
HCPC NEWSLETTER

Hancock County Planning Commission

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Fiscal Year 2007-2008

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PLANNING NEWS

By Tom Martin

THE 2010 CENSUS IS COMING

Adapted from the State Planning Office Newsletter

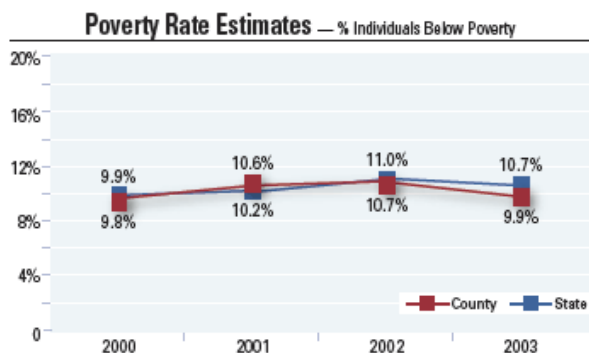
The 2010 Census may seem like a long way off, but preparations are already underway to make sure everyone is counted. The U.S. Census Bureau develops address lists, street by street and road by road, so they can mail a census form to every household. The Bureau needs help from towns to make sure its address lists are up-to-date. On July 1, every town will receive an invitation from the Census Bureau to participate in the Local Update of Census Addresses (LUCA) program. Towns can select their level of participation; from reviewing every address on the Census Bureau's list to providing the town's address list, or comparing the Bureau's count with its own count of addresses and households. *Given some unexplainable discrepancies in the 2000 Census for Hancock County, the HCPC strongly urges all towns to be involved as much as possible.*

Participating in the LUCA process is important. Towns need a complete and accurate census of their population and housing units for a variety of purposes. Population counts are the basis for voting districts. Undercounts can result in loss of representation in the state legislature or in Congress. There are more than 50 federal programs from which funds are dispersed based on population. Many other programs base a town's need and eligibility on income, poverty, and other characteristics of the population provided by the

census. Maine is making every effort to ensure towns have the information and technical help they need to participate in the LUCA program. For more information, contact Tom Martin at the HCPC (tmartin@hcpcme.org) or Joyce Benson, Maine's Census Liaison, at SPO at 1-800-662-4545 or joyce.benson@maine.gov.

POVERTY AND WEALTH IN HANCOCK COUNTY

A common refrain to towns that are unable to obtain certain grants is that household incomes are too high. This may seem surprising to the average working family that is struggling to get by. While our poverty rate is slightly lower than the state average (see the graph below), there are other factors that affect our economy. According to a recent report by the Margaret Chase Smith Policy Center prepared for the Maine Community Action Association, the median household income in 2003 for Hancock County was \$37,924 while the estimated livable wage for a family of four in 2004 was \$46,030. Median incomes are thus less than the livable wage.



Graph reprinted from the Maine Community Association and Margaret Chase Smith Policy Center publication, *Poverty in Maine 2006*

For persons of working age, the situation is even worse. About 60 percent of per capita personal income in Hancock County is derived from earnings (salaries and wages) compared to 65.5 percent statewide. About 22 percent is from dividends, interest, and rent, compared to 15.4 percent statewide. The remaining 18 percent is from transfer payments (such as social security) compared to 19 percent statewide. In other words, the influx of retirees has increased our incomes while our earnings lag.

There are also indicators that the Hancock County economy is under stress. For example, while Hancock County has a lower food stamp participation rate than most counties, the rate is increasing. Between FY-02 and FY-05 the county rate increased by 60.1 percent compared to a statewide increase of 49 percent. The average unemployment rate for the county increased or stayed the same between 2002 and 2005 while there was a statewide decrease between 2004 and 2005. In 2003 the county had a poverty rate for individuals slightly lower than the state. However, its rate of poverty for those under age 18 was about the same as the state rate.

SHORELAND ZONING UPDATE: AVOID THESE COMMON MISTAKES

Towns across the state are in the process of updating their shoreland zoning ordinances to comply with the new state guidelines. The DEP has noted several mistakes that towns have made in the revision process.

