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**HCPC Executive Board
Fiscal Year 2015-2016**

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PLANNING NEWS

by Tom Martin

Status of Shoreland Zoning Revisions

While DEP has released the revised Chapter 1000 (Shoreland Zoning Guidelines) rules, it has not set a date by which towns must incorporate the standards into their shoreland zoning ordinances. Apart from clarifying general editing and language clarification, the amendments address the following:

- Nonconforming structures
- Timber harvesting (see discussion below)
- Vegetation
- Non-vegetated surfaces
- Disability variances
- Definitions
- Shoreline stabilization
- Structures and uses extending over, or located below, the shoreline

For more information, see: www.maine.gov/dep/land/slz/#rule or contact [Tom Martin at the HCPC.](#)

Update on Timber Harvesting Standards For The Shoreland Zone

Those towns that updated their shoreland zoning ordinances to reflect the 2006 guidelines may recall that there were three options for timber harvesting standards:

1. complete repeal of local timber harvesting provisions upon the effective date of new statewide standards. The Bureau of Forestry would take all responsibility for enforcement of state standards in towns that chose this option;

2. adopt timber harvesting standards for the shoreland zone that are identical to the state standards. The town and the Bureau of Forestry assume joint enforcement responsibility. This option requires the town to have an agreement with the Bureau that delineates the respective enforcement duties of each party. The town must amend its standards to reflect any changes to the state standards if it is to continue to receive enforcement assistance; and

3. the town keeps its current standards. Under this option, towns would not receive enforcement help. The local standards must be at least as stringent as the state's.

The statewide standards have been revised. If you have chosen option one (complete repeal of local harvesting standards), you need not take further action. If you chose option 2 or 3, you need to amend your ordinance to be consistent with the 2015 amendments. These address bridge and culvert sizing and make reference to new definitions that are now in the state standards.

NEW STATE LEGISLATION

Here are some of the laws enacted this past session:

- **LD 1090** (Appropriations and General Fund): Beginning July 1, 2015 the General Assistance (GA) reimbursement formula is changed to provide all municipalities with 70% reimbursement for GA benefits issued. While most municipalities will experience an increase in reimbursements from 50% to 70%, the state's two largest service center communities will experience a decrease in reimbursements as their prior reimbursement rate was 90%.

-LD 589: An Act to Increase the Beneficial Reuse of Waste Materials: This Act expands the use of anaerobic digestion of by-products of waste from animals and agricultural crops as acceptable "renewable capacity resources" for electricity generators under the renewable portfolio standard.

-LD 912: An Act to Allow the Establishment of Regional Municipal Utility Districts to Support Broadband Communications: allows the establishment of regional multi-municipal districts to provide and promote broadband and internet services as well as issue revenue bonds to support such activities.

-LD 1063: An Act to Promote Community Broadband Planning and Strengthen Economic Opportunity Throughout Maine: provides for broadband expansion to unserved and underserved communities and establishes broadband planning grants to municipalities and other community groups funded by the ConnectME Authority.

-LD 844: An Act to Improve Transit Services Statewide: replaces the requirement for biennial plans related to state level transportation infrastructure planning and instead requires a 5-year plan. It also eliminates the current Interagency Transportation Coordinating Committee and replaces it with the Public Transit Advisory Council, which is required to report to the Legislature every other year.

CDBG NEWS

by Tom Martin

Changes Pending in 2016 CDBG Program

The Maine Office of Community Development (OCD) is drafting guidelines for the 2016 CDBG Program. We do not know the details as we go to press. Is likely, however, that the deadlines for the various letters of intent (LOI) and applications will be similar to last year. For example, the anticipated deadline for Public Infrastructure LOI's is mid-January. *We will keep towns informed as the program is finalized.*

What Steps Should We Be Taking Now?

Some general steps are outlined below. HCPC staff is available to meet with potential applicants and discuss the specific steps your town could take. Contact Tom Martin (tmartin@hpcme.org) for more information.

Involve Residents

Now is the time to hold informational meetings on your proposed projects. Citizen participation accounts for up to 20 percent of the total grant scoring points awarded. Be sure to contact the residents and businesses in the area served by the grant. It is important to demonstrate that the grant beneficiaries are involved.

