


Town of Phippsburg
1042 Main Road
Phippsburg, Maine 04562
December 4, 2008

Maine State Planning Office
38 State House Station
Augusta, Maine 04333-0038

To Whom It May Concern:

Please find enclosed the response to the Inconsistencies that the state agencies found in the Phippsburg Comprehensive Plan. Should you need further clarification or information, please advise us. The Phippsburg Board of Selectmen approved this document on December 3, 2008.

Sincerely,



Lawrence Pye

Chair: Implementation Committee
Phippsburg Comprehensive Plan

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Inconsistency 1: The implications of the significant percentage of seasonal housing units in Phippsburg are not fully identified or discussed.

The State Planning Office has outlined its concern with the large amount of seasonal housing units located within Phippsburg and their potential impacts on the community and its' resources should these units become year round residences. Of particular concern to the SPO were the impacts on groundwater and public services such as Fire and Rescue.

RESIDENCES

Phippsburg agrees there are areas of potential concern but does not feel there are any glaring problems the town is not prepared to deal with in the foreseeable future. Our community's population has long ballooned during the summer months putting increased pressure on natural resources as well as services provided by the Town. The Town has responded to these pressures over time and will continue to address areas of concern as they are brought before the attention of the Town. We feel there are many areas of our comprehensive plan that address the concern of a rapidly increasing population. (See Population Section Pg 22. Digest: The greatest population growth will consist of an influx of baby boomers. The persons in this age group, 45-64, are middle aged, and have already raised their families)

Population growth rates extrapolated to year 2010 as indicated in the plan (fig P1: 290-300 people per decade) have been essentially flat over the preceding 40 years and are expected to remain as is or at best on slow incline due to among other things 1) increased land prices, 2) a slowing economy, 3) the strictly residential aspect of Phippsburg, and 4) the high percentage of protected lands (approx 55%). One aspect of Phippsburg of concern to the SPO is the large amount of seasonal housing units, which at face value suggests a potential for a population explosion. We feel this unlikely for several reasons,

1) Many seasonal units will never become year round residential units due to their locations and self-imposed family restrictions (i.e. family time share agreements and/or trust covenants) and ownership status. Varied ownership includes units that are controlled by multiple owners whose families have long held a tradition of vacationing along the coast of Maine for many generations. All these seasonal units are held as family vacation spots and are not used for full-time residency. It is possible some of these units could be sold or converted, but with many of these units their primary purpose is a second home.

2) Seasonal units that may be sold or converted are usually in the Shoreland zone and therefore covered under the Shoreland zoning ordinance of the town. They would not be permitted to expand beyond the allowed 30% expansion, nor would the septic systems be allowed to upgrade to full-time system.

3) Many seasonal units along the waterfront would be unsuitable for year round residents due to amount of weather they are exposed to in the wintertime as well without significant upgrades to their interiors and heating units.

Therefore, while not precluding all seasonal-to-full time residence conversions, these reasons will slow to a very manageable level the annual impact on services and resources.

GROUND WATER

One of the main concerns outlined by the SPO was the availability of groundwater in connection with large amount of seasonal units. There is a concern on the fingers of the peninsula during the summer months as many more units are extracting water from the watershed than during the winter months. Many units in Popham in particular experience some salt intrusion in their wells during the summer months as the water table has been drawn down significantly. This coupled with the poor watershed surrounding Popham beach create a situation in regards to water quality in the summer months for full and part time residents. A number of Popham residents deal with these issues by buying bottled water, some of which is trucked in. Other areas of Town such as the village of West Point are experiencing water issues. Several innovative water systems, now in use by a few residents in West Point, may serve as possible solutions for other residents. The Town does have considerable amounts of land in conservation, including a recent 1,910-acre donation of land to The Nature Conservancy, which allows for significant areas of recapture.

We feel these issues surrounding groundwater availability are best addressed in the third inconsistency as found by the State Planning Office, since this issue relates specifically to groundwater and the Town's approach therein.

