

**BUSTINS ISLAND
COMPREHENSIVE PLAN
2011 – 2020**

**Developed by the Bustins Island Planning Board
in compliance with State of Maine
Growth Management Act
(Title 30-A, M.R.S.A. §4301 et seq.)**

**Approved by BIVC Annual Meeting
August 2, 2014**

**Bustins Island Village Corporation
Bustins Island, Maine 04013**

Preface

“Ultimately, the most critical ingredients to forging a stronger comprehensive plan, for any community, are a willingness to form and articulate a compelling vision for the future, a readiness to take a hard look at current policies and future trends, and a commitment to effective approaches likely to achieve positive, measurable outcomes consistent with the overall vision. This PROCESS requires a subtle shift of perspective that builds local accountability for effective planning and implementation, rather than focusing on a determination of ‘consistency’ from the State Planning Office as the test of a successful plan. While a consistency finding is desirable for a variety of reasons, it should be viewed, not as an end in itself, but as a by-product of a community-motivated effort to effectively address existing and future planning challenges.”

-- UPDATING YOUR COMPREHENSIVE PLAN: STATE OF MAINE PLANNING OFFICE, 2003

“Developing a Comprehensive Plan is a legal obligation and an opportunity. The Plan gives a community the opportunity to look at where it has been and where it is going.... The Plan is both a vision and a strategy to achieve the vision. It is what the town wants to be, and wants to look like, several years down the road. It identifies what needs to change and what needs to be preserved.... There is always controversy in a Comprehensive Plan. People will disagree about what the future should look like. One person’s great idea is another person’s folly. A well done Plan attempts to find the nearly impossible balance between the good of the town and rights of the individual. A wise Plan will be open to compromise, but not to the point of diluting the overall vision...It is rarely the path of least resistance that creates a desirable change, but instead it is the difficult decisions and compromises that make a community a great place.”

-- TOWN OF FREEPORT COMPREHENSIVE PLAN 2011

“... The process of developing this Plan has raised the discussion of what makes Bustins special. It has underscored the critical understanding that our community is special because we voluntarily keep it so. No rules, regulations, services or events can maintain that unique Bustins spirit unless individual Islanders continue our long-standing and increasingly explicit effort to practice those Bustins ‘courtesies’ that constitute the core of our heritage.”

-- BUSTINS TODAY AND TOMORROW 2001

Table of Contents

- 1. INTRODUCTION..... 7
 - A. Overview of Growth Planning7
 - B. Planning and Public Participation8
 - C. Statement of Vision, Values and Principles9
 - D. A New Context for Planning: Climate Change11
 - E. Summary of Key Priorities 2011 - 202012
- 2. EVALUATION OF THE BUSTINS ISLAND 2001 COMPREHENSIVE PLAN..... 13
 - A. Accomplishment of 2001 Goals13
 - B. New Issues Identified and Addressed15
 - C. Remaining Challenges.....16
- 3. REGIONAL COORDINATION PROGRAM 20
 - A. Shared Resources and Facilities20
 - B. Conflicts With Neighboring Communities and Policies And Strategies
Concerning Shared Resources and Facilities20
 - C. Future Coordination of Shared Resources and Facilities20
- 4. PHYSICAL AND DEMOGRAPHIC CHARACTERISTICS 21
 - A. Physical Characteristics.....21
 - B. Demographics.....21
 - C. Strategies and Implementation Ideas.....22
- 5. HISTORIC AND ARCHEOLOGICAL RESOURCES 24
 - A. State Goal24
 - B. Analysis24
 - C. Conditions and Trends.....25
 - D. Policy27
 - E. Strategies and Implementation Ideas.....27
 - F. Appendix29

6.	WATER RESOURCES.....	33
	A. State Goal	33
	B. Analysis	33
	C. Conditions and Trends.....	34
	D. Policies	35
	E. Strategies and Implementation Ideas.....	36
	F. Inapplicable Strategies and Implementation Ideas	37
	G. Appendix	38
7.	NATURAL RESOURCES.....	40
	A. State Goal	40
	B. Analysis	40
	C. Conditions and Trends.....	41
	D. Policy	43
	E. Strategies and Implementation Ideas.....	43
	F. Inapplicable Policy	45
	G. Appendix	46
8.	AGRICULTURAL AND FOREST RESOURCES	61
	A. State Goal	61
	B. Analysis	61
	C. Conditions and Trends.....	62
	D. Inapplicable Policies.....	62
	E. Inapplicable Strategies and Implementation Ideas	63
	F. Appendix	64
9.	MARINE RESOURCES	65
	A. State Goal and State Coastal Policies.....	65
	B. Analysis	65
	C. Conditions and Trends.....	68
	D. Policies	69
	E. Strategies and Implementation Ideas.....	69
10.	POPULATION AND DEMOGRAPHICS.....	71
	A. State Goal	71
	B. Analysis	71
	C. Conditions and Trends.....	71
	D. Policy.....	72
	E. Strategy and Implementation Idea.....	72

- 11. ECONOMY 73
 - A. State Goal73
 - B. Analysis73
 - C. Conditions and Trends.....74
 - D. Policies76
 - E. Strategies and Implementation Ideas.....76
 - F. Inapplicable Strategies and Implementation Ideas76

- 12. HOUSING 78
 - A. State Goal78
 - B. Analysis78
 - C. Conditions and Trends:79
 - D. Inapplicable Policies:79
 - E. Inapplicable Strategies and Implementation Ideas79

- 13. RECREATION..... 81
 - A. State Goal81
 - B. Analysis81
 - C. Conditions and Trends.....82
 - D. Policies83
 - E. Strategies and Implementation Ideas.....84
 - F. Appendix85

- 14. TRANSPORTATION 86
 - A. State Goal86
 - B. Analysis86
 - C. Conditions and Trends.....88
 - D. Policies90
 - E. Strategies and Implementation Ideas.....90
 - F. Inapplicable Strategies and Implementation Ideas91
 - G. Appendix92

- 15. PUBLIC FACILITIES AND SERVICES..... 94
 - A. State Goal94
 - B. Analysis94
 - C. Conditions and Trends.....96
 - D. Policies99
 - E. Strategies and Implementation Ideas.....99
 - F. Inapplicable Strategies and Implementation Ideas100
 - G. Appendix101

- 16. FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN..... 103

A. State Goal	103
B. Analysis	103
C. Conditions and Trends.....	103
D. Policies	105
E. Strategies and Implementation Ideas.....	105
F. Capital Investment Plan.....	106
17. ENERGY.....	107
A. State Goal	108
B. Analysis	108
C. Strategies and Implementation Ideas.....	108
18. WASTE AND RECYCLING.....	110
A. State Goal	110
B. Analysis	110
C. Strategies and Implementation Ideas.....	111
19. EXISTING LAND USE	112
A. State Goal	112
B. Community Goal	112
C. Analysis	112
D. Conditions and Trends.....	113
E. Policy.....	114
F. Strategy and Implementation Idea.....	114
G. Appendix	115
20. FUTURE LAND USE PLAN	116
A. State Goal	116
B. Growth Areas	116
C. Rural Areas.....	116
D. Critical Natural Resources.....	116
E. Critical Rural Areas and Critical Waterfront Areas.	116
F. Analyses	116
G. Components.....	120
H. Policies	121
I. Strategies and Implementation Ideas.....	121
J. Inapplicable Policies.....	123
K. Inapplicable Strategies and Implementation Ideas.....	123
L. Appendix	124
21. IMPLEMENTATION AND PERIODIC EVALUATION	128

BUSTINS ISLAND COMPREHENSIVE PLAN 2011 – 2020

1. INTRODUCTION

A. Overview of Growth Planning

Bustins Islanders celebrated 100 years of self-government in 2013. Bustins Island was incorporated as the Bustins Island Village Corporation (the “*B.I.V.C.*”) by Chapter 213 of the Private and Special Laws of 1913 of the State of Maine (the “*Enabling Act*”). The Enabling Act was amended in 1967 and in 1985. Legislative authority is vested in an open village corporation meeting with administration provided by an elected Board of Overseers.

All Maine communities with zoning or certain other land use controls are mandated, pursuant to the Maine Growth Management Act (the “*Act*”), Title 30-A, Chapter 187, M.S.R.A §4301 *et seq.*, to prepare a comprehensive plan as part of its local growth management program. These plans, which are intended to support local zoning ordinances, are to include an assessment of the community’s historic, archaeological, scenic and other resources and are to be periodically updated.

According to Colby College’s 2005 *Maine Environmental Assessment*:

“The Maine legislature passed the Comprehensive Planning and Land Use Regulation Act in May 1988, which mandates that every municipality¹ in the state develop a comprehensive plan and land use management programs (Title 30-A chapter 187 section 4312). Plans are intended to address regional as well as local needs and are required to include a natural resource inventory, implementation methods, current and anticipated population and employment information, and to define the general policies and goals. The Act also established ten state goals to be incorporated into municipal plans to provide an overall direction and ensure consistency. All plans must be officially approved to be in compliance with the Act; however, the Act makes no provisions for plan implementation.”

-- Sandy J. Beauregard, Comprehensive Planning and the Land Use Regulation Commission, Colby College Maine Environmental Assessment (2005)

In September 1998, the Bustins Island Planning Board (the “*Planning Board*”) chartered a Comprehensive Plan Steering Committee (the “*2001 Steering Committee*”) to direct development of the B.I.V.C.’s Comprehensive Plan. The 2001 Steering Committee was led by an Executive Committee

¹ The Act was amended after the college’s environmental assessment was printed to exempt towns without any zoning, impact fee or growth cap ordinance.

consisting of co-chairs Riki Morgan and Ben Carr and Planning Board members John Garfield and David Gosnell. The 2001 Steering Committee was designed to be broadly representative of the Bustins Island community and ultimately grew to 24 members and included voters and renters from all parts of the Island, long-time residents/families and newcomers, and a balance of ages and outlooks.