1. Remove irrelevant language and commentary from text: The model guidelines contain various notes and provisions that may not apply to your town. For example, the “only significant river” segment in Hancock County is the West Branch of the Union River. Similarly, only some towns have Commercial Fisheries/Maritime Activities districts, but this language appears in the model.
2. Remember to submit revised zoning map: If there are any changes in town shoreland zoning boundaries, towns need to submit the map as well as the zoning text to the DEP for approval.
3. Distinguish between wetlands and great ponds: There are some great ponds that have associated freshwater wetlands. In some cases the Maine Department of Inland Fish & Wildlife has mapped the whole pond as a moderate/high value habitat, yet much of the pond has no significant wetland areas. The land adjacent to the lake is high and dry with little emergent

vegetation along the shoreline. In those cases the DEP only expects the town to zone those areas within 250 feet of the wetland that is associated with the pond as Resource Protection, not the whole pond.

4. If land is rezoned Resource Protection, remember state law regarding notification of land owners: 38-MRSA 438-A requires that towns provide written notice by first class mail to landowners whose property is proposed for rezoning into a resource protection zone. The municipality must send notice not later than 14 days before its planning board votes to establish a public hearing on adoption or amendment of a zoning ordinance or map that places the landowners' property in the Resource Protection zone. Once a landowner's property is placed in Resource Protection, individual notice is not required when the zoning ordinance or map is later amended in a way that does not affect the inclusion of the landowner's property in the Resource Protection zone.

Feel free to contact Tom Martin at the HCPC if you have any questions on the shoreland zoning ordinance revision process.

CODE ENFORCEMENT: AN OPPORTUNITY

As Hancock County grows and more land is developed, the demands placed on code enforcement officers increase. While most small towns don't have enough work to justify a full-time code enforcement officer, it may be difficult to retain qualified part-time individuals. Towns commonly address this problem by hiring someone who also works part-time for several other towns.

The disadvantage of this relationship is that someone who works independently for several towns is not considered full-time for purposes of health insurance and other benefits. One option is for towns to hire one individual jointly with one town serving as the lead. Another option is for towns to contract with the Hancock County Planning Commission for payroll services for a

code enforcement officer. Each town would specify a certain number of hours per week that it would require enforcement services and be billed by the HCPC accordingly. With several towns participating, the total hours would be sufficient to qualify for full-time employment.

Any town interested in exploring this option is urged to contact Tom Martin at the HCPC. Towns may also want to review their current planning board and permit application fees to see if they are sufficient to cover their enforcement costs.

LIGHT POLLUTION: WHAT IS IT AND WHAT CAN BE DONE?

by Jennifer Boothroyd

People are beginning to notice light pollution. Some who hear the term automatically think of the people who live next door to a twenty-four hour gas station, tossing and turning each night as they try to ignore the glow seeping in around their bedroom blinds. The technical term for this is light trespass, and it is a common form of light pollution. But this problem can get more complicated than that. Like water or air pollution, light pollution's big impact results from the accumulation of many smaller impacts. A poorly-designed individual porch light may not seem like a big deal, even to the neighbors, but when its light combines with that of all the porch lights in the neighborhood, the impact can be dramatic; like the glow above a city in the night sky. This glow can obstruct views of the natural night sky, confuse and disorient wildlife, and even disrupt our own natural sleep patterns. Poorly planned lighting can also cause glare, which poses a danger to motorists.

Fortunately, with some thought and consideration, there are some easy ways we can all reduce our light pollution impact. Consider installing outside lights that operate with a motion sensor, only turning on when triggered by someone's presence. This approach also saves more energy than a light that's constantly on, which could translate into a little relief in your electric bill. Also give thought to the types of bulbs you use and the light they provide. Different types of light bulbs offer various levels of brightness, energy efficiency, and color rendering, which describes how clearly colors can be perceived. Also be thinking about

the height of your light fixtures. Higher-placed lights cast a wider circle of light. Often, a lower, more specifically-placed light will do, and will limit light trespass. Finally, consider the way the light is shielded in your fixture. Poorly-shielded fixtures that allow light to spread in a wide path or escape upwards should be discarded in favor of well-shielded fixtures that produce a more focused beam of light where it is needed. Over-lighting, or using more light than is necessary, is also a common phenomenon. When considering your light needs, think about how much light you actually need for your area. You may realize that you don't need to illuminate your entire yard with three different lights, one to light your front porch will suffice.

If you would like more information on selecting the best lighting types for your home or business, or if your town is interested in crafting or revising a lighting ordinance, contact the Hancock County Planning Commission. We have some sample ordinances on file and are also drafting a lighting manual for use by planning boards.



