water

- Rainfall and river water flowing into the ocean

If you were to stand on the ocean shore and try to measure sea level with a ruler, you would find it to be impossible -- the level changes by the second (waves), by the hour (tides) and by the week (planetary and solar orbit changes). To get around this, scientists try using tide gauges. A tide gauge is a large (1 foot [30 cm] or more in diameter), long pipe with a small hole below the water line. This pipe is often called a stilling well. Even
though waves are changing the water level outside the gauge constantly, they have little
effect inside the gauge. The sea level can be read relatively accurately inside this pipe. If
read on a regular basis over a time span of years and then averaged, you can get a
measurement of sea level.

You can see that getting an accurate reading (for example, down to the millimeter level)
is extremely difficult. Satellites are now used as well, but they suffer from many of the
same problems. Scientists do the best they can, using extremely long time spans, to try to
figure out what the sea level is and whether or not it is rising. The general consensus
seems to be that the oceans rise about 2 millimeters per year (although the last link below
has an interesting discussion on that consensus...).

Source:  www.science.howstuffworks.com; downloaded verbatim on May 2, 2013.
APPENDIX B

Other Sea Level Rise Adaptation Efforts in Maine

Peter Slovinsky, Senior Coastal Geologist with Maine Geological Survey, has identified 4 regional efforts in Maine to address coastal resiliency. These include:

Coastal Hazard Resiliency Tools (CHRT). This is a NOAA- and Maine Coastal Program-funded project, with input from Maine Geological Survey, Southern Maine Regional Planning Commission, and the Greater Portland Council of Governments. It is an overall effort to analyze impacts of varying storm and sea level rise scenarios on the built and natural environment. The area of coverage included: Kittery, York, Ogunquit, Kennebunk, Biddeford*, Saco*, Old Orchard Beach*, Scarborough*, South Portland, Portland, and Freeport. The 4 communities designated by an asterisk are also members in the Saco Bay Sea Level Adaption Working Group (SLAWG).

Marsh Migration Project. This was an EPA-funded project from 2010 through 2012, with input from Maine Geological Survey and the Maine Natural Areas Program. This involved simulation of marsh migration with 2 feet and 1 meter of sea level rise. The area of coverage included: Kittery, York, Ogunquit, Wells, Kennebunk, Kennebunkport, Biddeford, Saco, Old Orchard Beach, Scarborough, Cape Elizabeth, South Portland, Portland, Falmouth, Cumberland, Yarmouth, Freeport, Brunswick, Harpswell, Phippsburg and Georgetown.

Lincoln County Resiliency Project. This was a Maine Coastal Program project from 2012 through 2013, with input from the Lincoln County Regional Planning Commission. This is a study to assess the vulnerability of infrastructure to varying storm and sea level rise scenarios. This included all the coastal communities in the County.

Marsh Migration Project. A NOAA Project of Special Merit from 2012 through 2014, with input from the Maine Geological Survey, Maine Coastal Program, and Maine Inland Fisheries and Wildlife. This is a similar though not identical study to that listed above, and covering a different mix communities – Topsham, Bath, Bowdoinham, Georgetown, Phippsburg and Scarborough.
APPENDIX C

Presentation Slides – Adaptation to Sea Level Rise
Considerations for the Town of York
Comprehensive Plan
Sea Level Rise Chapter

Peter Slovinsky, Marine Geologist
Maine Geological Survey, Department of Conservation

Jonathan T. Lockman, Planning Director
Southern Maine Regional Planning Commission

How will local communities respond?
By how much? What will the potential impacts be to the built and natural environments?

Sea Level is RISING, regardless of the cause

Why does sea level change?