That process attempted to capture broad-based consensus and to objectively articulate various perspectives where consensus was lacking. The process was guided by the requirements and recommendations of the Act but also reflected the uniqueness of Bustins Island as a small summer community.

The resulting document, *Bustins Today and Tomorrow*, articulated a vision for the future, guidance for how this vision might be attained and created a resource and guide for B.I.V.C. committees, Island organizations, Islanders and future Comprehensive Plan committees.

Bustins Today and Tomorrow was then shortened to conform more closely to the Act by then Planning Board Chair William Cooper. As a result, two planning documents were produced in 2001, with the latter designated as the formal Comprehensive Plan adopted as such on August 4, 2001 at the B. I.V.C.'s annual meeting (the "**2001 Comprehensive Plan**").

By adoption of the Comprehensive Plan in 2001, the B.I.V.C. annual meeting ratified and re-adopted its historic zoning ordinance, first adopted in 1975 and subsequently amended, and affirmed it to be pursuant to and consistent with the Comprehensive Plan.

B. Planning and Public Participation

The current Bustins Island comprehensive planning process was initiated in the spring of 2011 by a new steering committee co-chaired by Planning Board Members David Gosnell and Charlotte Kahn. Initial community participation consisted of four well publicized open meetings held in 2011 and 2012 to review the 2001 Comprehensive Plan and to identify and comment on current and emergent key issues and priorities.

These meetings were attended by engaged Island residents and by elected officials. Participants proposed items for consideration in the new plan and also commented on progress made since formulation and adoption of the 2001 Comprehensive Plan.

Since the B.I.V.C.'s adoption of the 2001 Comprehensive Plan, the State of Maine has revised its comprehensive plan requirements somewhat, and the State now requires many of the elements found in *Bustins Today and Tomorrow*, such as a Vision Statement. For that reason, the current Bustins Island Comprehensive Plan Steering Committee co-chairs, along with volunteer Whitney Gosnell, reviewed and reprised content generated for *Bustins Today and Tomorrow* as well as the *Bustins Island Comprehensive Plan 2001*. As the state of Maine also encourages a regional approach to community planning, they also reviewed the *Town of Freeport's Comprehensive Plan*, adopted in 2011.

As Bustins Island is located within the Town of Freeport, with which the B.I.V.C. has a number of collaborative agreements and arrangements, and is linked in varying degrees to the environmental quality and economy of the Greater Freeport region, the proposed Bustins Island Comprehensive Plan was designed to reflect both the structure and relevant content in the *Town of Freeport's 2011 Comprehensive Plan*, which has been certified as consistent with the Act by the State Planning Office.

On the basis of the results of community meetings held in the summers of 2011 and 2012, and following a review of the documents cited above in the winter/spring of 2013, the current Comprehensive Plan

Steering Committee, during the summer of 2013, developed a draft for further comment and review by Bustins Island Planning Board members and Board of Overseers member Bill Cooper.

Proposed changes and additions were incorporated into this draft plan, which was released for review and comment at the Island's annual meeting on August 3, 2013. That draft was uploaded on the B.I.V.C.'s website BIVC.net, with multiple copies also made available at the Library and Community House. A formal hearing on the proposed plan occurred on Monday, September 2, 2013 at 9:00 a.m. at the Community House, with comments incorporated into an interim draft. Following review of the interim draft by the Planning Board at an open meeting on January 25, 2014, the draft was submitted to the Maine Department of Agriculture, Conservation & Forestry for informal review. Following the incorporation of comments from such department's informal review, the plan was presented to the Bustins Island community for final review and comment at a special hearing on or about May 24, 2014, with the plan made available on the B.I.V.C. website BIVC.net. After incorporation of necessary changes and additions as per the request of the Board of Overseers and its legal counsel, the Planning Board made the proposed Comprehensive Plan available for final review by Islanders in July 2014 in advance of a formal vote on the plan at the B.I.V.C.'s August, 2014 annual meeting.

C. Statement of Vision, Values and Principles

The 2013 Comprehensive Plan largely reaffirms the Vision, Mission and Principles set forth by the Planning Board Steering Committee in 1999. The following Vision Statement, first developed through extensive community participation for *Bustins Today and Tomorrow* and further amended through this process, is offered as the foundation of the Bustins Island Comprehensive Plan.

1. **Vision:** To preserve the unique physical character and community of Bustins Island as we know it for future generations of Islanders by:
 - a. Economic Development
Sustaining Bustins Island's existing businesses and, where feasible in light of the community's seasonal nature, supporting the growth of the regional economy and new economic opportunities for Islanders and members of the surrounding communities.
 - b. Natural and Cultural Resource Conservation
Continuing to protect and preserve the Island's rustic character and its unique and finite natural resources and cultural heritage, including its historic buildings, shoreline and marine resources, and public open spaces and recreational areas, in order to ensure the enjoyment of the Island by all Islanders.
 - c. Transportation Systems
Planning and budgeting for the maintenance and improvement of the Island's ferry service, roads, docks and wharves, many of which also serve as historic and recreational resources, particularly with respect to the challenges posed by rising sea levels.
 - d. Land Use Patterns
Maintaining and strengthening the Island zoning with respect to development of remaining buildable lots and expanding, as feasible, of the Resource Protection District in order to recharge the Island's aquifer and sustain the quality and supply of its fresh water.
 - e. Regional Role
Fostering and participating in regional cooperation to address key 21st century challenges – from job growth to marine water quality, invasive species and rising sea levels – and to

promote Bustins Island as a good neighbor and respectful steward of Maine's coastal habitat and way of life.

2. Values:

We cherish the following essential Bustins' values:

- a. A reverence toward the Island itself that acknowledges that we are not its owners but rather sensitive stewards aware of its fragility and accountable for preserving its beauty and its finite natural resources.
- b. A simple life style, rustic and close to nature, that contrasts with rather than replicates our mainland lives and exemplifies Bustins' heritage and our unique shared Island experience.
- c. A community spirit that promotes openness, honors individuality, recognizes differences, and respects privacy.
- d. A willing voluntarism in the meeting of Island needs, whether they are for service in Island government or for help in clearing brush from Island paths.
- e. A commitment to only that amount of Island government, regulation and expense that is commensurate with carrying out the expressed will of the Islanders in an effective and timely fashion.
- f. A vigorous effort to maintain autonomy over Island issues while recognizing that Bustins is part of the broader Freeport community and subject to regulation by outside jurisdictions.
- g. A determination to place Island welfare above private wish, and to keep the Island non-commercial, safe for all ages, and affordable to Islanders of all incomes.
- h. A sensitivity to the aesthetics of what we do as well as to issues of practicality, legality and affordability.
- i. A recognition that stewardship and preservation of our precious Island, with its unique community and quality of life, may require carefully considered and deliberate change by us and by those who follow us. Careful stewardship of Bustins' resources and unique character will be reflected in individuals' behavior, community norms and occasional new regulatory standards.

3. Principles:

The Comprehensive Plan reflects the following general principles to guide our decisions today and tomorrow:

A. Community

1. To maintain the Island's community spirit and sense of closeness.

2. To keep the Island and its services affordable to people of all income levels.
3. To preserve our shared interest in creating a safe environment in which children can explore, gain independence and learn civic responsibility.

B. Unique Life Style

1. To preserve a simple lifestyle.

C. Natural Resources and Open Spaces

1. To protect and preserve the Island's natural resources and rustic character, including its shoreline and marine resources, open spaces and recreational resources in order to ensure access to fresh water and the enjoyment of the Island's natural beauty by all.

D. Government

1. To keep the Island's governing structure as spare as prudence and need permit.
2. To have as few regulations as are necessary and prudent for the Island's welfare, and where rules and regulations are required, to emphasize voluntary compliance rather than active enforcement.
3. To ensure that Island issues are decided by Islanders to the greatest possible extent consistent with Maine's laws.
4. To balance traditional volunteerism against the need for efficiency and expertise in governing and service provision. Volunteering is a critical component of the Bustins experience and is preferred whenever legally and practically possible.
5. To maintain the Island's existing port facilities and road system, but not develop them further unless necessary.
6. To maintain the Island's existing land use rules and regulations which have promoted controlled, stable development consistent with the Island's unique character as a seasonal vacation community.
7. To promote good relations and cooperation with surrounding communities and local governments.

D. A New Context for Planning: Climate Change

In the 21st century, climate change will pose new challenges to Bustins Island, Greater Portland and all coastal communities. The United Nation's Intergovernmental Panel on Climate Change, in its 2013 report, finds that the past three decades have been the hottest since 1850, the onset of the globally-scaled Industrial Revolution, and that since then, carbon concentrations in the atmosphere have increased by 40%, while carbon, methane and nitrous oxide are at levels unprecedented in at least 800,000 years. Over the past two decades, the Greenland and Antarctic ice sheets have lost mass and glaciers worldwide are shrinking. These factors have led to projections of more extreme weather events and sea-level rise of at least two feet and possibly as much as seven feet or more by 2100.

This new context for planning the future of Bustins Island must be taken into consideration in every area of focus.

