



# MEMORANDUM

**To:** Town Council

**From:** Theo Holtwijk, Director of Long-Range Planning

**Date:** February 10, 2014

**Re:** **Proposed Draft Revisions to 2013 Comprehensive Plan**

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Town staff recommends that the Council consider adopting a revised Comprehensive Plan.

- The proposed plan revisions are made in response to review comments received by the State of Maine.
- The State of Maine has found the plan, with inclusion of the proposed revisions, to be complete and consistent with the Growth Management Act.
- Staff believes that these revisions are non-substantive and do not require a Public Hearing.

## Background

October 28, 2013	Town Council adopts 2013 Comprehensive Plan
November 8, 2013	State of Maine submits acceptance notification of the plan to Town
December 27, 2013	State submits State review comments to Town
January 31, 2014	Town responds with draft set of revisions to the plan to address the comments
February 4, 2014	State responds with two follow-up review comments
February 7, 2014	Town responds with additional revisions to the plan to address the follow-up comments
February 7, 2014	State submits Finding of Completeness and Consistency to the Town

Below is a chart that contains reference to all of the State's review comments and the proposed revisions to the Comprehensive Plan. This chart also contains reference to two Town-initiated edits and corrections to the plan.

This memo is accompanied by:

- State of Maine Consistency Letter and Review Comments (24-page PDF),
- Draft Revised (red-line) Plan Volume I, dated February 7, 2014, and
- Draft Revised (red-line) Plan Volume II, dated February 7, 2014.

Upon Council adoption of the revised plan, staff will issue a final, "clean," revised plan set.

Thank you.

## Comprehensive Plan Comments from State of Maine with Town responses

Draft: February 10, 2014

	State of Maine – review comment			Town of Falmouth - response	
	Agency	Summary of comment	Review PDF page #	Comment	Volume #, PDF page #
1	DEP	DEP, not EPA, conducts water quality monitoring in Falmouth.	2		II-76
2	DEP	Provide additional information regarding Highland Lake water quality monitoring.	2		II-76
3	DEP	Provide additional information regarding Highland Lake impairment/restoration	2		II-77
4	DEP	Recommend extending Shoreland Zoning provisions to include first order streams	3	A review is recommended, rather than a specific change at this time.	I-61, 70, 77;II-78, 82, 83
5	IFW-BwH	Revise natural resources inventory to include comprehensive inventory	4		II-80-81
6	IFW-BwH	Assess growth boundaries to protect natural resources	5, 6		I-26, 27, 29
7	IFW-BwH	Include information how roads can impact wildlife habitat connections	6-7		II-47, 79
8	IFW-BwH	Refer to vision by Presumpscot Region Watershed Coalition/partnership opportunities	8		II-79-80
9	IFW-BwH	Depict rare plant and wildlife species and rare/exemplary natural communities on natural resources map	8		I-30 + two updated maps in Vol. III
10	IFW-BwH	Suggest to distinguish on map between Significant Wildlife Habitats	8	Town desires simplified map as they are 11 by 17 inch format	

	State of Maine – review comment			Town of Falmouth - response	
	Agency	Summary of comment	Review PDF page #	Comment	Volume #, PDF page #
11	IFW-Fisheries	Consider additional protection for wild brook habitat (100 feet buffer)	9	A review is recommended, rather than a specific change at this time.	I-61, 70, 77; II-79, 82, 83
12	IFW-Fisheries	Identify need for and adopt stream-crossing practices that do not impede fish passage. Refer to guidelines	9, 14-15		II-46
13	IFW-Fisheries	Include existing and planned public water access initiatives regarding Highland Lake, Presumpscot River and Piscataqua River. Describe opportunities, deficiencies, and strategy for improvement.	10		II-88, 98-99
14	IFW-Fisheries	Do not limit public water access to Town residents only.	10		I-62, 63; II-91, 99
15	IFW-Fisheries	Expand use of open space lands to all Maine citizens.	10		I-63, 72, 74; II-99, 100
16	IFW-Fisheries	Do not adopt ordinance language that would prevent reasonable attainment of good access points.	10		II-99
17	IFW-Fisheries	Adopt an “exception” for water access points.	11		II-99
18	IFW-Fisheries	Include freshwater fishery resources in lakes and streams	11, 16-17		
19	IFW-Fisheries	Make sure to allow hunting and fishing in open space areas, and not just “passive recreation.”	11		I-64; II-99
20	IFW-Fisheries	Include consideration of stormwater runoff impacts on inland water resources, not only marine habitats.	11		I-61, 70, 74; II-82, 83
21	IFW-Fisheries	Include, besides invasive plants, consideration for invasive aquatic organisms.	11		II-90-91

	State of Maine – review comment			Town of Falmouth - response	
	Agency	Summary of comment	Review PDF page #	Comment	Volume #, PDF page #
22	IFW-BwH follow-up	Correct the acreage and percentage of the combined critical natural resources located within rural, residential and commercial areas and within publically owned lands.	18		I-29
23	IFW-Fisheries follow-up	Include principal warmwater fisheries in Highland Lake. Articulate public access goals and management responsibility for Highland Lake by State of Maine.	18		II-79
24	DACF-MFS	Add harvest data set	20		II-108
25	DACF-MFS	Refer to Maine Forest Service – district forester	20		II-108-109
26	DACF-MFS	Refer to Soil and Water Conservation District	20		II-105
27	DACF-MFS	Refer to WoodsWISE program	20		II-109
28	DACF-MFS	Refer to “Best Management Practices for Forestry” publication	21		II-109
29	DACF-MFS	Add street tree discussion	21		II-47-48
30	DACF-MFS	Refer to Project Canopy	22		II-48
31	DACF-Planning	Clarify conflict that Mackworth Island is included Growth Area, but is currently in Farm and Forest Zoning District, and is not targeted for potential rezoning. Consider revising map or text.	24		I-38

**Additional, Town-Initiated Edits from Adopted Plan**

	<b>Town-Initiated Edit</b>	<b>Comment</b>	<b>Volume #, PDF page #</b>
1	Increase share of growth in growth area to a “significant majority” from 2/3rds.	Consistency with rest of text.	I-5
2	The following action (which is already listed under theme 5) was inadvertently omitted from theme 3: “Evaluate and propose Land Use Ordinance amendments regarding the amount and method of required open space in the growth area of the Resource Conservation Zoning Overlay District, including corresponding maximum densities in this area.”	This copies action #5 from PDF I-76.	I-72