PUBLIC SERVICES

The SPO is concerned the Town will not be able to address the public service needs of its community if large numbers of seasonal units are converted rapidly into year round units. Once again, we do not feel there will be a huge boom at any one time rapidly increasing the amount of services need at that particular time. It will be a gradual increase to which the Town will be able to adapt over time as needs increase. Phippsburg is used to a large population during the summer months and has been able to adapt its' services to provide sufficient coverage in terms of police, fire/rescue and sanitation needs.

FIRE DEPT. AND RESCUE & EMERGENCY MEDICAL

In 2006 Town voters approved on call responder pay for paramedics during the summer months to provide adequate levels of response coverage when call volume is at its highest. Also a mileage reimbursement account was established at 2007 Town Meeting to reimburse paramedics and firefighters for driving to a call. This was done to insure volunteering did not become a cumbersome burden for volunteers and to show the Town's support for their service. Additionally, Phippsburg Fire and Rescue recently received a substantial gift, earmarked and entrusted for fire and rescue, that together with future Town funding should prove adequate and appropriate.

As noted in the plan on page 46 of the Comprehensive Plan the department is highly regarded by both our full time and seasonal residents for the service they provide. The goals of the comprehensive plan passed in 2006 also suggest an evaluation of the level of service provided by the Fire and Rescue Departments to insure they are providing adequate levels of coverage for the town during all seasons.

LAW ENFORCEMENT

Phippsburg's police department consisting of one full time officer and one part-time officer (1040hrs) respond to 60% of the calls in Phippsburg while the Sagadahoc Sheriff's Department responds to the remaining 40% of calls. The part time officer

position was added several years ago to boost the amount of coverage during summer months when police resources are taxed the most and the population of the town due to day visitors and part time residents swells dramatically. Also of importance to the town due to Popham Beach State Park is the town parking officer position. This position has enabled our full time police chief and part time officer to focus on more pertinent issues instead of having to write parking tickets along the beach all day, thus improving coverage.

As outlined in our comprehensive plan, our current level of coverage is adequate, but should our population grow significantly we are prepared to meet those challenges in regards to law enforcement. The police chief takes a very proactive role in assessing the Town's law enforcement needs and bringing issues to the Town for consideration and action.

WASTE MANAGEMENT

We feel our waste management practices will allow our Town to meet a growing population without significant problems. Currently the Town has implemented a single-stream recycling program, which has been operating since December of 2006. During its short tenure it has shown itself to be a valuable program for the Town. Phippsburg continues to educate the public about this program with website advertisement, a promotional video prepared by two selectmen encouraging participation, and a town wide mailer which was sent out notifying everyone of our new program. In addition to the normal house hold wastes, of recyclables, wood, brush, electronics, metal etc. the Town also has periodic hazardous material (HAZMAT) days.

The Board of Selectmen has also hired Pine Tree Engineering to design adding a second compactor at the Transfer station. One would be used for household garbage with the other being used to compact recyclables and thus reduce our trucking costs. Such design has been completed and funded.

The Town and Board of Selectmen have been proactive in regards to waste management and we believe the proper people are in place to ensure this continues into the future.

Other measures reducing pressures on our transfer station are:

- 1) Town Ordinances prohibit the deposition of commercially produced construction debris in the town transfer station.
- 2) There are three private locations that are willing to receive used oils
- 3) There is a local company providing trash pickup for those not able or willing to go to the transfer station which provides for site traffic reduction

POPULATION

The population trends outlined in the Comprehensive Plan do show an aging population, which would suggest Phippsburg's desired appeal as a retirement destination for former part time residents as well as new residents.

On page 22 of the plan you can see that "in-migrants" clearly outnumber the number of natural births in Town over the period of 1990-2000. This particular type of population increase will of course impact town emergency services but, as stated above, the town is well positioned to fund any additional capacity requirements.

ROAD DEPT

The Town, in its attempt to remain rural and as a step toward cost control, has taken a position, reflected in Town Ordinances, not to take ownership of new roads. Further, the Town is embracing the SPO's suggestion of not paving existing dirt roads. With the advent of Emergency Response requirements all roads servicing two or more dwellings are now signed but they remain private. New roads, as they are built, become the responsibility of the property owners. New Subdivisions are required to provide adequate roads for all lots included in the subdivision. Maintenance costs for these roads will be born by lot owners usually through association fees. The paving of these roads is at the option of the developer. As a consequence of this posture, taxes and liabilities to the Town remain low or are reduced, additional and financial opportunities are created for the small businessmen in the service sector.