E. Summary of Key Priorities 2011 - 2020

1. Immediate

- A. Continue protection of the Island's fresh water supply and quality through protection and expansion of the Resource Protection District, which safeguards the Island's aquifer, by: (i) updating the Gerber/MACTEC water model study; (ii) creating a data-logging system to monitor year-over-year water quality and levels; (iii) clarifying allowed activities in protected areas; (iv) careful siting of wells and waste disposal systems; and (v) development of informational maps and surveys to facilitate planning and guide decision-making.
- B. Planning and budgeting for maintenance and improvement of Island roads and public facilities, many of which are also historic, recreational or transportation resources.
- C. Simplification, standardization and upgrading of safety procedures and equipment in cooperation with Freeport, with attendant public education and training, particularly in regards to the risk of fire.
- D. Development of cost-effective, environmentally sustainable strategies for handling household and natural wastes – from increased sorting and recycling to controlled burning and composting.

2. Ongoing

- A. Exploration, in consultation with state and local experts, of best practice public and private options in response to increased pressure on coastal bluffs and low-lying areas due to anticipated sea-level rise and extreme weather.
- B. Exploration of and public education about ways to protect and restore fragile marine, shoreland and inland habitats, including management of an increasingly mature forest with increased risk of fire and blow downs.
- C. Development of effective strategies for the management of invasive species and pests (e.g., mosquitoes, ticks, green crabs, Japanese knotweed, poison ivy, cat-tails, deer, porcupines, mice, woodchucks, brown-tailed moths, and carpenter ants) to protect and enhance natural habitats, the health and safety of Islanders, and the integrity of Island structures.
- D. Ongoing dialogue with State of Maine officials regarding current policies and risks and benefits for Bustins Island and other communities: for example, the proscription against fire breaks and tree removal around waterfront buildings as opposed to 40-foot clearances recommended elsewhere; coastal bluff erosion-protection policies such as the proscription against cutting back trees that shade and/or crowd out lower, denser and more storm-resilient plants; the 59-day annual limit on public well use; and so on.
- E. Recruitment, training and mentoring of the next generations of Island leaders in light of normal generational shifts.

2. EVALUATION OF THE BUSTINS ISLAND 2001 COMPREHENSIVE PLAN

Since adoption of the Bustins Island Comprehensive Plan in August 2001, many issues targeted for action have been successfully addressed while new issues and challenges have emerged.

A. Accomplishment of 2001 Goals

1. Natural Resources

a. Increased Protection of the Island's Fresh Water Supply

Substantial donations and additions to the Resource Protection District are serving to protect the Island's fresh water availability and quality.

b. Natural Habitat Improvements

1. A hunting season for deer successfully addressed an imbalance relative to the Island's determined carrying capacity and impact on other wildlife habitat.
2. Purple loosestrife, a former major risk to wetlands, was almost eliminated.

2. Waste and Recycling

a. Privy Waste

A state-approved plan for the disposal of privy waste from composting toilets and outhouses and the gradual installation of new gray water and septic systems as required has resulted in reduced risk of contamination of the Island's drinking water supply.

b. Trash Disposal

The development and execution of a new system for the collection and disposal of Island trash involving multiple containers rather than one dumpster resulted in a more manageable approach.

c. Septic Systems

The development and early execution of a plan for the periodic pumping of Island septic systems, which has reduced the risk of contamination of the Island's drinking water supply from Island septic systems, and development of an Island-appropriate septic system by Al Frick known locally as the "Frickolator."

3. Transportation

a. Island-Owned Ferry Operation

The B.I.V.C. enlisted the services of a resident marine architect, Al Spalding, to design an Island ferry. This boat was commissioned into service in 2002. It has been named the Lilly B. to acknowledge the loving memory of an Island caretaker, Lilly Brewer, from the 1950s through the 1980s. The new ferry service, assessed for performance and guided by the Boat Committee, has been highly successful.

b. Mainland Parking

Mainland parking arrangements were made for Island residents and visitors at the L'École Française du Maine school parking lot in South Freeport. This was the key transportation challenge in 2001. While the parking arrangement at the L'École Française du Maine school parking lot is greatly appreciated and well used, additional parking options are needed.

4. Public Facilities, Services, Government and Fiscal Capacity

a. Public Facility Maintenance and Repair

The ramp, pilings and float of the public dock were rebuilt and replaced in 2002.

b. Upgrades to Safety Planning and Practices

1. Firefighting Equipment Upgrades

The Island purchased a new (to Bustins) fire truck more easily operated by residents. The Island is pivoting away from a firefighting strategy based on fire trucks, however, in favor of a strategy based on hose trailers connecting to fixed satellite and secondary mobile seawater pumps. It is anticipated that this new system will (i) be easier for Islanders to use and therefore less prone to failure due to operator error, (ii) result in faster response times for delivery of water on scene, (iii) result in a virtually unlimited supply of water on scene (as opposed to the existing system, which in the case of an extensive fire requires that fire trucks leave the scene and refill their tanks) and (iv) be better coordinated with the secondary Freeport fire response by ensuring that the necessary water lines are in place and operational when the professional firefighters arrive on scene.

2. Optional Chimney Sweeping and Installation of Chimney Liners

Cottagers can now sign up for chimney sweeping and lining services at a reduced price for multiple customers.

3. Replacement of the Community House Generator With a Solar System

The Community House generator, previously located in the Schoolhouse, was replaced with the installation of a large roof-top solar array and back-up generator.

4. Upgrades to Community House Water Systems

A deep water pump, pressurized water system and gray water system were installed.

5. Handbook for Cottagers and Renters

Islanders Peg DeBruyn and Diane Jellis completed a comprehensive guide for homeowners and renters covering Island services and resources as well as safety precautions. The Handbook was updated in 2011 and is available on the B.I.V.C. website.

6. Job Descriptions

Job descriptions were developed for all Island personnel.

5. Land Use

a. Street Survey and Map Updates

An intense effort to survey Island roads and by-ways resulted in the ongoing reconciliation of public and private land use and ownership and to the updating of Island maps.

B. New Issues Identified and Addressed

1. Historic Resources

a. School House

Structural reinforcement of the School House in place following a vote at the 2011 Annual meeting not to move the building to a new location as per the recommendation of the Historical Society.

2. Open Space and Recreation

a. Reduced Liability Exposure

The potential liability exposure resulting from increased occasional use of the Island's recreational resources – particularly the Steamer Dock, rope swing and public dock – by Islanders, renters and non-Islanders was addressed by adding “at your own risk” signage and creating safer stair access to the rope swing.

3. Public Facilities, Services, Governance and Fiscal Capacity

a. Natural Resource Protection

Purchase of the former Island superintendent's cottage (the “*Brewer Cottage*”) which sits over the Island's aquifer.

b. Public Facilities Upgrades

1. Reconstructed public privies: Crawford Taisey and Jeff Carrier, on a voluntary basis, rebuilt the Island's three public privies.
2. Extensive revamping and clean up of the Island's previous trash disposal area and execution of a new system of hauling trash to the mainland, accompanied by increased recycling.

c. Enhanced Revenue

Following major capital expenditures (new dock, ferry, fire truck and privy waste disposal system), the Island's fiscal resources were enhanced by successful application for federal funds to remedy the effects of a severe blow-down.

d. Access to Information and Communication

Transition of the Store Porch to the Island Buzz; two websites for the Island, one of which is official, the other of which was developed and is maintained by an Island resident. Both are well used, but not all Island residents have access to online communications.

e. Public Safety Enhancements

A resident police officer was hired to protect and ensure the public's safety.

4. Land Use

a. Commercial Vehicles

A conditional use permit authorized parking for the Island-owned and commercial vehicles at the Brewer Cottage, a centrally located B.I.V.C. property.

- b. Zoning Ordinance
The Island's tenting regulations were clarified and updated.

C. Remaining Challenges

1. Historic Resources

a. Protection, Restoration and Use of Historic Resources

1. Post Office

Bustins may be the only village corporation in Maine with its own post office, and Islanders do not want to lose it. Possible cutbacks to the US Postal Service may eliminate or otherwise adversely affect Bustins' historically significant and Island-run post office.

2. School House

A plan has been proposed to allow the use of the School House as a place for Islanders to recharge their cell phones. The Planning Board is also assessing its use as remote office space.

3. Brewer Cottage and Barn

The Board of Overseers is monitoring current usage and seeking input on future use of the Brewer Cottage through public hearings and committee meetings to develop creative ways to use the space. Suggestions have included creating a comfortable public work space with Internet access. By a straw poll at the 2013 annual meeting the Island community approved razing the barn which will be carried out under the direction of the Board of Overseers.

2. Natural Resources

a. Protection, Restoration and Use of Natural Resources

1. Protection of the Island's Aquifer, Fresh Water Supply and Quality

There is on-going interest in protecting and expanding the Resource Protection District. Potential damage to the Island's aquifer from spills of hydrocarbon fluids from Island and commercial vehicles, particularly over the winter, needs to be studied and addressed. The use of spill trays and other spill containment systems has been proposed as a potential solution.

2. Groundwater Study Update

In 2004 the Island invested in an update of the 1991 Gerber study and purchased accompanying software to take advantage of better computer modeling techniques and the use of advanced computer technology to assess conditions on a smaller grid size. Like the earlier study, the 2004 MACTEC update found ample water supplies on Bustins, in large part due to protection of the aquifer by the Resource Protection District, but warned of risks due to rising sea levels, seepage from septic systems and privies, and intrusion of salt water from well drilling in high-risk areas such as the southwest corner of the Island near the Steamer Dock.

3. Rising Sea Levels and Coastal Erosion

As sea levels rise and the potential for severe storms increases, Bustins Island will be challenged to sustain its coastal bluffs, protect its fresh water quality and maintain the structural integrity of its docks and buildings.

4. Reduction of Surface Run-Off and its Impact on Coastal Erosion

Road and other improvements to improve drainage patterns must be carefully executed.

