

HCPC NEWSLETTER

Hancock County Planning Commission

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Fiscal Year 2014-2015

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PLANNING NEWS

by Tom Martin

Francis Heritage Trust vs. Town of Limington: When is Conservation Property Tax-Exempt?

Case Overview

The Francis Small Heritage Trust, Inc. requested tax abatements on its Limington properties arguing that they should be granted tax-exempt status. The town denied the Trust's petitions. The State Board of Property Tax Review denied the Trust's appeals, concluding that the Trust was not entitled to a tax exemption pursuant to 36 Me. Rev. Stat. 652(1)(A),(C) because its activities were "not restricted solely to benevolent and charitable purposes." The superior court vacated the Board's ruling, concluding that the Trust was entitled to a tax exemption as a benevolent and charitable institution. The Supreme Court affirmed, holding that, under the circumstances of this case, the Trust was entitled to a tax exemption as a charitable and benevolent organization.

What Does This Case Mean?

The case distinguishes between land held under Open Space taxation, which reduces the assessment of a property and tax-exempt property. If the organization is incorporated as a charitable organization and uses the property for benevolent and charitable purposes, it can be considered tax-exempt. The trust used its property for educational purposes.

The complete case can be found at:
www.courts.maine.gov/opinions_orders/supreme/lawcourt/2014/14me102fr.pdf

March 16 2015 Deadline for Comprehensive Plan data packages

The state's Municipal Planning Assistance Program compiles certain state agency data that towns can use in updating their comprehensive plans. Because it collects this information from a variety of state agencies and does so only twice a year, towns should be certain to get on the resource package list before needing the data. If your community is interested in receiving a data set this coming spring, or if you need additional information on data packages, please contact Tom Martin at the HCPC before March 16, 2015.

Stormwater Management: Adapting Your Ordinances to Reflect More Intense Storm Events

We are experiencing more intense storm events and the predictions are that we can expect even more severe storms. HCPC is presently working on land use ordinance standards that reflect new design standards for storms and greater use of green infrastructure. For an example of managing stormwater impacts, see:

http://maine.gov/dacf/municipalplanning/docs/LC_RPC%20Stormwater%20Calculator%20Tech%20Bulletin.pdf. Contact Tom Martin for more information.

Coastal Flooding - Free Webinar

The Municipal Planning Assistance Program of the Maine Department of Agriculture, Conservation and Forestry invites you to attend a free webinar.

Tools to help visualize and respond to Coastal Flooding in Maine

February 6, 2015 - 1:00 to 2:30 PM (EST)

Presented by:

Jamie Carter, Sr. Remote Sensing Analyst, The Baldwin Group, Office for Coastal Management,

National Oceanic and Atmospheric Administration (NOAA)
Lauren Long, Coastal Conservation Specialist, The Baldwin Group, Office for Coastal Management, National Oceanic and Atmospheric Administration (NOAA)

Coastal communities face a variety of threats from natural hazards and climate change. Understanding and identifying the risks and vulnerabilities from these threats can be performed using publicly available data and tools. This webinar will highlight resources that help communities visualize coastal flooding scenarios, characterize their exposure to current and future flooding, and encourage public participation in the planning process. Presenters will also describe green infrastructure approaches that help reduce flood hazard impacts, and will discuss associated costs and benefits. Data, tools, and other resources from NOAA's website the Digital Coast will be presented, and participants will have ample opportunity to engage the speakers.

In this webinar, participants will:

- Learn how to access and navigate NOAA's Digital Coast
- Explore the Sea Level Rise and Coastal Flooding Impacts Viewer
- Explore the Coastal Flood Exposure Mapper
- Discover green infrastructure costs and benefits

Registration information will be posted at <http://maine.gov/dacf/municipalplanning/technical/webinars.shtml>

Stonington Waterfront Adaptation Project

by Jim Fisher

Hancock County is rich in coastline, more than any other county in Maine. This makes Hancock County also among the most vulnerable to changes in sea level and ocean storm activity. Climate models provide a range of projections for future changes in sea level and storm activity. Some reputable forecasts indicate that sea level

may increase by several feet during this century. Further, changes in atmospheric and oceanic conditions are expected to result in less stability of



Figure 5-3 Components of storm tide and breaking wave processes.

weather, with more frequent and more severe storm events. The combination of larger storm surges and higher

sea-levels is particularly hazardous for our coastal communities.