These light fixtures, recently installed at a local business, effectively light the parking lot with beams of light focused downward from shorter fixtures.



The spotlights used to light this sign are placed on the ground and shine upwards. Consequently, much of the light reflects or escapes into the sky.

MAINE COURT CASE ON BOARD VACANCIES

Adapted from the Maine Municipal Association (MMA) web site

On April 26, 2007, the Maine Supreme Court held that where a municipal board is required by statute, charter or ordinance to have a certain number of members but there is a vacancy, the board is not legally constituted and has no authority to act (*Stevenson v. Town of Kennebunk, 2007 ME 55*).

Kennebunk's attorney is submitting a motion to the Court to reconsider its decision. In addition, MMA is proposing an emergency bill to the Legislature to amend State statutes and reverse the Court's decision. In the meantime, municipalities can mitigate the impact of the Court's decision by filling board vacancies as soon as possible. Boards with vacancies may also want to consult with legal counsel about postponing significant decisions if possible. Municipalities can also amend their charters or ordinances to grant boards the authority to act despite a vacancy or to provide for alternate members in the event of a vacancy.

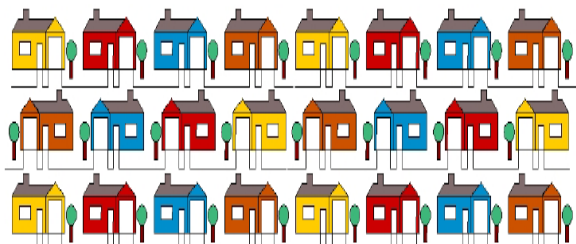
The MMA staff thinks the Legislature will probably restore the ability of boards with vacancies to act, but will continue to monitor developments and advise accordingly. The HCPC will also keep abreast of the impacts of this court

ruling. Feel free to contact Tom Martin if you have any questions.

SUBDIVISION DEVELOPMENT AND PERSONAL PROPERTY RIGHTS:

Striking a Balance in Hancock County

by Tom Martin



STRIKING A BALANCE WORKSHOP HELD ON VERNAL POOLS AND SHOREBIRD HABITAT RULES

On May 30, 2007 about 63 people attended the HCPC's ninth *Striking a Balance* workshop. This workshop series is part of the HCPC's on-going effort to educate municipal officials, developers and the general public on planning and land use issues. The May workshop focused on proposed revisions to the Natural Resources Protection Act that affect vernal pools, waterfowl and wading bird habitat.

These revisions would ease the burden on landowner. Details on the revisions can be found at: <http://www.maine.gov/dep/blwq/> . Those of you without web access may contact Tom Martin at the HCPC. In brief, the vernal pool standards apply only to "significant" vernal pools as defined by DEP. Most development activity within 250 feet of a vernal pool can occur under Permit by Rule standards.

The shorebird habitat rules apply to inland and tidal waterfowl, wading bird habitats and shorebird nesting, feeding and staging areas. Projects within existing developed areas will be subject to Permit By Rule standards. A full permit is required for activities outside of developed areas. These permits set standards to minimize impacts on the habitats. The rules would require a 250-foot buffer on roosting areas and a 75-foot buffer on feeding

areas. The HCPC will keep towns informed as the latest maps that show these areas are made available by the DEP.



Participants listen as Jim Beyer of Maine DEP explains vernal pools and shorebird habitats.

CDBG NEWS

by Tom Martin

While the 2006-2007 Community Development Block Grant (CDBG) cycle is largely over, it is never too early to start preparing for the next round of funding. While only Amherst, Aurora and Osborn have overall incomes that qualify them for funding of facilities of town-wide benefit (such as fire stations and community centers), all towns have a chance to receive other grants. These include grants targeted at low to moderate income persons such as job creation and social service programs. The HCPC can help you identify what grants might be appropriate to your community.

Here are some helpful tips to consider as you develop an application:

1. If your town's application was not funded this year, meet with the Maine Office of Community Development to learn why. The HCPC is available to organize a meeting between a town and the Office of Community Development. This is often a good way to learn what you can do to strengthen your application for next year's funding.