5. Mature Forest Management

With a few exceptions, the Island's forest is reaching or past full maturity, with increasing risk to structures of blow downs and the cost to the B.I.V.C. and homeowners of making roads and land safe after a major storm or micro burst. With the stump dump closed and many large trees down throughout the Island, a pro-active, environmentally appropriate approach is being studied and developed.

6. Marine Water Quality and Biodiversity Protection:

Harraseeket River and other Freeport storm discharge led to the closing of shellfish flats and to a decline in the marine water quality around Bustins Island. A federal grant to Freeport in 2009 addressed this challenge and made it possible to reopen local shellfish beds in January 2013, with anticipated improvement to Bustins' marine water quality over time.

7. Enhancement of the Island's Natural Ecology

a. Wildlife Carrying Capacity

Set action thresholds as needed for management of porcupines, woodchucks, deer, and other mammalian pests based on the island's carrying capacity and threats to public health.

b. Habitat Restoration

Use native and other appropriate plants and shrubs to encourage bird habitats, protect the marine environments, control pests, and minimize the need for watering and fertilization.

c. Management Plans for Invasive Plants and Insects

Develop and disseminate effective strategies for the management of invasive plants and species (e.g., Japanese knotweed, cat-tails, Japanese barberry, oriental bittersweet, poison ivy, deer, brown-tailed moths, and carpenter ants) to protect and enhance natural habitats, the health and safety of Islanders, and the integrity of Island structures.

3. Open Space and Recreation

- a. Unsupervised /Monopolized Use of Bustins' Recreational Resources by Off-Islanders
There has been increasing use of the rope swing by non-Islanders not trained in its use, with increased safety and liability concerns. Signs have been installed to clarify "use at own risk."

4. Energy

- a. Solar System Safety
As more and larger solar and other electrical systems are installed on the Island, the potential fire hazard from technical failures increases. The Planning Board, at the Code Enforcement Officer's suggestion, is considering adopting the state's electrical code or a portion thereof to help regulate the safety of future solar installations and electrical wiring installed by cottagers.

5. Waste and Recycling

- a. Trash and Brush Recycling
All trash is now hauled off the Island at great expense while the disposal of brush continues to present a challenge. A higher rate of recycling, in cooperation with Freeport's goals, and the safe and sanitary composting of light brush and organic wastes are possible solutions. An effort to educate Islanders about the appropriate disposal of waste would be helpful.

6. Economy

- a. Pricing Out of Younger Generations in a Weak Economy
The combination of weak job and wage growth and increased home values and taxes have created economic pressures that are making it difficult for young adults with deep roots on Bustins to purchase and/or retain family cottages as they pass from older generations.
- b. Assessments
With many cottage owners on Bustins already strapped to pay property taxes, recent sales suggest that property values may have risen further. Offsetting property values on Bustins are its distance from mainland emergency services and shopping, the seasonal-only use of the Island and possible effects of climate change. The number of cottages remaining for sale in the fall of 2013 suggests that recent prices may not be sustainable.

7. Transportation

- a. Dinghy Tie Ups
There continues to be a need for additional dinghy tie-up space as the public dock cannot accommodate demand at peak times. An affordable solution has not yet been identified, and finger slips are being considered.
- b. Bicycle Safety
Bicycle safety is always a concern, and Island bike etiquette must be taught to each new generation and to visitors and contractors on the Island. In 2013, the Board of Overseers required bikes to be walked down the hill leading to the store to reduce the risk of collision with trucks and walkers coming around the turn by Pidge's Cove.

8. Public Facilities, Services, Governance and Fiscal Capacity

- a. Simplification and Standardization of Safety Equipment and Procedures
Simplification of Island fire response system and facilitation of Islanders' understanding of and adherence to safety planning and response.
- b. Assessment of and Dialogue About Current State Policies
In particular, clarification of and dialogue with Freeport and State of Maine officials about fire prevention, coastal bluff erosion and public well openings and, as necessary, to review their advisability for and impact on Bustins Island.
- c. Need for Handicapped-Accessible Privy
Construction of a privy near the Community House accessible to persons with physical handicaps went out to bid in the summer of 2013, but were rejected and will go out for bid again in 2014.
- d. Fiscal Constraints On the Maintenance of Public Facilities and Services
After absorbing major expenses incurred over the past decade, the B.I.V.C. budget is recovering. The Island continues to spend carefully and limit the growth of infrastructure.
- e. Generational Leadership Turnover
It is critical that the Island community continue to recruit, train, mentor, coach and support younger committee members and leaders to ensure the effective governance of the Island and the sustainability of Island resources over time. Non-property owners such as older youth and the adult children of cottagers are eligible to serve as members of critically important Island Advisory Committees (Boat, Landscape, Safety, Finance) while members of the Board of Overseers, Planning Board and Board of Appeals must, according to Section 6 of the Enabling Act be property owners eligible to vote at B.I.V.C. annual meetings.

9. Land Use and Growth

- a. Comprehensive Land Use Map
Development of a comprehensive map(s) to guide the location of future buildings, wells and septic systems and facilitate planning, best practices and contributions to the Resource Protection District, said map(s) to show elevations, energy sources, current wells and septic systems, and so on.

3. REGIONAL COORDINATION PROGRAM

A. Shared Resources and Facilities

As a village corporation located within the Town of Freeport, Bustins Island and Freeport necessarily share a number of resources and facilities.

The primary natural resources shared by Bustins Island and Freeport, as well as the surrounding communities of Yarmouth and Brunswick, are the Harraseeket and Royal Rivers and the surrounding confines of Casco Bay, as well as the fish and shellfish living therein.

In terms of governmental resources and facilities, Bustins Island and Freeport share use of the public dock located on the Harraseeket River in South Freeport (the “*Freeport Town Dock*”). Additionally, pursuant to the letter of agreement between the B.I.V.C. and Freeport dated October 16, 1984, Freeport provides fire, police and tax assessment services to the Island, use of Freeport’s public meeting space during the off-season for Board of Overseers, Planning Board and other meetings, a part-time slip for the Island Ferry at the Freeport Town Dock and limited long-term parking for Islanders at the L’École Française du Maine school (formerly the Soule School) in South Freeport.

B. Conflicts With Neighboring Communities and Policies And Strategies Concerning Shared Resources and Facilities

While many Islanders enjoy sport fishing in the waters of Casco Bay, and certain Islanders who are Maine residents also maintain lobster licenses and fish for lobster in Casco Bay, for the most part Islanders and the year-round citizens of Freeport are not in conflict for natural resources. The quality of the water surrounding Bustins Island is subject to potential contamination from overflow discharge from Freeport’s public sewer system, although this risk may become more attenuated with improvements to Freeport’s sewage treatment system and careful growth management.

The primary conflict for shared resources between Bustins Island and Freeport concern dock space at the public dock and adequate parking for Island residents.

C. Future Coordination of Shared Resources and Facilities

The B.I.V.C. and Freeport officials are in frequent contact and work closely with each other to ensure coordinated access to and use of police, fire, dock, parking and other shared resources. This cooperation has served both governments well in the past and it is expected that the B.I.V.C. will continue to work closely with Freeport to ensure continued and mutually beneficial cooperation.

4. PHYSICAL AND DEMOGRAPHIC CHARACTERISTICS

A. Physical Characteristics

Bustins Island is a 138-acre Island in Casco Bay located about two miles from the South Freeport harbor on the Harraseeket River. The Island is within the Town of Freeport in the Greater Portland region. It is approximately one-third of a mile from Flying Point and two-plus miles from South Freeport by boat.

A small Island, Bustins nevertheless contains a variety of natural habitats ranging from coastline and tidal areas to meadows, deciduous and coniferous woodlands and a variety of wetlands, including ponds marshes and vernal pools. This variety provides a number of hospitable environments for the flora and fauna characteristic of those areas.

Accessible only by ferry or private boat, the Island has no paved roads. While there are several Island-owned utility vehicles and privately owned construction vehicles, there are no passenger cars. Cottages and public buildings and amenities are linked by dirt roads and small woodland paths.

Approximately 117 seasonal cottages have been built on Bustins Island over its more than two centuries of settlement, the majority of which are located within 100 yards of the shoreline. Newer cottages, of which a number have been built since 2001, have tended to be constructed further inland. Generally, Islanders do not require or covet the usual mainland amenities and infrastructure.

Freeport records showed the total assessed valuation of all property on Bustins Island to be \$12,707,900 in May 2001. In the fall of 2006, the Town of Freeport Assessor's Office completed a project to revalue all properties. While market values continued to climb somewhat, there has been a marked decline overall, and the Assessor adjusted valuations downward for the fall 2010 tax bill. Current real values on Bustins Island are uncertain in light of the slow movement of properties for sale in 2013.

Bustins has no connection to public utility electric power and depends on household-scale solar power and on tanks of liquefied petroleum gas (LP) brought to the Island for refrigeration, cooking, and lighting. The ongoing provision and safe handling of propane tanks is managed by a long-standing Island-based business. Most heating is by wood stove from cord wood cut on the Island.

Future cottage construction is limited by available buildable lots. Under present zoning there may be buildable lots on the Island for as many as 30 more cottages, depending on state requirements. Since the 1950s growth has been fairly consistent and has averaged about one (1) new cottage a decade. With a fairly large number of cottages for sale in 2013, the Planning Board projects that growth will be characterized by only gradual changes in cottage construction or population size.

B. Demographics

A seasonal summer community, Bustins Island has no year-round residents. While a few cottage owners take up residence in April and leave in October, for the most part Bustins' season consists of July and August with a week or two added at one or both ends. A few Islanders, however, manage to reach Bustins by one means or another in nearly every month of the year.