Per State Planning Office

Inconsistency #2: The Water Resources inventory and analysis is not complete and town policy conflicts with state goals regarding public access.

The following items/analyses needed to be included in the Comprehensive Plan and strategies included to address identified issues as appropriate.

- a) Water body classification data from the DEP is necessary to evaluate strategies included in the Plan are sufficient to "Protect, maintain and, when warranted, improve the water quality of each water body pursuant to Title 38, chapter 3 subchapter I, article 4-A and ensure that the water quality will be protected from long term and cumulative increases in phosphorous from development in great pond watersheds" as required in the Act.
- b) Only limited information on Phippsburg's streams is provided.
- c) Town Policy to limit access at town landings to residents conflicts with state goals and policies regarding public access to Maine's coastal and inland waters.

- a) Inconsistency Two:
Part A.

As recommended by the State Planning Office, Phippsburg will include the updated water body classification data provided by the DEP regarding per-acre phosphorus allocations in big ponds and lakes within Phippsburg in its Comprehensive Plan. It is felt these concerns are best addressed through the Town's land use ordinances, which are currently being updated to meet all State and DEP requirements. The water body classification data will be provided to the Land Use Ordinance Committee so they may have the best available information in re-writing Phippsburg's Land Use Ordinances. The Land Use Ordinance Committee will take all of DEP's recommendations under advisement when crafting the ordinances and make appropriate changes regarding phosphorus impact on water quality.

Phippsburg does have several concerns with the information provided by DEP. It is felt the figures used to calculate AAD (area available for development) are inaccurate, thus having an impact on potential concern for phosphorus increases. Center Pond has considerable amounts of land surrounding its borders in protected easements held by the Phippsburg Land Trust. By removing that land mass from the figures significantly reduces the amount of land available for development, thus reducing the concern about any impact on phosphorus increases. Also, Sprague Pond has large portions surrounding it owned and held in easements by the Land Trust, removing portions of its surrounding land from potential development. The Phippsburg Land Trust has been active in keeping Sprague Pond and its adjacent lands protected from development. Spirit Lake is surrounded by property owned by the State of Maine (Bureau of Parks) and held under a conservation easement by the Phippsburg Land Trust. Inclusion of such protected lands through easements can magnify false impressions of

potential development impacts on our lakes and great ponds. AAD information for these sites is highly erroneous and should be reevaluated by DEP. Phippsburg is committed to protecting its lakes and big ponds and will take all recommendations seriously in proceeding with ordinance re-writes regarding land use regulations.

- b) Under guidance of Dr. Lea of Bowdoin, Bowdoin students and students at Phippsburg Elementary have been collecting data to ascertain the quality of several streams in Phippsburg. The data points will remain active and all data collected, collated and analyzed. After an initial session by Dr. Peter Lea of Bowdoin College and several of his Bowdoin students, Phippsburg Elementary School 5th and 6th graders under the direction of Morse High School science teacher Eric Varney made several trips to test water in North Creek at the area of the Sebasco-West Point turn. The Phippsburg Conservation Commission also assisted in this project with instruction in compiling data sheets and using a spreadsheet program to record the data. This data, collected between October 2007 and June 2008 will be added to Dr. Lea's collection of stream data collected by Bowdoin students and available on Dr. Lea's web site. (see graph next page)
- c) The perception of limited access to the water in Phippsburg no doubt arises from limited data included in the Comprehensive Plan. The Town does have 3 locations that have limited access. They include one boat ramp, one town pier for local fishermen and one area designated as a town beach:
- Meadowbrook Landing boat ramp
 - Acre Lot town pier
 - Totman Cove beach