Obtain Cost Estimates and Secure Matching Funds

You should be contacting engineers to prepare cost estimates and draft the preliminary specifications of the work that you propose doing. Also, be sure you have your sources of matching funds identified. Be prepared to document why you had to resort to CDBG funds. This normally involves describing what other sources of funds you have sought,

Confirm Your Project Meets Income Guidelines or Removes Slum & Blight

You also need to assure that your project meets the low to moderate income guidelines (LMI) or fits the definition of slum and blight. Please note that a town will not qualify for a project that benefits the entire town unless at least 51 percent of households in town are LMI. The latest data indicate that there are eight HCPC towns (Aurora, Cranberry Isles, Eastbrook, Frenchboro, Osborn, Stonington, Tremont, and Winter Harbor) that meet or exceed the 51% threshold.

1. **Income Requirements**: All other towns must document that their project serves a particular area of town that meets the income guidelines or provides a service (such as job training or creation) that is aimed at LMI households. This involves

conducting a household income survey of the area to be served by the grant. The survey must be conducted per the latest OCD requirements. Contact Sheri Walsh at the HCPC (swalsh@hpcme.org) or 667-7131 for more information.

2. **Removing Slum and Blight**: There are guidelines for determining that a location meets the definition of slum or blight. In brief, there must be a preponderance of unsafe or unhealthy conditions that could cause the transmission of disease, infant mortality, juvenile delinquency or crime and are detrimental to the public health, safety, morals or welfare. For details, see <http://www.maine.gov/decd/meocd/forms/slum.shtml> or contact Tom Martin at the HCPC.

CDBG: SEVEN STEPS TO FAILURE

Only a small portion of applications are funded. The following are common pitfalls:

1. **Failure to follow the CDBG income survey guidelines**. Confirm your approach with HCPC before starting the survey and have the results reviewed by state-certified CDBG administrator.
2. **Improper submission of application package**. The instructions describe the order in which the application must be submitted and not to submit information not requested.
3. **Not respecting page limit, margins and font size**. Grant reviewers are not impressed by small fonts. Would you want to read an entire application in this size font?
4. **Incomplete public hearing package**. Be sure to have all requested items, even if they appear irrelevant, including the exact wording of the

public notice published in a local paper, with the required period of notice.

5. Assuming prior knowledge by the grant reviewers. Explain local terms and conditions.
6. Failure to answer all questions. If a question does not apply to the project, explain why (for example if your town doesn't have a local cable TV station, say so.)
7. Missed submission deadline: 4:00 PM at the front desk of the Maine Office of Community Development does not mean 4:10 PM. Overnight delivery does not guarantee that it will be at the front desk. It takes some time for the internal state mail system to deliver packages to the final destination.

BROWNFIELDS NEWS

by Tom Martin

Several Brownfields Sites Are Progressing Toward Redevelopment

Work continues on the HCPC Brownfields Assessment grant. We are particularly pleased to have site investigation plans nearing completion for a portion of the former Navy Base in Corea. The investigation of the former tannery property in Hancock is also nearing completion. These are two of the major brownfields sites in Hancock County. A Phase I and II environmental assessment of an industrial site in Surry was completed and the results indicated that no clean up was necessary. The site is now eligible for financing and the sale of the property is imminent.

A Phase I environmental assessment was also completed on an industrial site in Ellsworth. The results indicate more investigation is needed before determining if the property is clean.

After investigation and potential clean up, these properties will be ready for reuse. There are several businesses that have expressed interest in locating to the Corea site. The tannery property

also has reuse potential, but the current owner is still exploring options.

There are separate grants available for site clean-up. To qualify, the property must be owned either by a non-profit organization or a municipality. The Corea site is presently owned by a non-profit and thus is eligible. The Hancock tannery property ownership is in transition. It is premature to determine its eligibility.

Is There a Brownfields Site in Your Community?

Hancock County has many abandoned or under-used properties that could benefit from a brownfields assessment. Examples include, but are not limited to, automotive repair operations, boat yards, small and large-scale manufacturing operations, and other uses that involved the handling of hazardous materials. Contact Tom Martin at the HCPC if you have any questions about potential sites.

What is the Advantage of Doing a Brownfields Assessment?

The main advantage of an assessment is that it identifies actual site conditions. In some cases, the assessment may reveal that there are no problems and the property is given a clean bill of health. In others, specific threats and remediation steps are identified. An environmental assessment is frequently required by banks financing the purchase of a property.

How do we Know if a Site Qualifies?

The first step is to complete a site nomination form. Copies are available at: www.hpcme.org/environment/brownfields/BrownfieldsSiteNominationForm.docx Don't worry if you can't answer every question. Campbell Environmental (our brownfields consultant) will make an initial determination if the site merits investigation. It will also determine if it is a hazardous materials or petroleum site.