The total carrying capacity of Bustins Island has not been precisely calculated, but if each of the Island's 120 or so cottages contained a family or group of four at the same time, almost 500 people would occupy the Island. Full occupancy by Islanders rarely if ever occurs, however, with the 4th of July weekend

generating the greatest number of occupants. Weddings and other occasional large gatherings can significantly increase the Island's temporary population.

The 2013 voter list, limited to property owners (one vote per land parcel), contains about 150 names. The Bustins Island Directory, published annually, contains almost 470 names, including extended family members who often share property ownership and use.

Bustins' population is made up for the most part by Maine residents, many of whom reside nearby, and by New Englanders generally, with a high concentration from Massachusetts. Islanders arrive each summer, however, from all corners of the United States.

Some families have been a presence on Bustins Island for six generations. As a result, many of the cottages are shared by siblings and cousins across multiple generations, with various members of a single extended family arriving at different times throughout the season.

While a few cottages are available for rental, the preponderance are owner occupied. Renters are usually well known to the renting family, tend to repeat and are generally well integrated into the seasonal community. Many Islanders commute on summer weekends for all or part of the season.

Bustins Island is notable for its track record of healthy aging and for the high number of cottagers who live active lives well into their 80s and 90s. The Island - like the mainland - is undergoing a marked generational shift. Islanders who began their childhoods on Bustins 80, 90 and 100 years ago, or arrived as young marrieds a half century ago - and who provided the bulwark of Island leadership for decades -- are now stepping back or passing away, while baby boomers near to or entering their retirement years are stepping forward.

With very talented and knowledgeable young people not yet land-holders and, as such, constrained by State of Maine or Island requirements from serving in all public positions, the Island must find ways to tap their expertise on a short-term or ad-hoc basis to build investment in the Island's future. While this is already happening to some extent as young leaders take on the leadership of committees, Bustins needs more systematic development of opportunities and outreach and must also seek to learn about models from similar communities.

Looking ahead, a spate of babies born to long-time and newcomer Island families since 2001 promises a deep bench of leadership for decades to come.

C. Strategies and Implementation Ideas

- (1) ONGOING: Consider how best to continue to educate younger generations and newcomers about the Island's history, natural resources and historic and cultural ethos, in part through the hiring of young people to perform appropriate functions in conjunction with and under the supervision of the Island Superintendent.
- (2) ONGOING: Consider how best to continue the recruitment, succession planning and mentoring for civic leadership positions as well as the voluntary engagement of retiring baby boomers and of younger generations in response to current and coming generational shifts.
- (3) BY OCT. 2016: Consider developing opportunities for Islanders to do short-term work projects/studies to support governance and maintenance of the Island that address priority recommendations in the Comprehensive Plan -- such as best practices to control erosion,

architecture designs for redeveloping the Brewer Cottage and for designing a memorial garden at the Brewer property, forest management, guidelines for Islanders on "going solar", simplification of instructions for operating fire and other safety equipment, and so on.

- (4) BY. OCT. 2016: Investigate models from similar communities that combine professional expertise, e.g., an island administrative manager or coordinator to work with boards or other arrangements that lessen the burden on board members.

5. HISTORIC AND ARCHEOLOGICAL RESOURCES

A. State Goal

The Act states that communities must work:

“To preserve the State’s historic and archaeological resources.”

B. Analysis

The Comprehensive Plan elements of the Act are administered by the Maine Department of Agriculture, Conservation and Forestry as successor to the Maine State Planning Office. Pursuant to its rule making authority under the Act, the Maine State Planning Office enacted the Comprehensive Plan Review Criteria Rule (the “**Rule**”) setting forth the requirements a comprehensive plan must satisfy in order to be deemed in compliance with the Act.

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its historic and archeological resources:

(1) Q: Are historic patterns of settlement still evident in the community?

A: As more fully described in the Conditions and Trends analysis below, there are eight (8) small to medium-sized shell middens located around the shoreline of the Island and one of the original farmhouses from the initial settlement of the Island as a farming community in the 1800s is still in use and occupancy. The school house used to educate the children of a fishing community that was established on the west side of the Island in the late 1800s is also still located on the Island and although currently no longer in use is still in reasonably good condition. Additionally, other than for the loss of a few cottages to fire over the years, most of the original cottages from the redevelopment of the Island as a seasonal vacation community remain in existence and, other than for relatively minor alterations and improvements over the years, remain largely intact and unchanged since their original construction. While the Island’s hotel from that period was lost to fire, the restaurant/store, post office and community house from that period remain in existence and are still integral components of Island life.

(2) Q: What protective measures currently exist for historic and archaeological resources and are they effective?

A: As more fully described in the Conditions and Trends analysis below, there are no known archaeological sites documented for the Island and therefore protective measures in addition to existing state and federal requirements are not mandated or believed to be either necessary or desirable. Island history is preserved by the Bustins Island Historical Society (“**BIHS**” or “**Historical Society**”), founded in 1977 with a charter to document and preserve the unique history of Bustins Island. The BIHS manages a museum located next to the Bustins post office. Exhibitions are conducted annually around a theme of historical interest to Islanders. Today, Bustins is a community that, despite great technological and economic change on the mainland, is a reminder of an earlier time, and Islanders strive to respect and preserve its unique nature. It is clear that Bustins Island is not just a piece of land but a state of mind.

(3) Q: Do local site plan and/or subdivision regulations require applicants proposing development in areas that may contain historic or archeological resources to conduct a survey for such resources?

A: No. There are no historic archaeological sites documented for the Island and based upon the known history of Bustins Island it is anticipated that none of the few remaining buildable lots on the Island will contain historic or archeological resources of note. It is anticipated that any such resources would consist of, at most, underground foundations, wells, privy pits and rock walls which would be of limited historic or archeological interest. While there are eight (8) small to medium-sized shell middens located along the shoreline of the Island, these middens are not located in buildable areas and are not threatened by any potential future development. Accordingly, Bustins Island has not determined to impose survey obligations beyond those that might be required under applicable federal or state law.

(4) Q: Have significant resources fallen into disrepair, and are there ways the community can provide incentives to preserve their value as an historical resource?

A: All of the historical resources on the Island have generally been maintained to a satisfactory level of preservation except for the barn located adjacent to the Brewer Cottage. Unfortunately the barn has deteriorated to the point that it now presents a potential safety hazard. While it is still possible to preserve the barn, such action would require the investment of significant financial resources and necessitate foregoing other pressing capital projects. A straw poll at the 2013 annual meeting indicated that a majority of the Island community did not believe the barn's historical significance was sufficient to justify the expense and voted, albeit with great regret, to approve the razing of the barn.

Existing historical resources on the Island are either (i) privately owned and maintained, (ii) owned and maintained by the B.I.V.C., or (iii) owned and maintained by the Historical Society. Of these facilities, the School House is the facility in greatest need of additional maintenance and restoration. At present it appears the Historical Society is reluctant to spend funds to restore the School House above and beyond maintenance costs without finding a use or new location for the School House that would justify the expense. The Board of Overseers and Planning Board are actively exploring possible new uses that would be satisfactory to the Historical Society to justify such investment.

C. Conditions and Trends

While there are eight (8) small to medium-sized shell middens located along the shoreline of the Island, their age and province is unknown and Bustins Island's involvement in Native American history is unconfirmed. Until the late 1800s the Island, sometimes called Bibbers Island, was bought and sold numerous times.

The oldest house on Bustins, a one-and-one-half story center-chimney cape farm house built around 1798 by the Bibber family, is still surrounded by open meadow. This early salt-water farm was built as a year-round home and is located on the south face of Bustins. The second oldest house, the Merrill Farmhouse, substantially renovated in 2013, was probably built in the 1860s. At the time, Bustins was not as forested as it is today and large pastures were populated by sheep and other farm animals.

During the mid to late 1800s a small fishing colony was built on the west side of the Island. A small schoolhouse was built mid-Island in 1885 for the children of the fishing families. Although the original location is unknown, the school house has been at its current location next to the Community House since 1898. Today this modest vernacular building still retains a great deal of historic integrity including

original windows, plastered walls, and flooring. It is the only civic building on the Island predating the blossoming of the summer community and is a tangible link to the Island's earlier history.

By the late 19th to early 20th century Bustins Island had begun to evolve into a summer vacation community with a store, inn and restaurant and with numerous ferries coming to the Island from Portland and Freeport. Activities such as sailing, golf, and tennis were popular, as they are today. The Bustins Island Cottagers Association was formed in 1905 to organize events and assist in management and maintenance functions. Today this same group is known as the Cottagers Association of Bustins Island (“*C.A.B.I.*”).

In 1913 Chapter 213 of the Private and Special laws established the charter for the Bustins Island Village Corporation (B.I.V.C.) as a means for the island’s property owners to have better control of their affairs and define its relationship with the Town of Freeport, of which it is a part.

The Island continued to grow as a popular summer escape up to the 1950s and 1960s. In the 1940s and 1950s there was even a restaurant attached to the store called the Ships Inn. For the youth of this period it was a time of both freedom and learned responsibility.

From the 1950s through the 1980s, families would spend the entire summer on the island while working fathers would come up on the weekends. Children played games such as German Flashlight or Spotlight Tag, Kick the Can and Capture the Flag. There was an annual talent show called the Bustins Bust which was usually produced by the teenagers. Recently, this tradition has been revived and continues today. Teenagers had summer jobs such as truck driver, brush and garbage collection, road maintenance, and lighting the many public gas lamps. During this period on the Island there was an active store, where the penny candy counter was the prize attraction.