2. If you are planning to apply next fiscal year, start holding public outreach meetings now. The more public support you can demonstrate for your application, the higher your application score will be. The HCPC can attend public outreach meetings and explain the CDBG program requirements.
3. If you need to conduct an income survey contact the HCPC. We can provide the latest information on the survey methodology required by the state. Any income survey methodology needs to follow state guidelines if it is to be considered valid.
4. Remember almost all programs require a cash match. Your grant would be more competitive if you had the match approved before you submit your application. While the HCPC can help identify matching sources of funds, some funds will probably need to be raised by the legislative body of the town.

- Transportation-related jobs have an employment multiplier of two. Every \$1 million of spending supports 31 jobs.
- Transportation is the second largest expenditure made by households, second only to housing, with the average family spending 20% of income -- about \$10,500 annually.
- Maine is more dependent on roads and bridges than most states; 85% of Maine's freight moves by road along with 95% of passengers. It's the third most rural state.
- Those over the age of 65 hold 5% of driver's licenses but are involved in 15% of fatal crashes. By 2025, it's expected that 1 in 5 Mainers will be over 65.
- While Maine and New Hampshire have the same population, Maine has 1.5 times the road mileage -- 22,748 vs. 15,627.
- Since 1960, Maine's population living outside service centers has grown from 37% to 52%, and the average Mainer commutes roughly 44 minutes a day.
- Maine has 918 licensed drivers for every 1000 people of driving age (16th highest) and has one registered vehicle per driver.
- 31% of Maine's major roads are in poor or mediocre condition. The cost of bad roads includes vehicle depreciation, extra repairs, lower gas mileage and increased tire wear -- \$282 per motorist annually, or \$263 million statewide.
- Poor road design is a factor in one-third of all crashes. The cost of crashes during 2005 was estimated at \$1.1 billion.
- Roughly 200 people die in car accidents each year in Maine. With one-third of accidents related to road conditions, Maine could potentially prevent \$360 million in economic loss and save up to 65 lives with appropriate investment.
- A one-hour unscheduled delay for a commercial trucker costs \$350.

TRANSPORTATION NEWS

by Tom Martin and Jim Fisher

Adapted from the Maine Development Foundation Newsletter

The State of our Roads

We all know our highway system is in poor shape. A recent report in the Maine Development Foundation Newsletter reveals the importance of transportation to our economy and our overall well being. It also shows some of the challenges we face.

Let's look at the facts:

- 49,000 Maine workers (8% of all workers) are employed in trucking or in the construction and maintenance of roadways; the sector accounts for 6.5% of all wages.
- Over three-quarters of a billion dollars in state and local taxes annually are derived from transportation.

- Delays can be deadly. If a paramedic cannot administer defibrillation within six minutes of a heart attack, brain damage and death can result. Firefighters must reach and contain a fire within 20 minutes to limit structural damage.
- In 2004, Maine posted weight restrictions on 1,854 miles of state roads (22% of the total) shutting down key industries and dramatically decreasing productivity.
- Investment in roads and highways provides a 5.4 to 1 return. Every \$100 million spent on improvements results in \$540 million in benefits from improved safety, reduced delays, and lower operating costs.
- In a 2004 National Corporate Survey of 24 site location factors, access to transportation was second only to labor costs in importance, ranking higher than taxes or energy costs.

Connecting Maine

The Maine Department of Transportation (MaineDOT) is charting our transportation future as it writes the 2008 – 2028 Long Range Transportation Plan. Long range plans need to identify a broad agenda rather than picking specific projects. Themes that overarch this plan can be summarized as the three M's:

- Mobility – how to satisfy our historic need to move people and goods efficiently. Mobility is fostered through a variety of strategies including improving roads, managing access, standardizing shipping containers, and providing rail and other alternatives.
- Modality – providing transportation alternatives from sidewalks and bikeways to a blue highway for shipping freight. As highway congestion beyond Maine's borders stifles our ability to compete in a global economy, we need to consider opening new shipping channels by air, water and rail.
- Money – rising fuel prices delivered a two-fisted punch to Maine's transportation

budget. Fuel-intensive construction costs have risen dramatically in just a few years. Higher fuel prices have also suppressed growth in gasoline sales, and, consequently, fuel tax revenues that are needed to finance transportation improvements.

The Long Range Plan must balance these three competing objectives. Funding shortfalls limit our options, while rising traffic congestion limits our capacity to compete and improve Maine's economy. These constraints notwithstanding, the road ahead may be very different than today's asphalt network. Change is essential.