The Hancock County Planning Commission is working with the town of Stonington to identify coastal infrastructure, businesses and housing that may be at greater risk of flooding in the future, and to develop adaptation alternatives. This project is funded by the Maine Coastal Program (MCP) with support of the National Oceanic and Atmospheric Administration (NOAA).

The impacts of increased storm activity are already being felt. Examples include Hagen dock and the Stonington Fire Station both of which are experiencing more frequent flooding and undermining.

HCPC is employing GIS technology to overlay Stonington’s current infrastructure with projected flood events to identify affected properties. Town assessment data are used to measure the potential losses in a major or catastrophic flood. Several of our reports and maps are posted online at www.hcpcme.org/stonington/coastal.

The next step will be to work with local leaders to identify alternatives for adapting to flooding risks. These alternatives range from continuing with business as usual, elevating buildings to withstand floods, building berms or flood walls or moving infrastructure to higher



ground. Most of the choices will require many years to design and implement and will be continually adapted to changing economic, social and environmental conditions. Planning ahead and identifying solutions will put Stonington ahead of many coastal communities when opportunities arise, such as coastal infrastructure grants. HCPC will be happy to meet with your town to discuss opportunities for planning in areas that may see increasing risk of flooding and coastal erosion.

CDBG NEWS

by Tom Martin

MINOR CHANGES HAVE BEEN MADE TO 2015 CDBG PROGRAM

The 2015 Community Development Block Grant (CDBG) Program Statement is at: www.maine.gov/decd/meocd. There are only minor changes from last year’s program. The most notable is that businesses applying for Micro-Enterprise Assistance funds must have a business plan not older than 18 months and must have met with a Small Business Development Center (SBDC) business counselor in the three months prior to submitting an application for assistance.

For more information on the 2015 Program, see: www.hcpcme.org/comdev.html. This page has descriptions of the various grant categories and the matching fund requirements. It also has electronic copies of all application material.

The schedule of deadlines for letters of intent and applications is shown in the table below. All applications and Letters of Intent must be received at the physical location of the Office of Community Development on or before 4:00PM EST on the dates listed below. It is not sufficient to have the copies in the state mail system. ***Faxed copies will not be accepted.***

NEW TOWN-WIDE INCOME DATA

by Tom Martin

The Maine Office of Community Development has updated the data uses to determine which

towns have 51 percent or more of their households that are low to moderate income. There are eight towns in Hancock County that are over this threshold. These towns qualify for Public Facility projects, such as fire stations, that serve an entire town. They also qualify for a Downtown Revitalization grant if they meet certain conditions.

Please note that the proposed CDBG budget does not allocate any funds for Public Facilities. Funds may be allocated from unexpended balances in other grant categories. This means that it will be a very competitive program and there is the possibility that no funds will be available this year. Applicants must demonstrate that the proposed activity will alleviate a threat to the health and safety of the general public. This demonstration must be included in the Letter of Intent and submitted to the Office of Community Development on or before January 16, 2015.

2014 ESTIMATES OF TOWNS WITH MORE THAN 51 PERCENT of LOW TO MODERATE INCOME HOUSEHOLDS	
Municipality	% Low Moderate Income
Aurora	84.62%
Cranberry Isles	65.00%
Eastbrook	60.20%
Frenchboro	84.62%
Osborn	53.85%
Stonington	52.55%
Tremont	53.19%
Winter Harbor	61.00%
SOURCE: American Community Survey, 2014	

HOW CAN THE HCPC HELP WITH CDBG APPLICATIONS?

Our staff has over 35 years of experience in working with the program. We can provide an overview of program requirements, identify matching sources of funds, offer guidance in citizen outreach and provide data to document the need for the project. We also have extensive experience in application writing.

The program is very competitive. Be sure to follow the submission requirements to the letter. *Points are deducted for omissions in the*

application. We are available to review any application for completeness.