In 1968 there was a fierce debate about whether or not the Island should bring electricity across from Flying Point. Both sides of the discussion argued passionately for their cause and many sacrificed personal time in the offseason traveling from as far as New York City for meetings. In the end the Islanders voted against formal electrification.

In 1985, the Enabling Act was amended to provide that 60% of the tax revenue collected by Freeport from Bustins Island property would be returned to the B.I.V.C. In return, the amendment relieved Freeport of many, but not all, of its obligations to provide municipal services.

From the 1990s onward, as more women entered the workforce, family dynamics changed. As it was no longer possible for most mothers and children to spend the entire summer on the Island, for some, Bustins gradually changed from a full summer community to a weekend and vacation getaway while others continued to spend extended periods on the Island.

After longtime private ferry captain Archie Ross retired in 1996, the Island struggled to fill the large void he left. Eventually, in 2000, the Island contracted to build the first Island-owned ferry. The new ferry was specifically designed for Island use by long-time Islander, boat designer and builder Al Spalding. The new ferry was named the Lilly B. after Lilly Brewer, a long-time former Island superintendent.

Following the death of Lilly Brewer, the B.I.V.C. decided to make another major purchase: the Brewer Cottage and surrounding land and barn, located in the central portion of the Island considered to be the central part of the ground water recharge area. A major investment of Island funds, the purchase was also seen as a way to secure housing for a possible off-Island superintendent, and additional meeting and storage space.

New people began coming to the Island as renters or cottage owners in the 2000s. In some cases, this trend reflected economic stress resulting from the 2001 recession and 2008 - 2009 Great Recession. As a result, a number of cottages were sold that had been in Island families for decades and generations. This cottage turnover continues, with many of the newer purchasers having no prior Bustins' history.

While the Island's historic buildings and structures are prized by Islanders, the Maine Historic Preservation Commission has not identified any historic resources of national, state or local significance on Bustins Island.

See Appendix annexed to this Article 5 for relevant data provided by the State of Maine.

D. Policy

In order to accomplish the State's goal of preserving the State's historic and archeological resources, the Bustins Island community's policy is:

To protect to the greatest extent practicable the significant historic and archaeological resources located on Bustins Island.

E. Strategies and Implementation Ideas

While there are eight (8) small to medium-sized shell middens located in undevelopable areas along the shoreline of the Island, there are no known historic archeological sites and/or areas sensitive to prehistoric archeology located on Bustins Island. Accordingly, the B.I.V.C. has not enacted land use ordinances requiring that subdivision or non-residential developers take measures, in addition to measures required under applicable federal and state law, to protect such resources.

As Bustins Island's does contain resources of local historic value, however, and as such resources are in constant need of attention, the Bustins Island community, in order to further the Island's policy stated above, has adopted and will endeavor to accomplish the following strategies and implementation ideas below as coordinated by the Planning Board or the Board of Overseers, as applicable, in consultation with appropriate Island committees:

- (1) **ONGOING: Post Office:** Possible cutbacks to the US Postal Service may affect Bustins' historically significant and Island-run post office. The Board of Overseers will endeavor to track the US Postal Service's decision making with respect to the closure of post offices and, and if possible and to the extent warranted, oppose any threatened or proposed closure of the Bustins Island post office.
- (2) **ONGOING: The Library/Post Office/Nature Center and Historical Museum:** These connected facilities are all in need on ongoing maintenance, much of which is accomplished by volunteers. The Board of Overseers maintains a projects list identifying major maintenance and capital projects. These projects are funded each year insofar as tax revenues allow. The Board of Overseers will consider developing a capital improvement plan for these buildings and seeking donations of time and funds to accomplish it.
- (3) **BY OCT. 2016: School House:** While the very best use for the School House in its current location has not yet been determined, plans may be underway to make it a charging station for cell phones. The Planning Board and the Board of Overseers will continue to work with the Historical Society to identify the highest and best use for the School House that ensures its

- continued preservation and promotes interest in and respect for the building by integrating it into Islanders' daily life.
- (4) BY OCT. 2018: **Brewer Cottage and Barn:** The Board of Overseers will continue to determine the highest and best uses of the Brewer Cottage, particularly the upper story.
 - (5) By OCT. 2019: Consider having the Planning Board incorporate maps and other information provided by the Maine Historic Preservation Commission into its application review process.
 - (6) BY OCT. 2020: Consider having the Historical Society work with the local or county historical society and/or the Maine Historic Preservation Commission to assess the need for, and if necessary plan for, a comprehensive community survey of the Island's historic and archeological resources.
 - (7) BY OCT. 2020: Consider whether further archaeological testing and possibly some level of legal and/or physical protection of identified shell middens is warranted.

F. Appendix

MAINE HISTORIC PRESERVATION COMMISSION

Inventory Data for Municipal Growth Management Plans

Resource: X Prehistoric Archaeological Sites: Arthur Spiess
 Historic Archaeological Sites: Leith Smith
 Historic Buildings/Structures/Objects: Kirk Mohney

Municipality: **BUSTINS ISLAND (FREEPORT).**

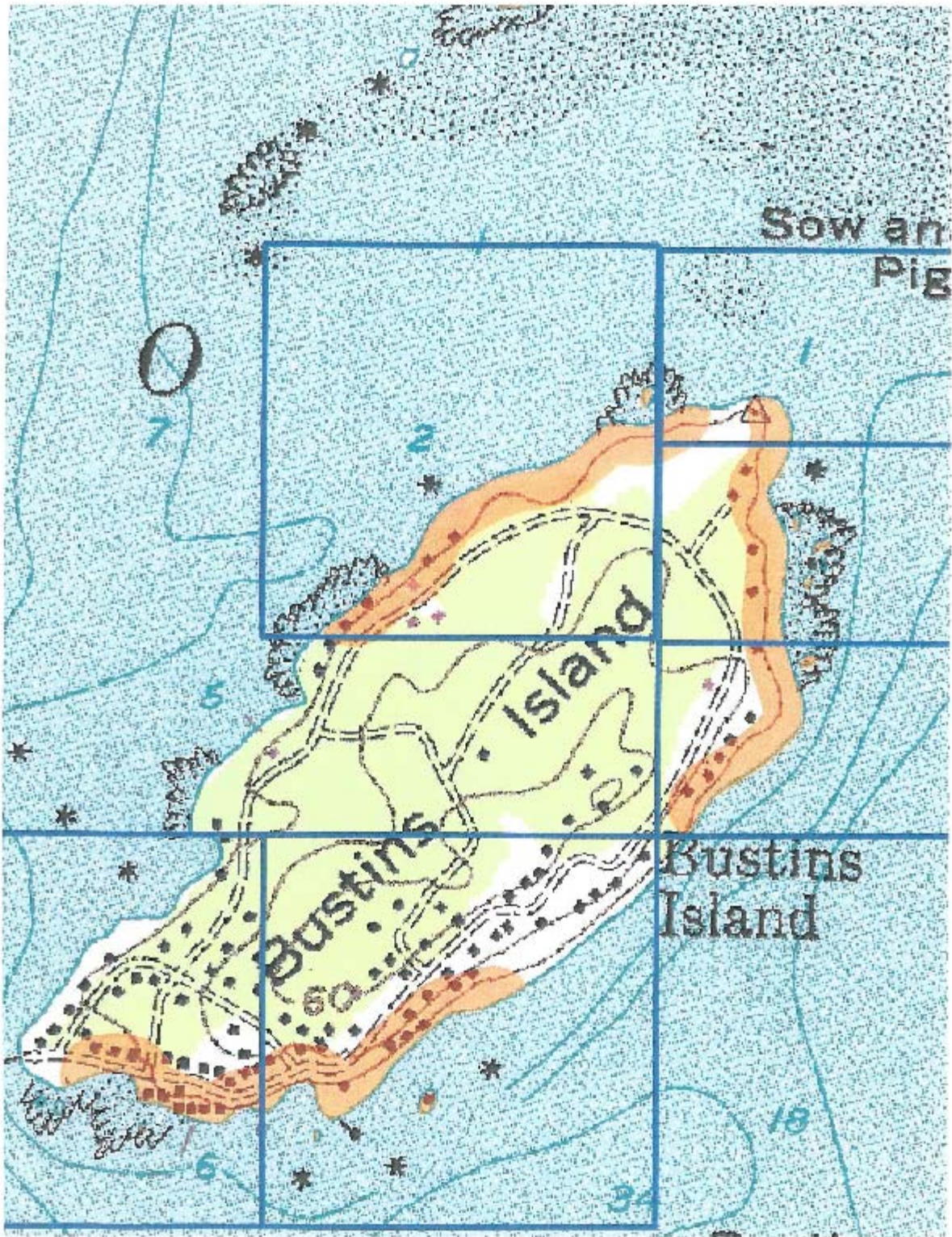
Inventory data as of **April 2014** :

There are eight sites known around the shoreline of Bustins Island. All are small or medium-sized shell middens. Three or four may be significant (useful for future research).

Reconnaissance level professional archaeological survey of the Bustins Island shoreline was completed (shown in yellow/orange on the accompanying map) by the University of Southern Maine in the 1980s.

Needs for further survey, inventory, and analysis:

Several of these sites deserve further archaeological testing and possibly some level of legal and physical protection.



MAINE HISTORIC PRESERVATION COMMISSION

Inventory Data for Municipal Growth Management Plans

Resource: Prehistoric Archaeological Sites: Arthur Spiess
 Historic Archaeological Sites: Leith Smith
 Historic Buildings/Structures/Objects: Kirk Mohney

Municipality: **Bustins Island**

Inventory data as of April, 2014 :

To date, no historic archaeological sites are documented for the town.