Global Sea Levels...
Thermal Expansion (the ocean heats up and expands as the atmosphere warms)

Volumetric Increase (volume increases with water from melting glaciers and land-based ice sheets)

Global climate variation (impacts of ENSO, i.e., El Nino/La Niña)

Relative (or “Local”) Sea levels...
Isostatic rebound (response of the crust to glaciation)

Subsidence (sinking of the land due to other factors than isostasy)

Seasonal Variations (due to local or regional weather patterns)

Sea Levels Since the Last Ice Age

"Modern" Beaches and Wetlands Form (<=1.0 mm/yr)

Modified from Dickson (1999)

Sea Level Lowstand
Sea Level Highstand

Modified from Dickson (1999)

Radiocarbon Dating, Wells, ME

Mean High Water
Mean Tide Level
Mean Low Water

ELEVATION IN CM (NGVD) vs. AGE (THOUSANDS OF YEARS BEFORE PRESENT)

1.2 mm/yr
0.5 mm/yr
0.2 mm/yr

Modified from Dickson (1999)

Sea Level, Portland, Maine
1912-2011 (through December 31, 2011)

Portland Tide gauge = global ocean over last century (1.8 mm/yr, IPCC (2007).
In Maine, this is the fastest in past 3000 years

1.9 mm per year or 0.63 ft (7.5") per century

Modified courtesy of NOS-ODP, www.tidesandcurrents.noaa.gov

P.A. Bumstead, Maine Geological Survey, March 9, 2012
Documented Sea Level Rise

Adapted from the IPCC 3rd Assessment (Tech. Summary of Working Group I Report, Fig. 24, p. 74., 2001)

Portland, ME Sea Level Changes

Satellite Altimetry

The current trend is along the upper levels of IPCC projections

Tide Gauge data

For a Range of Scenarios...

Use a “Scenario” Based Approach


Image from www.swisseduc.ch

Adapted from Rahmstorf (2010); and Williams (2012)

...if current [Antarctic and Greenland] ice sheet melting rates continue for the next four decades, their cumulative loss could raise sea level by 15 centimeters (5.9 inches) by 2050. When this is added to the predicted sea level contribution of 8 centimeters (3.1 inches) from glacial ice caps and 9 centimeters (3.5 inches) from ocean thermal expansion, total sea level rise could reach 32 centimeters (12.6 inches) by the year 2050.

Rignot and others, March 2011 (AGU, in press)
**Vulnerability Assessment**

Sea level rise scenarios (by 2100, or a “phased” approach):
- 0.3 meters (1 foot)
- 0.6 meters (2 feet)
- 1.0 meters (3.28 feet)
- 1.8 meters (5.95 feet)

Scenarios assume static topography ('bathtub model').

Scenarios do not include the effects of freshwater runoff from rain events or waves.

The **Highest Annual Tide (HAT)** and the **1978 storm** stillwater elevation were used as a basis for simulating impacts to infrastructure.

For assessing impacts to buildings, it was assumed that the entire building was impacted if inundation intersected the building footprint.

For assessing impacts to roads, it was assumed that inundation of a road made it impassable but did not assume the road would be damaged.

For assessing impacts to wetlands, tidal elevations were used as proxies for different marsh surfaces.

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**Using the Sea Level Rise Simulation Tool**

**Steps:**
1) Groundtruth **LiDAR** data for representing ground conditions using RTK – GPS (very accurate).
2) Determine Tidal Elevations as proxies for existing marsh surfaces using nearby tide gauge data
3) Demonstrate accuracy in simulating **existing conditions** using tidal elevations to define marsh habitats and inundation
4) Simulate potential impacts of sea level rise on:
   a) Marsh Habitat
   b) Existing Buildings and Road Infrastructure
5) Identify areas potentially suitable for marsh migration and at-risk built infrastructure

---

**Could’t do it without LIDAR!**

**Coastal wetlands**

“Coastal wetlands” means all tidal and subtidal lands; all areas with vegetation present that is tolerant of salt water and occurs primarily in salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous lowland that is subject to tidal action during the **highest tide level for each year** in which an activity is proposed as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes.

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**Setting the Stage with Tidal Elevations**

- **Highest Annual Tide (HAT)** - “spring” tide, the highest predicted water level for any given year but is reached within several inches numerous tides a year
- **Mean High Water (MHW)** - the average normal high water level.
- **Mean Tide Level (MTL)** = average height of the ocean’s surface (between mean high and mean low tide).

---

**Examine Marsh Transgression**

Tidal elevations determined from nearby applicable NOS tide stations
Implications

Use Tidal Elevations to simulate existing wetlands, and potential future coastal wetland migration in response to SLR.