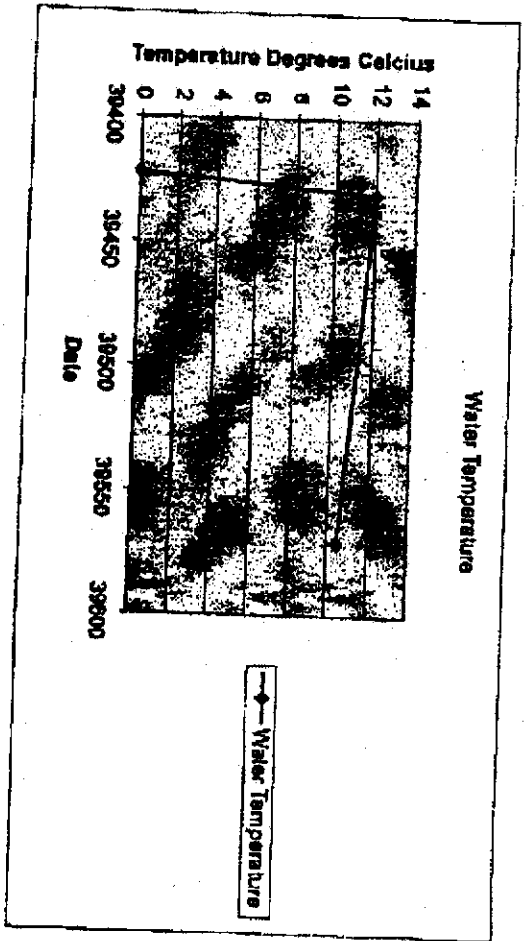
However, an inventory has been made of access points throughout the town on the various bodies of water. This itemization does not include several private commercial fishing piers/docks, nor several "by-local-convention" paths used by locals to access clam-flats etc. When viewed in its entirety, it is evident that Phippsburg does not have an overall exclusion policy. The town simply wants to reserve some space for residents. Public access includes:

- Kennebec River: 8 access points open to the public
- Ocean-South Shore: 7 access points open to the public
- New Meadows River side: 7 access points open to the public
- Fresh Water bodies with number of access points open to the public:
 - i. Silver Lake (1)
 - ii. Spirit Pond (2)
 - iii. No Name Pond (1)
 - iv. Meeting House Pond (1)
 - v. Sprague Pond (2)
 - vi. Center pond (3)
 - vii. Winnegance Lake (2)
 - viii. Watah Lake (2)

- Phippsburg Shellfish Committee works diligently to maintain right of way access points to the clam flats for commercial diggers, with some 35 licenses issued.

Date
 December 6, 2007
 December 14, 2007
 May 2, 2008

Water Temperature
 0
 +2
 10 1/2



Town Landings and Water Access Points 11/18/2008 1 of 5

LOCATION	ACCESS POINT	OPEN TO:	POSSIBLE IMPROVEMENTS	FISHING ACCESS	BOAT LAUNCH	PARKING	OTHER FACILITIES	COMMENTS
KENNEDIC RIVER	WINNEGANCA CAUSEWAY	ALL	MARKED PARKING PLACES ON SOUTH BOUND SHOULDER, PROTECTED BREAK IN GUARD RAILS EITHER SIDE OF RT 209	HIGH TIDE	CAR TOP BOATS	ROAD SIDE, PAVED SHOULDER		LAUNCH AT HIGH TIDE
RT 209								
PARKER HEAD RD	STATE PIER	ALL	WIDEN AND GRADE DIRT SHOULDER, FILL IN AND LEVEL PIER SITE WITH SOIL, PLANT GRASS	ROAD SIDE	CAR TOP BOATS	ROAD SIDE, UNIMPROVED, 4 VEHICLES		LAUNCH AT HIGH TIDE
PARKER HEAD RD	FISH LADDER	ALL	LENGTHEN PARKING AREA	ROAD SIDE	CAR TOP BOATS	ROAD SIDE, UNIMPROVED, 3 VEHICLES		LAUNCH AT HIGH TIDE
FIDDLERS REACH RD.	STATETOWN LANDING	ALL		FLOAT SIDE, RIVERSIDE	TRAILER ABLE BOATS	HANDCAP AND REGULAR, PAVED, APPROX 30 TABLES		
RT 209	DROMORE BAY	ALL						CLAM FLAT ACCESS
PARKER HEAD RD.	TIDE MILL DAM	ALL	MARK OFF PARKING AREAS	RIVER SIDE	NO	2 UNIMPROVED		
COX HEAD	GREEN POINT	ALL	GRAVEL PATHWAY TO WATERS EDGE	RIVERSIDE	NO	3 UNIMPROVED		CLAM FLAT ACCESS
FORT BALDWIN RD.	ATKINS BAY	ALL		SHORE SIDE	SMALL TRAILER ABLE BOATS	NO		PRIVATE SAND LAUNCH AREA GRACIOUSLY PERMITTED BY OWNER