HANCOCK COUNTY CDBG PROJECT RECEIVES NATIONAL AWARD

by Tom Martin

The Hancock County Gleaning Initiative, funded with CDBG monies, was recognized by the Council of State Community Development Associations with its Sterling Achievement award. The Gleaning Program, directed by Healthy Acadia, arranges for edible, surplus food to be diverted from restaurants and farms to food pantries and soup kitchens. CDBG funds allowed the hiring of a coordinator to oversee the project. As a result, the variety of food distributed increased (from 4,500 pounds to over 30,000 pounds *(see related article on food waste prevention)*).

CDBG PROGRAM DEADLINE SCHEDULE

Program	Letter of Intent Due Date	Application Due Date <u>By Invitation Only</u>
Downtown Revitalization	January 30, 2015	April 17, 2015
Economic Development	1 st Friday of January, February and March**	April 24, 2015
*	1 st Friday of May, June and July**	July 31, 2015
*	1 st Friday of August, September & October**	November 20, 2015
Housing Assistance	March 13, 2015	May 1, 2015
Micro-Enterprise Assistance and	1 st Friday of January, and February**	March 28, 2015
*	1 st Friday of March and April**	May 29, 2015
*	1 st Friday of May and June**	July 31, 2015
*	1 st Friday of July and August**	September 25, 2015
Public Facilities	January 16, 2015	TBD*
Public Infrastructure	January 16, 2015	March 6, 2015
Special Projects *	N/A	TBD*
Urgent Need	N/A	TBD
Workforce Development	1 st Friday of January and February**	March 28, 2015
*	1 st Friday of March and April**	May 29, 2015
*	1 st Friday of May and June	July 31, 2015
*	1 st Friday of July and August**	September 25, 2015

***Subject to availability of funds.**

**** If the first Friday of the month falls on a holiday the Economic Development , Workforce Development and Micro-Enterprise Assistance Letter(s) of Intent will be due by 4:00pm on the next business day.**

GRANT NEWS

by Tom Martin



PROJECT CANOPY ASSISTANCE GRANTS

Project Canopy Assistance Grants are available to state, county, and municipal governments, educational

institutions, and non-profit organizations for developing and implementing community forestry projects and programs. Project Canopy, a cooperative partnership between the Department of Agriculture, Conservation, and Forestry's Maine Forest Service and GrowSmart Maine, anticipates that **\$150,000** will be available to support community forestry projects in the following categories:

1. Planning and Education

\$10,000 maximum award

Projects support sustainable community forestry management, and efforts to increase awareness of the benefits of trees and forests. *Community preparedness and response planning for invasive pests will be given special consideration in this year's scoring.*

2. Planting and Maintenance

\$8,000 maximum award

Projects increase the health and livability of communities through sound tree planting and maintenance.

REVISED: To be eligible to apply for 2014 Project Canopy Assistance grants, all applicants must attend a grant workshop prior to submitting an application (excluding previous workshop attendees). Federal funding guidelines have changed, and rather than hosting a workshop

prior to submission this year, the training will be held for all grant recipients after awards are made. The training slide show from 2013 is on the website (www.projectcanopy.me/grants), and new applicants are encouraged to view this prior to submission. The slide show covers topics including grant writing, project development, sustainable community forestry management, and grant administration.

Grant applications are due at the Maine Forest Service at 5:00 pm on Friday, December 19, 2014. All grants require a 50% match from the grant recipient in cash or in-kind services.

Project Canopy is funded by the USDA Forest Service Community Forestry Assistance Program. The USDA Forest Service Urban and Community Forestry Program was authorized by the Cooperative Forestry Assistance Act of 1978 (PL95-313) and revised by the 1990 Farm Bill (PL101-624) to promote natural resource management in populated areas and improve quality of life. For complete grant application and workshop information, please visit the Project Canopy website at <http://www.projectcanopy.me/grants>. You can also learn more about the Project Canopy assistance program by contacting Jan Ames Santerre by phone at 207-287-4987 or by email at jan.santerre@maine.gov.

AmeriCorps Offers Municipal Support

by Jim Fisher

Operation Americorps has funding to support local projects that address disaster services, economic opportunity, education, environmental stewardship, healthy futures, or veterans and military families. Examples include projects that use national service resources to ensure greatly increase energy efficiency, or end veterans' homelessness. Applicants will be responsible for determining the specific design and outcomes for any projects they propose.

