

**Findings for  
Homestead Farms Subdivision  
Contract Zoning Agreement**

The Falmouth Town Council makes the following findings concerning the Homestead Farms Contract Zoning Agreement:

A. The proposed zone is consistent with the 2013 Comprehensive Plan, adopted pursuant to 30-A M.R.S.A. Chapter 187, Sub-part 6- A (hereafter the “Comprehensive Plan”).

1. The project area is identified in the Comprehensive Plan as a proposed commercial and mixed-use growth area (Route 100/26 Area). The proposed contract zoning will allow the incorporation of the residential component for the area while the entry from Route 100 allows for the retention of commercial use(s) along the Route 100 frontage. (Comprehensive Plan, Future Land Use Plan, p. 24.)

2. In the Residential Growth Areas section of the Comprehensive Plan, the Plan recommends that the growth share within the Route100/26 area increase “from less than 50% to a significant majority share of all new residential growth.” The proposed contract zoning will increase the development within the area to meet this goal. Furthermore, the incorporation of residential growth within this area of the project helps to minimize growth within the rural areas of the Town. (Comprehensive Plan, Future Land Use Plan, p. 25.)

3. The Comprehensive Plan states a preference for more of the growth area to be accessible to public sewer service. The proposed contract zoning will make the extension of sewer into this development area more affordable based upon the projected development population and provide the potential for more affordable housing units within the development. (Comprehensive Plan, Future Land Use Plan, p. 25.)

4. The Comprehensive Plan calls out the Route 100/26 Area as a potential for compact development. The contract zoning will allow smaller lots and with the incorporation of open space and preservation of natural resource areas. (Comprehensive Plan, Future Land Use Plan, p. 24.)

5. The Comprehensive Plan further mentions generally and specifically to the Route 100/26 area the desirability for pedestrian/bicycle connectivity and the contract zone will allow for connections through several individual parcels for pedestrian interconnectivity to the Route 100/26 commercial corridor. (Comprehensive Plan, Future Land Use Plan, p. 24.)

B. The proposed contract zoning agreement provides for uses that are allowed in the existing VMU zoning district. For that reason, the uses are consistent with the existing, permitted and conditional uses within the underlying zoning district. (Zoning Ordinance, Sec. 19.14.)

C. The conditions set forth in the contract zoning agreement relate to the physical development or operation of the property. They provide for timing of the project, the creation of public and private open space and the construction of necessary infrastructure. (Zoning Ordinance, Sec. 19-26.5.5.)

D. The Project provides public benefits that would not exist under the current zoning:

1. The Project serves the public interest by providing for the pedestrian and family residential components of the Comprehensive Plan to complement the village/neighborhood commercial component that is the basis of the Route 100/26 growth area. The Project will incorporate land from several abutters into the master plan/contract zoning. The Project will make it possible to extend utilities and public infrastructure into the residential areas that will allow greater affordability of the proposed homes. The contract zoning will allow this result with the incorporation of substantial open space and preservation of natural areas. This proposed contract zoning meets the visions/focus of both the Long-Range Planning Committee and Route 100 Study Committee. (Zoning Ordinance, Sec. 19-26.5.5.)

2. More specifically, relative to housing, the Project will:

- a. Provide several types of homes which will allow a range of income brackets and age groups.
- b. Provide approximately 30% of the project as affordable housing that will meet the state guidelines for affordable homes or rental apartments.
- c. Provide opportunities for younger generations to stay in Falmouth with entry-level prices on homes.
- d. Provide the density in a place that serves the Town's Comprehensive Plan.

Relative to pedestrian/public access, it will:

- a. Provide walkable trails open to the public; trail easements will be dedicated to the Town.
- b. Provide one public park dedicated to the Town and other open space to be made available for public use through the grant of easements to the Town.
- c. Provide vehicular, bicycle and pedestrian connectivity throughout the neighborhood. Provide multiple entrances and exits, with two onto Route 100 and one onto Mountain Road.
- d. Provide access for other property owners on Route 100 as well as the public. Currently, most properties do not have a way to move freely around the land and walk or bike anywhere in the area. In addition, this will improve the access to the Harmon's Lunch property, as well as providing a constructed access to Route 100 from Town-owned property and other properties. This will facilitate the current use and any future development of these properties.
- e. Provide the ability to preserve and rehabilitate the old railroad path into a walking trail.
- f. Provide access and additional resources for the abutting church and the local restaurant.

Relative to local commercial/small businesses, it will:

- a. Provide opportunities for retail/commercial sites for small business.
- b. Create a neighborhood whose residents will use the goods and services of the local businesses.
- c. Provide easement access and create parking for the existing commercial use (Harmon's Hamburgers) that will be lost with the Town's proposed Route 100 improvements.

In addition to above benefits, the Project will provide a significant increase in the Town's tax base.

Based upon the above findings, the Town Council finds that the proposed contract zone is consistent with the Town's Comprehensive Plan and satisfies the requirements of Section 19-26.5.5 of the Zoning Ordinance.