This will help identify low-lying, undeveloped uplands where marshes may migrate unimpeded, and areas where development (roads, buildings, etc.) may be inundated.
**Infrastructure Vulnerability Assessment**

Highest Annual Tide (HAT) is the highest predicted water level for any given year. For 2012, the predicted HAT was 6.4 ft NAVD88 (11.6 ft MLLW).

**1978 Storm** is the highest recorded water level at the Portland Tide Gauge which occurred on the February 7, 1978 Nor'easter Storm (~3.0 feet of surge). The "100-year" storm, 8.9 ft NAVD88, (14.1 ft MLLW). *Does not include wave impacts!*

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Highest Annual Tide</th>
<th>1978 Storm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>6.4 feet</td>
<td>8.9 feet</td>
</tr>
<tr>
<td>+0.3 m (1 ft) SLR</td>
<td>7.4 feet</td>
<td>9.9 feet</td>
</tr>
<tr>
<td>+0.6 m (2 ft) SLR</td>
<td>8.4 feet</td>
<td>10.9 feet</td>
</tr>
<tr>
<td>+1.0 m (3.3 ft) SLR</td>
<td>9.7 feet</td>
<td>12.2 feet</td>
</tr>
<tr>
<td>+1.8 m (6.0 ft) SLR</td>
<td>12.2 feet</td>
<td>14.9 feet</td>
</tr>
</tbody>
</table>

All elevations referenced to NAVD88; 0 ft NAVD88 approximately 5.2 ft above MLLW.

---

**Plan for “Today’s Storms and Tomorrow’s Tides”**

<table>
<thead>
<tr>
<th>Surge Amount</th>
<th>Frequency</th>
<th>Last Occurred</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.0 feet or more*</td>
<td>1 in 7 years</td>
<td>Oct 30, 1991</td>
</tr>
<tr>
<td>3.5 feet or more*</td>
<td>1 in 14 years</td>
<td>Oct 30, 1991</td>
</tr>
<tr>
<td>4.0 feet or more*</td>
<td>1 in 47 years</td>
<td>Mar 3, 1947</td>
</tr>
</tbody>
</table>

*at time of high tide only; surges of these levels are much more frequent (i.e., February 26, 2010 had a surge of 4.4 feet but at mid-falling tide)

Source: John Cannon, NWS, Gray, Maine. May include storms through 2008.

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**Base LiDAR Data**

2006 LiDAR tiles (18 cm RMSE)
Mosaic and clip to municipal boundaries

**Buildings and Transportation Infrastructure (overlain onto Base LiDAR)**

Add Polygon layers for buildings and roads (municipal)

**Simulate Inundation Levels**

Determine future inundation levels under different scenarios
Raster queries to determine areas below certain water levels

**Identify Potentially Inundated Infrastructure**

Determine inundation impacts to buildings and infrastructure
Preliminary Evaluation of Impacts from Highest Annual Tide (HAT) and 1978 Storm Inundation

Buildings

Existing Conditions – HAT (6.4 feet)

Potential Future Conditions (HAT+0.3 m) 2030-2050?

Potential Future Conditions (HAT+0.6 m, 8.4 feet) 2050-2100?

Potential Future Conditions (HAT+1.0 m, 9.7 feet) 2100?
For general planning purposes only; does not account for dynamic changes

Potential Future Conditions (1978+0.6 m)
2050-2100?

Potential Future Conditions (1978+1.0 m)
2100?

Potential Future Conditions (1978+1.8 m)
2100-?

Scenario

Highest Annual Tide (6.4 ft) | 1978 Storm (8.9 ft)
--- | ---
Existing | 4 | 101
+0.3 m (1 ft) SLR | 6 | 204
+0.6 m (2 ft) SLR | 38 | 342
+1.0 m (3.3 ft) SLR | 192 | 528
+1.8 m (6.0 ft) SLR | 564 | 868

Includes only primary buildings, excludes decks, dock structures, outbuildings, pools, mobile homes.

Elevations referenced to NAVD88

* Assumes "bathtub" flooding, no wave setup, static topography, and that a building is "inundated" if the flooding scenario covers the centroid of the building footprint, regardless of the flooding depth. Does not assign any kind of damage function.