The next step is to determine if it meets U.S. Environmental Protection Agency (EPA) eligibility guidelines for a hazardous materials site. DEP reviews petroleum sites for eligibility. For details on the eligibility guidelines, contact Tom Martin. Some properties may not need a brownfields assessment and their problems can be addressed through other means such as a Voluntary Response Action Plan or VRAP. For more information see: <http://www.maine.gov/dep/spills/vrap/ipvrap.html> In many cases, DEP may recommend a VRAP in addition to brownfields site assessment.

The HCPC Brownfields Steering Committee meets and reviews requests for site assessments. It uses site selection criteria to evaluate requests. These criteria include the degree to which it meets community needs (such as providing waterfront access or a recreation area). They also consider the job creation potential and the relationship to other town goals. For the full set of criteria, see: www.hcpcme.org/environment/brownfields/SiteSelectionCriteriaRevised120414.pdf

SOLID WASTE NEWS

by Tom Martin & Sheri Walsh

HCPC Collection Assures Safe Disposal of 1,135 Gallons of Household Hazardous Waste

by Sheri Walsh

The 2015 Greater Ellsworth Household Hazard Waste and Universal Waste Collection was held on Saturday, August 15th. We had 125 households participate in the event with 227 units of hazardous substances collected which equals 1,135 gallons removed from the waste stream. We collected 63 TV's/monitors and 412 mercury-containing fluorescent light bulbs. Among other items collected, there were three large boxes of batteries, lithium batteries, lead acid batteries, ballasts, microwaves, stereo components, and many types of computers. The more towns that participate in the collection, the less costly it is for everyone. Please encourage your town leaders to participate next year. For more information,

contact Sheri Walsh at 667-7131 or swalsh@hcpcme.org.

Paint Stewardship Program Update

by Tom Martin

We mentioned in earlier newsletters that Maine's Paint Stewardship law would create new opportunities for paint recycling starting this past summer. The law is now scheduled to take effect on October 1, 2015. PaintCare® Inc., a non-profit national organization established to increase the reuse of paint, is managing the program.

What is Paint Stewardship and What Paints Does it Cover?

The goal is to promote paint recycling. A recycling fee will be added to the purchase price of architectural paint products. Architectural paints are defined as interior and exterior architectural coatings sold in containers of 5 gallons or smaller. Those paints will be accepted at no cost at collection points. Only paints subject to a disposal fee will be accepted. Examples include latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings).

The program does not accept aerosol products, paint thinners, mineral spirits, solvents, auto and marine paints and caulking compounds. For a complete list see:

<http://www.paintcare.org/products-we-accept/>

Paints must be in their original containers, and clearly labeled. Open or leaking containers are not accepted. *This is not an option for rusty paint cans that have been sitting in a garage or basement for 20 years.*

Where Do We Take Paints For Recycling?

PaintCare® is establishing collection stations at certain retail paint stores. We will keep you informed as collection areas are established. Some transfer stations may establish collection sites. PaintCare® may also hold special collection events or participate in a HCPC-sponsored HHW-

UW collection. Please do not bring latex paint for **recycling** to any HCPC-sponsored events unless our instructions specifically say that we will accept them. We will continue to accept other paint products for **disposal**.

ROAD SALT JOINT PURCHASE

by Sheri Walsh

HCPC Road Salt Joint Purchase Saves Towns An Average of \$8.30 a Ton

The results are in! This year 28 towns participated in the HCPC Road Salt Joint Purchase and jointly ordered a total of 11,879 tons. Morton Salt was the low bidder for 25 towns. It was awarded the bid for all 28 towns. The average price was \$60.43 per ton. The actual price varies. Some towns, such as Bucksport, Orland, and Penobscot received the lowest prices of \$58.03 per ton due to their close proximity to Searsport, where the salt deliveries originate. Others paid slightly more.

HCPC consistently receives some of the best prices in the state. In comparison, the Maine DOT road salt bid averaged \$68.73 per ton. This is \$8.30 more than the average HCPC price. Based on this average, the 28 towns with a combined

total of 11,879 tons saved \$95,595 compared to the Maine DOT bid. We encourage all towns to participate. The more towns that join our bid, the better price we can obtain. For more information, contact Sheri Walsh at 667-7131 or swalsh@hcpcme.org.



Tom Martin, on vacation in Tunisia, visiting the salt deposits in the Sahara Desert.