Submissions to the Maine Commission for Community Service will be forwarded to the

National Operation AmeriCorps program. This is open exclusively to tribal and local governments, including counties, cities, towns, and school districts. This is a single application for multiple AmeriCorps programs including: AmeriCorps State/National, AmeriCorps NCCC, and/or AmeriCorps VISTA.

Intent to apply due December 22, 2014. Technical assistance requests are due ASAP. For an overview of Operation AmeriCorps, use this [LINK](#).

For more information and concept paper instructions, send email inquiry by 12/22/2014 to Service.Commission@maine.gov.

BROWNFIELDS NEWS

by Tom Martin

We Need Your Help Finding Sites

HCPC has formed a brownfields steering committee. One of its tasks is to select the properties chosen for an environmental assessment. We have EPA funds to pay for an environmental professional to determine the extent of contamination on a site. We also have funds for preparing site clean-up plans. This promotes the safe reuse of abandoned or underutilized properties. For more information on our brownfields program, see: www.hcpcme.org/environment/brownfields/index.html.

Please contact Tom Martin if you know of any potential sites in your town. We are working with our environmental consultant to update a preliminary list. No property will be selected without landowner permission to enter the site. We would, however, be happy to discuss the advantages of participating in the program with any landowner. Some initially reluctant owners may be convinced to participate once they understand the benefits.

Priority will be given to sites that have a planned reuse. This may include job creation, conservation, public access to the shore, housing,

or recreation. Through our partnership with various funding agencies, we can make referrals to funding sources to help implement a reuse plan.

SOLID WASTE NEWS

by Tom Martin

Food Stewardship: Another Approach to Waste Reduction

HCPC has been active in promoting composting. There is continued demand for the rich soil amendment created through a well-managed composting program. Another option is to reduce food waste that would be sent to a compost pile. As mentioned in the article above on the Hancock County Gleaning Project, edible food can be diverted to food pantries and other emergency food providers.

There are also computer software programs that help food servers reduce food waste. One example is www.leanpath.com/. This program allows restaurant and institutional kitchens to identify where food is wasted. It claims to reduce food purchase costs by four to six percent and reduce disposal rates by as much as 30 percent. For more information contact Tom Martin.

COMPOSTING NEWS

HCPC has a limited supply of Earth Machine Compost Bins available for purchase at \$48 tax included. Stop by our office to pick up yours today while supplies last.



HEALTH NEWS

by Jim Fisher

Active Communities

Does your town have under-used recreational facilities? Are your residents looking for ways to beat cabin fever, stay in shape and have fun? Is your school looking for ways to build local support for the school budget? The answer to all of these questions is probably yes, but there are challenges of opening recreational buildings, school gymnasiums and other indoor facilities.



HCPC is working with Healthy Acadia to assist towns and private facilities to draft “Joint Use” agreements. A joint use agreement can be very simple, spelling-out the conditions for opening a facility to the public. In more complex cases, the joint use agreement process is facilitated by using model documents. [Sample Joint Use Agreements](#) are available online for a variety of scenarios including indoor and outdoor facilities, use during or after school hours. The two parties are most often the town government and the school, but can include clubs, teams and other entities. The agreement spells out any details that are important to the parties, such as restricted areas, use of bathrooms, and supervision and so on.

If you have an idea you would like to explore, please contact [Jim Fisher](#) at HCPC (667-7131) for assistance. You may also contact the staff at [Healthy Acadia](#) for information on fitness programs that you can sponsor in your facility.