Summary of Potentially Vulnerable* Building Infrastructure

Preliminary Evaluation of Impacts from 1978 Storm Inundation (no wave setup)

Transportation Infrastructure

Transportation Infrastructure

Intervale Road

Main Street

Long Beach Ave.

Railroad Ave.

Bay Haven Road

Midnight Dr.
Historic Conditions - 1978 storm (8.9 ft NAVD)

Potential Future Conditions (1978+0.3 m) 2030-2050?

Potential Future Conditions (1978+0.6 m) 2050-2100?

Potential Future Conditions (1978+1.0 m) 2100?

Potential Future Conditions (1978+1.8 m) 2100-?

Summary of Potentially Vulnerable* Road Infrastructure

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Highest Annual Tide (6.4 ft)</th>
<th>1978 Storm (8.9 ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>0.1 miles</td>
<td>1.9 miles</td>
</tr>
<tr>
<td>+0.3 m (1 ft) SLR</td>
<td>0.2 miles</td>
<td>4.1 miles</td>
</tr>
<tr>
<td>+0.6 m (2 ft) SLR</td>
<td>1.1 miles</td>
<td>6.6 miles</td>
</tr>
<tr>
<td>+1.0 m (3.3 ft) SLR</td>
<td>3.8 miles</td>
<td>9.5 miles</td>
</tr>
<tr>
<td>+1.8 m (6.0 ft) SLR</td>
<td>9.9 miles</td>
<td>15.9 miles</td>
</tr>
</tbody>
</table>

elevations referenced to NAVD88
excludes bridges removed from LiDAR

* Assumes “bathtub” flooding, no wave setup, static topography, and that a road is “inundated” if the flooding scenario covers the entire road, regardless of the flooding depth. Does not assign any kind of damage function.
What about the influence of waves? (applicable to areas of open coast only)

Wave Set Up (from FEMA Flood Insurance Study)

Historic Conditions - 1978 storm
No wave setup (8.9 ft NAVD)

Historic Conditions - 1978 storm
(plus wave setup of 2.6 feet, 11.5 ft NAVD)

Potential Future Conditions - 1978 storm+0.3 m)
(plus wave setup of 2.6 feet, 12.5 ft NAVD)

Potential Future Conditions - 1978 storm+0.6 m
(plus wave setup of 2.6 feet, 13.5 ft NAVD)
Potential Future Conditions - 1978 storm + 1.0 m (plus wave setup of 2.6 feet, 14.8 ft NAVD)

For general planning purposes only; does not account for dynamic changes

Potential Future Conditions - 1978 storm + 1.0 m (plus wave setup of 2.6 feet, 14.8 ft NAVD)

For general planning purposes only; does not account for dynamic changes

Critical Infrastructure
York Sewer District Treatment Plant

Highest Annual Tide + 0.6 m SLR

For general planning purposes only; does not account for dynamic changes

York Sewer District Treatment Plant

Highest Annual Tide + 1.0 m SLR

For general planning purposes only; does not account for dynamic changes

York Sewer District Treatment Plant

Highest Annual Tide + 1.8 m SLR

For general planning purposes only; does not account for dynamic changes
Adding Visualization Techniques to help image potential impacts of Sea Level Rise

Existing HAT

Visualization of ~Existing HAT

Visualization of ~HAT plus 0.6 m

Visualization of ~HAT plus 0.6 m

Visualization of ~HAT plus 0.6 m

Visualization of ~HAT plus 1.0 m

Visualization of ~HAT plus 1.0 m
Imagine waves on top of this...

Visualization of ~HAT plus 1.8 m

Implications

Consider using the HAT elevation to simulate static, monthly, tidal flooding that may occur in the future under various SLR scenarios.

At a minimum, consider using the base 1978 stillwater elevations with a variety of SLR scenarios to develop a phased or criticality approach. Instead, consider using the 1978 stillwater elevations including wave setup for potential impacts along the open coast and critical infrastructure.

What Can Towns do to Adapt?