COMPOSTING NEWS

COMPOST BIN SALE



We were able to acquire more compost bins. If you would like to have one please contact our office at 667-



7131 or stop by our office M-F 8:00 am-4:30 pm. The cost is \$48 and we accept cash and checks. We still have a few kitchen pails available. You may purchase them at our office for \$8 each.

TRANSPORTATION NEWS

by Jim Fisher

Complete Streets

In June, 2014 the Maine Department of Transportation adopted a statewide policy for complete streets. The policy seeks “to help ensure that all users of Maine’s transportation system—our customers—including bicyclists, pedestrians, people of all ages and abilities, transit users, and motor vehicle users, have safe and efficient access to the transportation system.” (MaineDOT)

The definition of completeness depends a lot on local conditions. Low-traffic, low speed streets may be considered complete even when they lack sidewalks and bikeways. Under very low-volume and very low-speed circumstances, children may be reasonably safe walking and bicycling near to the travel lane. Provided all user have safe access, the street is complete.



Figure 1
Low Speed Complete Street

As speeds and traffic volumes increase, additional measures to maintain efficiency, access and safety for all users may require separation, traffic calming, dedicated lanes or other measures to meet complete streets criteria. Posting lowering speed limits to make roads safer has proven difficult. Without rigorous enforcement, drivers will exceed posted speed limits if they feel safe. The alternative to enforcement is to build roads that either motivate people to drive slower or to create alternatives for bicycles and pedestrians.

In higher density areas a complete streets strategy integrates transportation corridors and local roads, providing incentives for cyclists or walkers to select the safest routes to their destinations. In our rural towns, there is generally only one route and it isn't safe for walking or biking, much less so for wheel chairs, unaccompanied children and other vulnerable populations. The options for making a rural road complete can be costly. At the same time, not taking action carries a very high price tag. National rural obesity rates are significantly higher than urban rates. Obesity and poor fitness are clearly related to a cluster of chronic diseases including diabetes and heart disease. In 2012 Maine spent [\\$1.2 billion on diabetes care alone](#), which is greater than the [entire budget for MaineDOT](#) for 2014. These costs fall most heavily on the family, but drain national resources in myriad ways.

Rural areas are not without options. Recent publication by the [Maine Rural Health Research Center](#) at the University of Southern Maine summarizes a number of steps that small towns can take to promote safety without breaking the bank. These include identifying priority locations, such as village centers, where many residents visit libraries, schools, town offices and local businesses. Making these street complete can benefit the entire town. Similarly, towns can identify neighborhood clusters where complete streets are more affordable. These complete street clusters provide a return on investment with more efficient school bus routes stopping at neighborhood bus stops rather than going from door to door.

The Maine Department of Transportation adopted a Complete Streets Policy in 2014 that spells out how they can help towns to achieve better efficiency, access and safety. The options for rural roads are limited. At the low end, when roads are resurfaced or simply re-striped, a modest road "diet" can narrow travel lanes and increase shoulder widths. The narrower travel lanes act to calm traffic, slowing drivers that are more alert to the car's position on the road. The extra space may encourage more people to walk and bike which further slows. Attractive landscaping can also reduce driving speeds.

Moving up the cost continuum, intersection improvements are an opportunity to fix damaged sidewalks, upgrade crosswalks and create sidewalk bump-outs. Signalized crossings, better designed curb cuts and other small changes can create a sense of place and safety for non-motorized users.



Figure 2 Contraflow Bike Lane

103Finally, major projects including bridge replacements and highway widening create big opportunities for design improvements. Particularly as traffic levels reach over 3,000 vehicle trips per day (AADT), shoulder paving becomes a core strategy for creating complete streets in rural areas. From a bicyclist perspective shoulder widths of four or more feet provide better separation on high speed roads. The Maine legislature has more recently passed a law requiring motor vehicles to maintain a minimum of three feet of separation from bicycles and pedestrians when passing. Wider shoulders make this much easier as cars do not need to cross the centerline to pass. In addition to shoulder paving, the context of highway reconstruction requires MaineDOT to consider other

improvements to foster complete streets including improved crossings, striping, separated facilities, sidewalks and signage. The 2014 Maine Complete Streets Policy is [available online](#).



Figure 3 Paved Shoulder

HCPC encourages towns to adopt local complete streets policies. The MaineDOT policy only applies to state highways and state-aid arterial and collector roads. Most of Maine's road miles are local roads that fall under the jurisdiction of town governments. Towns adopting a complete streets policies are in a better position to apply for state and federal funds through programs like [Safe Routes to Schools](#) and [Transportation Alternatives \(TA\)](#), having already documented local popular support for shoulders, bike lanes and sidewalks. Policies are provide clear guidelines to developers for new subdivision roads that may become town roads in the future. Requirements for developers to build complete streets will pay-off in the long run as housing values increase along with property tax revenues. Examples of local complete streets policies include [Lewiston](#) (2013), [Bath](#) (2015), [Bangor](#) (2012) and [others](#). Contact HCPC for further information and assistance.