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LOCATION	ACCESS POINT	OPEN TO:	POSSIBLE IMPROVEMENTS	FISHING ACCESS	BOAT LAUNCH	PARKING	OTHER FACILITIES	COMMENTS
OCEAN	POPHAM	STATE PIER	ALL	SEEK STATE ADDITION OF FINGER PIERS ON DEEP WATER SIDE OF RIPRAP EAST OF PIER	DOCK SIDE, RIVERSIDE, ATKINS BAY, SHORE SIDE	NO	30 PAVED	TOLLETS, RESTAURANTS, PICNIC TABLES, GRASS AREAS BOAT TIE UPS, TWO HOURS MAX. PERIOD ALLOWS 15 MINUTE TIE-UPS ON THEIR FLOATS
POPHAM	FORT POPHAM	ALL		SHORE SIDE	NO	30 PAVED	TOLLETS, RESTAURANTS, PICNIC TABLES, GRASS AREAS	
RT 209	POPHAM BEACH STATE PARK	ALL, PAID ENTRY		SHORE SIDE	NO	500 PAVED	TOLLETS, PICNIC TABLES, GRASS AREAS, SHOWERS, CHANGING ROOMS	
RT 216	BATES MORSE MOUNTAIN PRESERVE	ALL		SHORE SIDE	NO	16-20 vehicles		20 MINUTE HIKE TO BEACH
RT 218	LOBSTER HOUSE	ALL		SHORE SIDE	NO	FIELD OFF RESTAURANT- PER OWNERS CONSENT		CLAM FLAT ACCESS
RT 216	SMALL POINT, HEAD BEACH	ALL, PAY PARKING		SHORE SIDE	NO	PRIVATE, PAID PARKING		
RT 218	HERMIT ISLAND	ALL, PAY PARKING		SHORE SIDE	NO	PRIVATE, PAID PARKING	BEACH STORE, RESTAURANT	
RT 218	HERMIT ISLAND	SMALL POINT FISHERIES		SMALL WAIRP	SMALL RAAMP	SMALL LOT		NICK SEWALL, OWNER OF AREA, AREA OPEN TO THOSE WITH BUSINESS THERE

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LOCATION	ACCESS POINT	OPEN TO:	POSSIBLE IMPROVEMENTS	FISHING ACCESS	BOAT LAUNCH	PARKING	OTHER FACILITIES	COMMENTS
RT 218	SPRAGUE RD.	SMALL POINT DEVELOP. MENT CORP		Yes, for members only	No	Parking for Members Only	3 PIERS: 1 FISHING PIER 1 PRIVATE PIER 1 SUMMER ASSOC. PIER	
WEST PT RD.	TOTMAN COVE	Town Residents, Taxpayers and Guests.	ROAD IMPROVEMENT, IMPROVED PARKING AREAS, GRAVEL PATH TO BEACH FOR ADA ACCESS		NO	15 UNIMPROVED	ONE PORTA-TOILET	TOWN BEACH
WEST POINT RD	WEST POINT	ALL		DOCK SIDE	NO	2 OR 3, PRIVATE		
SEBASCO	WATERS EDGE DOCK	ALL	SECURE PARKING PERMITTED AREAS	DOCK SIDE	SMALL BOAT, UNIMPROVED RAMP, COBBLE STONE	RESTAURANT PARKING		RESTAURANT
WEST COVE	CAT COVE	ALL	Town, gravel	YES	NO	NO		NO
SEBASCO	ACRE LOT	Town Residents, Taxpayers and Guests.	FLOATING FINGER PIERS FOR SMALL BOAT ACCESS, OVERHEAD SWIVEL HOIST FOR WORKING FISHERMEN	DOCK SIDE	NO	10 VEHICLES		Working Waterfront
SEBASCO	WATAH LAKE RESORT RD	ALL						
SEBASCO	SEBASCO ESTATES	ALL		PIER SIDE	Yes, Fee Charged	RESORT PARKING		TEMP TIE-UPS, RESTAURANT, PICNIC TENDER SERVICE, PUMP OUT
NEW HEADQUARTERS RIVERS	SEBASCO	HIDLEYS LANDING	PRIVATE					COMMERCIAL WARF