Needs for further survey, inventory, and analysis:

No professional surveys for historic archaeological sites have been conducted to date in Bustins Island. Future archaeological survey should focus on the identification of potentially significant resources associated with the town's agricultural, residential, and industrial heritage, particularly those associated with the earliest Euro-American settlement of the town in the 18th and 19th centuries.

MAINE HISTORIC PRESERVATION COMMISSION

Inventory Data for Municipal Growth Management Plans

Resource: Prehistoric Archaeological Sites: Arthur Spiess
 Historic Archaeological Sites: Leith Smith
 Historic Buildings/Structures/Objects: Kirk Mohney

Municipality: **Bustins Island**

Inventory data as of **May, 2014** :

No data.

Needs for further survey, inventory, and analysis:

A comprehensive survey of Bustins Island's above-ground historic resources needs to be conducted in order to identify those properties that may be eligible for nomination to the National Register of Historic Places.

6. WATER RESOURCES

A. State Goal

The Act states that communities must work:

“To protect the quality and manage the quantity of the State’s water resources, including lakes, aquifers, great ponds, estuaries, rivers, and coastal areas.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its water resources:

1) Q: Are there point sources (direct discharges) of pollution in the community? If so, is the community taking steps to eliminate them?

A: All trash, construction and other waste is removed from the Island by boat. The Island has closed and remediated the community dump located on the north end of the Island. As a result, there are now no point sources of pollution on the Island.

2) Q: Are there non-point sources of pollution? If so, is the community taking steps to eliminate them?

A: One known non-point source of pollution on the Island is storm water runoff that may be picking up deposited atmospheric pollution, animal waste and other naturally occurring pollutants. At present, the Board of Overseers does not view such non-point source as posing a sufficient risk to groundwater, streams and the surrounding waters of Casco Bay to justify the costs of collecting and treating storm water runoff.

Other potential non-point sources of pollution on the Island are (i) human waste from privies, (ii) potential discharge from overflowing or malfunctioning septic systems, and (iii) potential oil and gasoline spills from malfunctioning Island, contractor and “grandfathered” private historic vehicles. The Board of Overseers has taken steps to minimize the risk of pollution from overflowing septic systems by organizing regular, low-cost private pumping services on the Island and encouraging the conversion of privies to composting toilets or septic systems. The Board of Overseers and Island superintendent also are diligent in ensuring that the Island and privately owned vehicles are properly maintained so as to minimize the risk of gasoline and other hydrocarbon spills. The Code Enforcement Officer diligently ensures that new septic systems are installed in accordance with code and, where septic systems are known to be malfunctioning, that the home owner takes appropriate steps to bring the system back into compliance with code.

Runoff and associated eroded material from the Island’s roads could potentially smother sensitive habitats and deliver nutrients and other pollutants into water resources. The Island superintendent maintains drainage along the roads to collect and route water off of and away from roads to minimize both the displacement of road materials onto sensitive habitat and to prevent leaching of nutrients from the roads into the runoff.

Although Casco Bay is designated as a No Discharge Area, making it illegal to dump boat

sewage into the water, that is a potential non-point source of pollution. The Bustins Harbormasters working in conjunction with the Freeport Harbormasters are responsible for ensuring compliance in the mooring areas and lanes around Bustins.

3) Q: How are groundwater and surface water supplies and their recharge areas protected?

A: Groundwater and surface water supplies are protected by the actions described in the responses to questions 1 and 2 above to prevent and/or minimize pollution from point sources. In addition, the primary recharge area for the Island's aquifer located in the center of the Island is protected by the Resource Protection District, a zoning district in which development and other uses that could potentially result in pollution of the aquifer are prohibited.

4) Q: Do public works crews and contractors use best management practices to protect water resources in their daily operations (e.g., salt/sand pile maintenance, culvert replacement, street sweeping, public works garage operations)?

A: Yes. The Island superintendent and contractors hired for road and other public works projects are required to use best management practices in compliance with applicable law to protect water resources from pollution by point and non-point sources. Due to the seasonal nature of the use of the Island and the Island community's desire to promote a rustic "light on the land" approach to use of the Island, there are minimal public works projects and operations on the Island. For example, the Island roads are dirt and gravel roads, not macadam, and are not treated with salt, hydrocarbons or other potential pollutants. Further, vehicle use is limited to the fewest number of Island vehicles required for the Island's operations. No private vehicles, other than a few "grandfathered" historic vehicles, and trucks used by private contractors in connection with home improvement and/or construction projects, are permitted on the Island.

5) Q: Are there opportunities to partner with local or regional advocacy groups that promote water resource protection?

A: Yes. The B.I.V.C. could potentially partner with the Casco Baykeeper and the Friends of Casco Bay to encourage respectful use of the surrounding waters of Casco Bay. Other potential partners include the Casco Bay Estuary Partnership (CBEP), the Cumberland County Soil and Water Conservation District and the Maine DEP's Marine Unit.

C. Conditions and Trends

Bustins Island has no great ponds and no streams except for small seasonal streams that are dry except during the spring snow melt and for a short time after heavy rains. Two man-made ponds, each less than 1/4 acre, were formerly used for the harvesting of ice for use in the summer residents' ice boxes. With gas and solar-powered refrigeration now essentially universal, these ponds are no longer used for ice but still serve as reservoirs for fire protection and as wildlife habitat.

The interior of the Island is largely undeveloped woodlands including some wetlands that help absorb rainfall for recharge of the aquifer supplying the Island's drinking water. The Maine Department of Environmental Protection, Division of Environmental Assessment's 2014 Map of Freeport Watersheds shows the majority of the Island as a significant aquifer (10-50 gallons/min. recharge) with pockets, largely in the center of the Island, in excess of 50 gallons per minute recharge. Much of this inland area is within the protected "Resource Protection District" thanks to Islanders contribution of interior plots and to the purchase of the Brewer Cottage property in the center of the Island above the aquifer. Assuring the

continued protection of this aquifer recharge area is critical to the long-term viability of the Bustins Island community.

Pursuant to the Maine Center for Disease Control, Maine Department of Health and Human Services, there are no active public water systems on the Island. Modeling in the 1991 Ground Water Study by geologist Robert G. Gerber showed that Bustins' main water issue is not quantity of water so much as water quality. This fact underscores the importance of proper wastewater disposal to protect Bustins water supplies. In addition to Island-generated contamination from privies, septic systems, and runoff, salt water intrusion is a potential threat in some areas where cottages and wells are denser. One 1991 map shows the areas on Bustins of relatively thick and thin soils and therefore variable water recharge rates. While the amount of precipitation each year determines the amount of groundwater available, soils in some areas of Bustins recharge three times faster than more dense soils elsewhere.

The 1991 water study also gathered data on well depth, flow rate, types of pumps, use rate and rain barrel usage on some 87 Bustins wells, providing a way to track changes in water usage over time. The 1999 Cottage Survey conducted by the Comprehensive Plan Steering Committee provided additional information and insight into the sources of drinking, bathing and sanitation water on Bustins. Results of that survey are included in the Appendix.

The volume of water usage on Bustins is increasing as new homes are built with flush toilets, washing machines and other mainland conveniences and older properties undergo plumbing upgrades. Pressurized water systems can increase water usage from an average of five (5) gallons per day with a hand pump to as much as fifty (50) gallons per day per person.

Increased rates of water use heighten the risk of salt water intrusion in vulnerable areas. The overuse of water can jeopardize surrounding wells, as can the improper placement of septic systems and overuse of lawn chemicals. The Board of Overseers require that new well applicants conduct an impact study to ensure that new wells will not negatively impact either abutting wells or the groundwater resource.

In 2004, the Board of Overseers invested in an update of the 1991 Gerber study and purchased accompanying software to take advantage of better computer modeling techniques and advanced computer technology to assess conditions at a smaller grid size. Like the earlier study, the 2004 MACTEC update found ample water supplies on Bustins, in large part due to protection of the aquifer by the Resource Protection District. It warned, however, of risks due to rising sea levels, seepage from septic systems and privies, and intrusion of salt water from well drilling in high-risk areas such as the southwest corner of the Island near the Steamer Dock.

Invasive green crabs, meanwhile, are wreaking havoc with the native marine environment, while invasive non-native flora such as Japanese knotweed, barberry and bittersweet are crowding out native species and reducing native wildlife habitat.

See Appendix annexed to this Article 6 for Water Resource Map provided by the State of Maine.

D. Policies

In order to accomplish the State's goal of protecting the quality and managing the quantity of the State's water resources, the Bustins Island community's policies are:

- (1) To protect current and potential drinking water sources.

- (2) To protect significant surface water resources from pollution and improve water quality where needed.
- (3) To protect water resources in growth areas while controlling more intensive development in those areas.
- (4) To minimize pollution discharges through the upgrade of existing public sewer systems and wastewater treatment facilities, if any.
- (5) To cooperate with neighboring communities and regional/local advocacy groups to protect water resources.

E. Strategies and Implementation Ideas

Islanders place great value on preserving the Island's water resources as integral to the unique history and culture of Bustins. The degree of protection of those resources – drinking water and the surrounding waters of Casco Bay – will determine the quality of the Bustins Island experience passed on to successive generations.