GRANT NEWS

Second Round of 2015 Grants for Stream Crossing Public Infrastructure Improvements Due November 15.

In November, 2014, Maine voters passed the "Clean Water for Maine" bond. As a result, \$5,400,000 in funds was earmarked for vital improvement projects including stream crossing and culvert upgrades. The projects awarded will: benefit public infrastructure by replacing several culverts that are currently failing and at risk of complete washouts, open up fish spawning

habitat, eliminate undersized and other impassable culverts and reduce some of the worst ongoing erosion impacts to streams, brooks, and lakes.

The DEP received 69 complete applications for 5 million dollars in fund requests for the first round and awarded \$800,000 for fifteen projects for first round of applications. The application for the second round of the 2015 Grants for Stream Crossing Public Infrastructure Improvements will be available beginning October 5, 2015 and are due November 16. For more information, see: http://www.maine.gov/dep/land/water_bond_rfp.html

2015 PROJECT CANOPY ASSISTANCE GRANTS AVAILABLE

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 Maine Forest Service and GrowSmart Maine, anticipates that \$150,000 will be available to support community forestry projects in the following categories:

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. Specialized funding is available for inventory and planning for street and shade trees, with emphasis on planning and management in preparation for invasive pests such as the emerald ash borer.

Planting and Maintenance: \$8,000 maximum award

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

Grant Requirements:

All applicants must attend a grant workshop prior to submitting an application (excluding previous workshop attendees). Grant workshops will be scheduled for November 2015, will be held in various locations throughout the state, and will

cover topics including grant writing, project development, sustainable community forestry management, and grant administration.

Grant applications will be due to the Maine Forest Service by 5:00 pm on Friday, December 4, 2015. All grants require a 50% match from the grant recipient in cash or in-kind services.

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.

Small Harbor Improvement Program

Summer is over, so now is the time to plan for the future. MaineDOT continues to offer two programs to assist with improving access to tidal waters. The Small Harbor Improvement Program (SHIP) promotes economic development, public access, improved commercial fishing opportunities and works to preserve, and create, infrastructure at facilities in tidewater and coastal municipalities. The SHIP program can assist your town in improving or creating facilities, such as public wharves, piers, landings and boat ramps. There is a required 50% local share under this program. The SHIP program can provide up to \$250,000 in assistance towards eligible projects. They now have a continual application process, but autumn is a great time to invite a MaineDOT representative to visit your proposed site while boats and floats are still in the water. [More information](#)

Snowmobile Grant Fund

Not every winter will provide as much snow as last year, but when it happens, the snowmobile community is always looking for new trails. The following are excerpts about the MaineDACF Snowmobile Grant Fund. Grants are available to municipalities or counties for sharing the cost of the construction and maintenance of snowmobile trails. Proposals can be submitted until December 1, but towns are encouraged to apply right away.

Funds can be used for labor; materials used for bridges; equipment rental; repairs & operational costs of the equipment; insurance for grooming equipment if not in the hourly fee and trail liability; signing (DACF provides trail signs); brushing; or reasonable contract costs. Existing trail maintenance is a priority.

A minimum of a one-year commitment is required, but longer term commitments are more competitive.

The town can contract with an individual and/or a snowmobile club to do the work for them. The appointment of a project director helps reduce direct involvement by town officials.

The state normally will pay up to 50% of costs, but in the case of multijurisdictional trails the state will pay up to 70%. [More information](#).

DATES TO REMEMBER

FAREWELL RECEPTION FOR JIM FISHER

We hope you can join us on **October 6th** from 2:00 PM to 4:00 PM at the Ellsworth City Hall Auditorium for a farewell tribute for our esteemed colleague Jim Fisher. Jim is taking a job with the Peace Corps in Colombia. HCPC, the region and its various service agencies, and the planning profession in Maine have all benefited from his tireless dedication, initiative, and creativity.

Please RSVP to Sheri Walsh at swalsh@hpcme.org or by calling 667-7131 by October 5th. If you are unable to attend, feel free to forward to Sheri any comments that you would like us to share.

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.

Fall 2015 Newsletter



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Change Service Requested