Maine's surface transportation history witnessed as early waterways and trails gave way to sailing ships, to steamships, to trains and highways. Changes were driven by the demand to move people and freight faster, with greater flexibility and at lower costs. Changes in transportation can dramatically alter the state's economic landscape, spurring the creation of new business enterprises, housing and local services.

Each transition has had winners and losers. The introduction of the interstate highway system greatly reduced travel time for urbanites to visit Maine, and for southern Maine to develop distant suburban communities serving Boston. New trade routes can bypass port towns, rail stations and shopping centers. Economists often use the dramatic decline in demand for buggy whips as an example of how changes in transportation systems can leave old technologies and places in obsolescence.

Transitions can also be costly to implement. A mile of new interstate highway may cost \$10 million to build, and will require regular maintenance for the remainder of its useful life. Local transit systems rarely operate at a profit. The desired environmental benefits of mass transit are contingent upon significant ridership.

Opponents to change point to transition costs and to the impacts that new transportation systems have on a way of life. Waukeag Station, an all but invisible former rail stop on the route from Boston to Hancock Point (thence to Bar Harbor by ferry), served as a junction for travelers to points east

crossing Taunton Bay by ferry to Sullivan. Completion of the Thompson Island bridge connecting Bar Harbor with Trenton and the subsequent rise of auto-based travel to Bar Harbor left Waukeag Station and points east without this valuable rail connection. This and the demise of steamship service contributed to closing all of the hotels and most of the guest houses in Sullivan.

The last seven decades can be characterized as the era of the private automobile. Passenger rail service disappeared altogether, and now only reaches Portland. Transit services are sparse, with once weekly bus service or no buses at all in many Hancock County towns. Air services in Trenton and Bangor struggle to compete with southern airports. Water transportation is limited to island ferry service, excursion cruises and the CAT. Rising levels of automobile traffic on our road network greatly exceed anticipated levels of use and the design-capacity of the roads, and can crowd-out other users, including walkers and bicycles.

The question before us is whether we will continue our nearly exclusive dependence on private automobiles or go back to the future by broadening our transportation options by expanding transit, ferry, rail, bicycle and pedestrian opportunities. MaineDOT is evaluating how to move ahead given current constraints of modality, mobility and money. The final plan will be available online at www.maine.gov/mdot in the fall. In the meantime, interested readers will find information about current transportation spending and future plans on the HCPC website.

MaineDOT Releases 2008-2009 Biennial Workplan

The Maine Department of Transportation recently published a detailed two-year workplan describing a wide range of transportation projects planned for construction in fiscal years 2008 and 2009. HCPC has prepared a Hancock County subset of this plan which is available on our website (www.hcpcme.org) on the transportation page.

This biennium will be relatively low-key due to funding constraints. However, Hancock County is

in line for several very significant investments. Among the major projects are:

- Bar Harbor Road Improvements
- Deer Isle-Sedgwick Bridge
- Ellsworth Bicycle-Pedestrian Project
- Swans Island Ferry Slip
- Trenton Airport Runway Improvements
- Trenton Road Improvements
- Trenton Intermodal Passenger Facility

We strongly encourage towns to visit the website and see what projects are planned. This is a golden opportunity to work on related infrastructure improvements, such as sewer, water, local roads, sidewalks, parking, landscaping and land use planning. Early and frequent communication with MaineDOT fosters timely project implementation.

If you identify potential opportunities of conflicts between local and MaineDOT plans, we encourage you to contact our office or contact MaineDOT directly.

Complete the Street: Safe Routes to School and Commute Another Way

Connecting Maine is coming full circle. Recent policy changes at MaineDOT and at the federal level to “complete the streets” may spur broader transportation choices, a back-to-the-future scenario in which we will have options to move quickly and others to go at a walking pace. Four success stories are brewing in Hancock County.

In the early percolation phase is an initiative to identify feasible trail connections between Brewer, Orrington and Bucksport. This initiative is just getting started, but may someday provide residents with local opportunities for safe and healthy ways to get from one place to another without a car and may provide local businesses with a new customer base.

Somewhat further along is the Down East Sunrise Trail. Maine Department of Conservation recently hired a trail manager to oversee trails projects in eastern Maine. The Down East Sunrise Trail, proposed to extend from Ellsworth to Ayers Junction, near Eastport, would be one of the most

ambitious projects in Maine. MaineDOT and MaineDOC are estimating total project costs as well as resources to help pay for this eighty-six mile initiative.