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LOCATION	ACCESS POINT	OPEN TO	POSSIBLE IMPROVEMENTS	ESBIRG ACCESS	BOAT LAUNCH	PARKING	OTHER FACILITIES	COMMENTS
NORTH OF RIDLEY'S LANDING	HATCH RESERVE NO NAME LANDING	ALL		RIVER SIDE	NO		2 NO	NARROW STEEP WINDING DIRT ROAD
MALAGA ISLAND BY BOAT ONLY		ALL		Clear Storage with Permission				GOVERNED BY MANE SMALL STONE BEACH COAST HERITAGE TRUST AT NORTH END
BASIN RD.	HATCH RESERVE AT (TOWN OWNED RD.) AT DAM			RIVERSIDE				
PAINTED POINT RD.	MEADOW BROOK TOWN TOWN LANDING	RESIDENTS	FLOATING DOCK	RIVERSIDE	IMPROVED RAMP	APPROX 20 SPOTS FOR VEHICLES W/ TRAILER		STOCKED WITH FISH BY IFW PUBLIC PARKING AT FORT POPHAM AND STATE BEACH
SILVER LAKE	HT 209, POPHAM RD.	ALL		LAKE SIDE	NO	NO		
SPIRIT POND	#1) RT 209, POPHAM RD. (PERCY COTTAGES) POPHAM	ALL		SHORE SIDE	CAR TOP BOATS	2, PAVED		MORSE RIVER SOURCE, HIGH TIDE CANOE TO BEACH
	#2) RT 209 POPHAM RD CROSSOVER TRUST	ALL		SHORE SIDE	CAR TOP BOATS	3, GRADED		
NO NAME POND	RT 209 BEHIND BAPTIST CHURCH	ALL		WALK IN				
MEETING HOUSE POND	RT 209 HALF MOON HILL (END)	ALL		WALK IN				

Town Landings and Water Access Points 11/18/2008 5 of 5

LOCATION	ACCESS POINT	OPEN TO:	POSSIBLE IMPROVEMENTS		FISHING ACCESS		BOAT LAUNCH	PARKING	OTHER FACILITIES	COMMENTS
			MARK INDIVIDUAL PARKING SPOTS	GRADE, LEVEL AND MARK PARKING AREA	BROOK SIDE	NO				
SPRAGUE POND	RT 209	ASHDALE	ALL					3, UNIMPROVED		HIKING TRAIL
CENTER POND	RT 208	NEAR TOWN	ALL	GRADE, LEVEL AND MARK PARKING AREA	POND SIDE	CAR TOP BOATS		6, UNIMPROVED		
		HALL				CAR TOP BOATS				
		NEAR TOWN			POND SIDE	CAR TOP BOATS		2, UNIMPROVED		
	RT 209	HALL	ALL		POND SIDE	CAR TOP BOATS		TOWN HALL PARKING LOT		
		BEHIND TOWN								
	RT 209	BEHIND TOWN			POND SIDE	CAR TOP BOATS				
		HALL								
PARKER HEAD	RD.	DAM	ALL	GRADE, LEVEL AND MARK PARKING AREA	POND SIDE	CAR TOP BOATS		3, ROADSIDE		HIKING TRAILS, SWIMMING
MINNEGAN	RT 209	WINNEGAN	ALL	MARKED PARKING PLACES ON SOUTH BOUND SHOULDER, PROTECTED BREAK IN GRAD FALLS EITHER SIDE OF RT 209	ROAD SIDE	CAR TOP BOATS		3 OR 4 PAVED ROAD SIDE		
LAKE	HERON COVE	RD.	ALL		ROAD SIDE	CAR TOP BOATS				
	RT 208	WINNEGAN	ALL							KAYAK RENTAL