- Use the best science and tools for GIS inundation scenarios, but be conservative (e.g., 2 feet of SLR by 2100 is probably not enough to plan for, so we are now looking at 1 m or 1.8 meters).
- Adapting to Sea Level Rise will protect you from Storm Surges
- Don’t separate discussion of natural from built environment impacts – keep environmentalists, public works staff, and emergency personnel around the same table

Operating Principles for Our Efforts

- Some Maine communities are willing to go over and above minimum ordinances or regulations – because of their actual experiences with flooding.
- Expect unforeseen delays (e.g. Disputing FEMA FIRM remapping efforts). Expect to take your time!

SLR Policy in Maine...

There is a long history, from way before Al Gore.
On the right track…
in 1995!

But it was never brought to the local level

So it was LOST in the archives.

2006 - As the result of a 2 year stakeholder process, Maine adopted 2 feet of sea level rise over the next 100 years, which was a “middle-of-the-road” prediction for global sea level rise, into its NRPA.

Even More recently...

Year-long Stakeholder Process led to the production of a report in early 2010.

Major recommendations related to bringing tools, models, and technical data to the local decision-making level relating to sea level rise planning.

A comprehensive plan should do more than paint a disturbing picture of the future…it should move the community toward doing something!

Why not form include an implementation step to create a Sea Level Adaptation Working Group?

A regional committee of course (safety in numbers)! That’s what they did in Saco Bay!
Sea Level Adaptation Working Group

Steering Committee
- Met numerous times over summer of 2010 to develop an *Interlocal Agreement* outlining the creation of a Working Group and its potential duties and action plan.
- Received approval from each municipal council.
- Funded by Regional Challenge Grant (SPO) and local matches

Working Group
- Comprised of two assigned members from each community; and an SMRPC planner; with technical support from MGS.
- Includes Coastal Citizens and Municipal Planners
- Met during 2010/2011 to complete a *Vulnerability Assessment* and *Action Plan* that were submitted to municipal councils for approval.
- Initial Project – Floodplain Management Ordinances

Without implementation, there is not much point in making plans!

- What are other communities doing?
- Can these efforts be duplicated in York?

Implementation Steps
Increasing “freeboard” to 3 feet, in the Floodplain Management Ordinances

Currently, floodplain management requires structures to be elevated one foot above the 100-year Base Flood Elevation (BFE).

Expanding Maine’s Minimum Floodplain Requirements

Increasing “freeboard” to include sea level rise in a regional ordinance (3 feet above the 100 year BFE)

Existing Regulations
*(Coastal Sand Dune Rules and Municipal Floodplain Ordinance)*

Potential Revised Regulation
*(Revised Municipal Floodplain Ordinance)*
Implementation Steps

Studying How to Adapt the Ogunquit Sewage Treatment Plant

Soon to select a proposal for a preliminary engineering study to identify adaptation strategies, funded by GMOC / NROC
How to Adapt the Ogunquit Sewage Treatment Plant

Footbridge Parking

Looking NE across river, from Footbridge Beach Parking Lot...

Flooded in April 2007, Footbridge Beach Parking Lot...

AO-zone (3 ft depth)

V-zone (17 ft NAVD)

A-zone (9 ft NAVD)

Looking south down the road to the main gate, marsh on right...

Pump Station #1

Ogunquit Sewage Treatment Plant

Potential Inundation Analysis
Ogunquit, ME

Looking west out the main gate, towards the salt marsh...
Implementation Steps

Ogunquit Sewage Treatment Plant

Looking South along the dune line. Steel Storm Barrier on right...

Implementation Steps

LiDAR Based Zoning Lines – Highest Annual Tide

Old Orchard Beach – East Grand Avenue Area

Implementation Steps

Jones Creek

Removing tidal restrictions

From OOB’s “Milone McBroom” report

Improving Tidal Connections

Pine Point Road - Amtrak
All that water has to fit through here...

Identify areas of undeveloped uplands which may have potential for acquisition to allow for the landward migration of coastal marshes.

Implementation Steps Not Considered Yet?
Elevate vulnerable infrastructure, including sewer pump stations, roads, culverts and bridges.

Utility Retrofitting

After $1 million upgrade, new backup generator protected – Pump station unchanged…Oops!

Generator placed in new dike

Elevating Roads

This has happened already in Norfolk Virginia, and is under discussion in Kennebunkport at Goose Rocks Beach.

Considerations for the Town of York
Comprehensive Plan
Sea Level Rise Chapter

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