Closely related and even closer to implementation is a rail-with-trail project that will connect Ellsworth's downtown with Ellsworth High School. The 2008-2009 Biennial workplan includes this project, funded primarily with a federal transportation enhancement grant.

Only recently the Town of Blue Hill was notified that they have been awarded a "Safe Routes to School" grant of more than \$60,000 to construct a sidewalk and pedestrian bridge to help students travel safely to the Blue Hill Consolidated School. This grant helps Blue Hill along their path to a network of safe routes connecting four schools, the community library, business center, hospital and more. HCPC was happy to work with the Town of Blue Hill, the Blue Hill Consolidated School and particularly with Healthy Peninsula, to prepare this grant proposal.

MaineDOT has committed to adding paved shoulders to more of their highway reconstruction projects. This commitment has dramatically increased the number of miles of paved shoulders statewide, and is creating many new places for people to travel car-free. As Maine and the nation move to make our transportation system work for a wider range of people, including those with disabilities, we will be exploring innovative solutions to improving health, access and mobility.

MAPPING

by Jim Fisher

Enhancing HCPC Mapping

HCPC is investing in expanding our computer mapping, or geographic information systems capacity. We are upgrading to ArcGIS 9.2, a very powerful computer mapping program that will enable us to provide better printed maps and online mapping for towns in Hancock County.

Among the exciting features of ArcGIS 9.2 is our ability to post "layered Adobe Acrobat PDFs" to the internet. Layered PDFs are viewable and

printable online using Adobe Acrobat Reader 7.0 or above. The big step forward is that anyone using these free programs can turn on or turn off specific map features. For instance, if we put a land use map for your town online, you will have the option of selecting whether to display aerial photographs, wetlands, zoning, parcel boundaries, water bodies or any other map features that you choose. You will also be able to zoom in on a specific area in your town that concerns you.

HCPC is also acquiring a large format scanner. For years we have struggled with the interface between historic printed maps and modern digital maps. The solution, often as not, has been driving a map to Bangor for scanning, then driving the CD back to our office for processing. We are fortunate to be purchasing a used scanner from the Hancock County government that will enable us to move from paper to digital formats in-house. This new capacity means that we can help towns throughout the county move their historic information onto computers for archiving, conversion to geographic information systems, providing owners and developers with editable files and more. Please contact us with your ideas for ways to put our services to good use.

HEALTH NEWS

Common Health Upcoming Programs:

June 20, 2007 Good Vibrations: Electromagnetic Frequency, Light and Health

We are surrounded by electromagnetic emissions, some that we can see, some that we can hear and a lot that affects us without our knowing. We'll take on the full spectrum from UV to dark skies as we straddle the Summer Solstice.

July 18, 2007 Reaching Out

This month we'll examine the Community Care project for Southwest Harbor, Tremont and the outer islands near to Mount Desert Island. This initiative, funded by the Maine Health Access Foundation, is exploring ways to strengthen connections between community-based

organizations and health care providers. Is this a model for extending health care to underserved people in the rest of Maine?

August 15, 2007 Community Supported Agriculture

Much of the food we eat is sprayed with chemicals, prepackaged and shipped across the country. At the same time we are losing high valuable farmland to rural residential sprawl. Farmers in Maine struggle with high production costs and competition from agribusiness. We'll celebrate the height of the growing season with a dialogue about Community Supported Agriculture, exploring the many ways that we can protect our farmland, improve the food we eat and get to know our farmers.

You can keep up to date with Common Health programming and listen to audio archives on our website, www.commonhealth.org. Listen to live broadcasts on WERU, 89.9 FM at 10:00 AM the third Wednesday each month.

STAFF NEWS

HCPC planner Jennifer Boothroyd finished her graduate studies this month. She earned a Master's degree in Public Administration, with a concentration in Planning, Development, and Environmental Sustainability from the University of Maine.

DATES TO REMEMBER

Sept. 27, 2007
Striking a Balance Workshop
Topic to be determined

Hancock County Planning Commission is a partner with local and county government to: protect our heritage and resources, plan for the future and promote a sound economy for the people of Hancock County.

Summer 2007 Newsletter

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