MAPPING NEWS

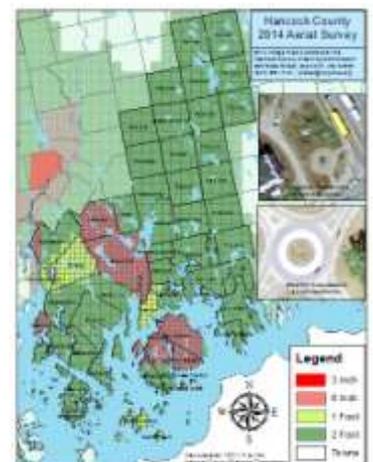
by Jim Fisher

2014 Aerial Imagery Published

Do you need high resolution aerial images of your town? The Maine Office of Geographic Information Systems (MEGIS) has released aerial imagery taken from flights over Hancock County in the spring of 2014. The quality of imagery varies by town. By default all Hancock County imagery has a resolution of each pixel or colored dot being a 24 inch square on the ground. Several towns “bought up” resolution to 12 inches or 6 inches.

This map indicates the resolution of imagery by town. Clicking on the map should take you to a larger image that we have posted on our website. There are several ways to view these images. Planners, assessors and cartographers will view them in GIS programs that enable us to overlay the images with other information like roads, tax parcel lines and utilities. Others can load individual images into a graphics or paint programs provided the program is capable of opening TIFF formatted files. Even in the free paint programs that come with many computers, you can open an aerial photo, zoom into your location of interest, annotate the photo and print it. The imagery is available through the [Maine Office of GIS online](#), a great strategy if you need a limited number of images. The download time for larger areas is significant.

The Hancock County Planning Commission has all of the aerial imagery available for interested towns and other GIS users to copy. All of the files, including GeoTiffs and shapefiles amount to about 405 GB. If you want a copy, just drop-off an external hard-drive at HCPC that has at



least 405 GB free space. It takes 4 to 8 hours to copy all of the files. You can also extract a subset of the aerial photos for your town or sub-county region. You are free to do so at HCPC if you like. We have a computer available at all times.

King Tides

On October 9th Maine experienced a “king tide”, which is a colloquial term for the highest annual tide. This tide is the maximum spring tide in a calendar year, with spring referring to highest tides rather than the season. For instance, the range in high tides for Bar Harbor this December will be between 9.8 feet and 12.9 feet. The king tide on October 9th reached 13.1 feet. Two and a half inches doesn’t sound like a lot, but it can enough to wash over roads and building entrances. The 2013 king tide for Bar Harbor was 13.5 feet.

A triple threat occurs when a king tide combines with a storm surge and heavy rainfall. The combination can lead to significant flooding and property damage. We were fortunate this year that they king tide occurred during calm weather. This



picture of the king tide at Gordon’s Wharf in Sullivan shows water topping this historic granite structure and

flooding a parking area. Scenes like this occurred throughout coastal Maine. With gradual sea level rise, the king tides of 2014 will represent monthly high tides in the not-too-distant future.

The Maine Geological Survey is working on a conversion from highest annual tide to highest astronomical tide. In practice the two are likely to be very similar, though use of highest astronomical tide reflects a longer time period that one year and may be higher, but also less subject to change from one year to the next. The [2013 HAT Table](#) remains in use in the mean time. The Maine DEP is working on a 2015 highest tide

table and a table comparing these values with the highest astronomical tide.

Free online mapping tools available

By Stephenie MacLagan, Shoreland Zoning



Did you know that there are mapping tools available, even for municipalities without GIS software?

The [Maine Stream Habitat Viewer](#) could be called the “culvert viewer.” This mapping tool shows culverts, roads, natural resources and habitats such as Atlantic salmon and trout streams. Clicking on a feature brings up the description of the habitat or condition of the culvert. This can be a handy tool not just for development planning but also for planning [climate change](#) adaptability projects. Which culverts are priorities for replacement due to flooding and/or habitat obstruction? The Stream Viewer is just one of many online mapping tools hosted by the [Maine Office of GIS](#).

More recently, the University of Maine Sustainability Solutions Initiative released an online mapping tool called [Maine Futures Community Mapper](#). This planning tool can help municipalities identify land areas suitable for certain uses or conservation, and visualize potential future development under different scenarios, in the Lower Androscoggin and Casco Bay watershed and the Lower Penobscot River watershed. Layers like water bodies, roads, conserved lands and land cover types can be viewed in any Maine community.

Don’t forget, many [DEP](#) and [MEGIS](#) layers are available for viewing through Google Earth. At these websites, you will be prompted to download Google Earth if it is not already on your computer.

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.

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Change Service Requested