In order to further the Island's policies stated above, the Bustins Island community has adopted and will endeavor to accomplish the following strategies and implementation ideas below as coordinated by the Planning Board or the Board of Overseers, as applicable, in consultation with appropriate Island committees:

- (1) ONGOING: Planning Board to consider ways to maintain, enact, amend and/or promote the expansion of the Island's Resource Protection District as a means of promoting public wellhead and aquifer recharge area protection.
- (2) ONGOING: Planning Board to encourage landowners to protect water quality and provide information in public locations (store porch, Community House, Island website) for water quality best management practices from resources such as the Natural Resource Conservation Service, University of Maine Cooperative Extension, Soil and Water Conservation District, Maine Forest Service and/or Small Woodlot Association of Maine.
- (3) BY OCT. 2016: Planning Board to recommend to Board of Overseers for later adoption water quality protection practices and standards for construction and maintenance of public and private roads and public properties and require their implementation by contractors, owners, and community officials and employees.
- (4) ONGOING: Planning Board or Board of Overseers as appropriate to participate in local and regional efforts as warranted to monitor, protect and improve water quality.
- (5) ONGOING: Planning Board to investigate the availability and provision of educational materials at appropriate locations regarding aquatic invasive species.
- (6) BY OCT. 2015: Planning Board to consider ways to strengthen protections for the central portion of the Island as an aquifer recharge area vital to the long-term viability of the Bustins community through tax-reducing donations of conservation easements to such groups as the Freeport Conservation Trust or Oceanside Conservation Trust for Casco Bay.

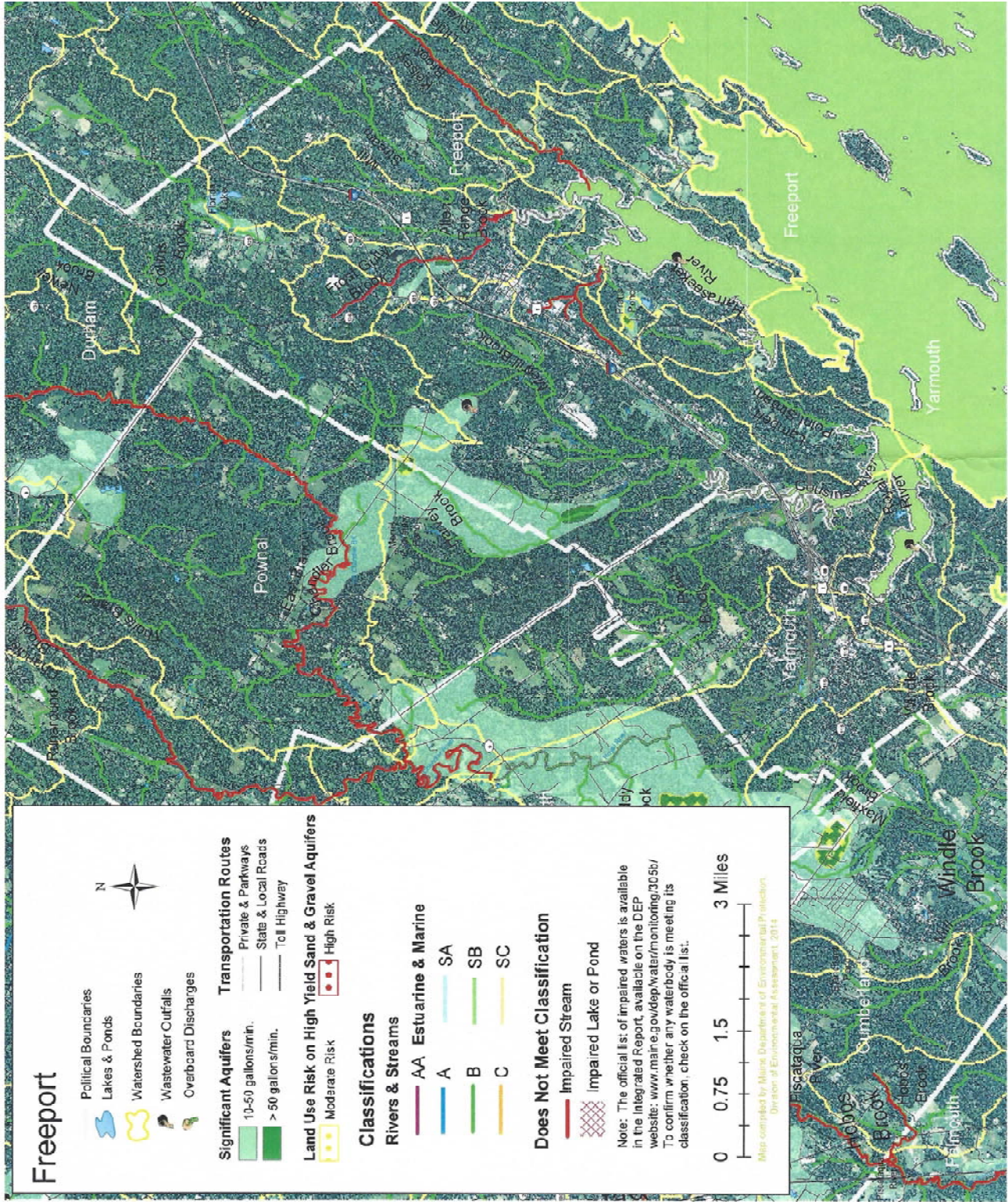
- (7) BY OCT. 2015: Board of Overseers to consider whether rerunning the MACTEC ground water model with revised data would be cost beneficial.
- (8) BY OCT. 2016: Board of Overseers and Planning Board jointly to consider developing maps and other materials based on the ground water model to guide the careful location of new wells and monitor water quality to prevent the intrusion of salt water into the aquifer.
- (9) BY OCT. 2018: Board of Overseers and Planning Board jointly to consider restrictions on the use of pressurized water systems for lawn watering during dry seasons and encourage the collection and storage of rainwater as an alternative.
- (10) BY OCT. 2020: Planning Board to amend the Bustins Island Zoning Ordinance to incorporate stormwater runoff performance standards consistent with:
 - a. Maine Stormwater Management Law and Maine Stormwater regulations (Title 38 M.R.S.A. §420-D and 06-096 CMR 500 and 502).
 - b. Maine Department of Environmental Protection (“*DEP*”) allocations for allowable levels of phosphorus in lake/pond watersheds.
 - c. Maine Pollution Discharge Elimination System Stormwater Program.
- (11) BY OCT. 2020: Planning Board to consider amending the Bustins Island Zoning Ordinance to incorporate low impact development standards.

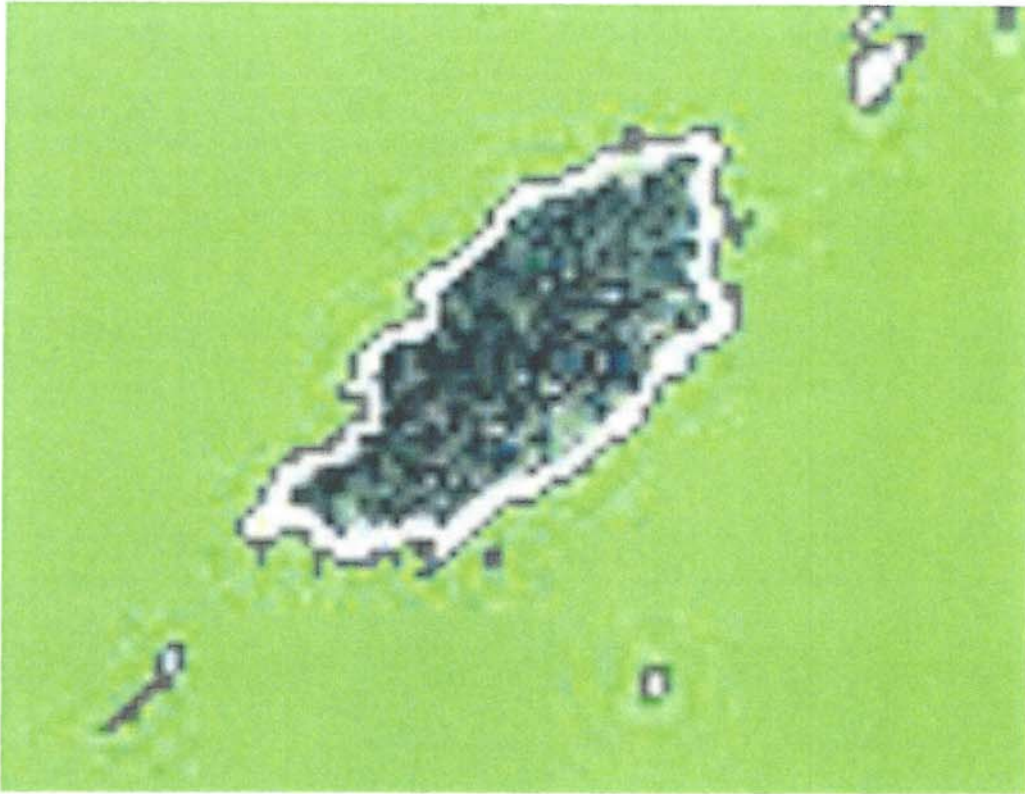
F. Inapplicable Strategies and Implementation Ideas

Because Bustins Island has no urban impaired streams and is not located near the boundary of any urban impaired stream watershed, the following state-mandated strategy and implementation idea is inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

- (1) “Develop an urban impaired stream watershed management or mitigation plan promoting continued development or redevelopment without further stream degradation.”

G. Appendix





CLOSE UP OF BUSTINS ISLAND
FROM
2014 MAP OF FREEPORT WATERSHEDS
COMPILED BY MAIN DEPARTMENT OF
ENVIRONMENTAL PROTECTION, DIVISION OF
ENVIRONMENTAL ASSESSMENT

7. NATURAL RESOURCES

A. State Goal

The Act states that communities must work:

“To protect the State’s other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas and unique natural areas.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its natural resources:

1) Q: Are any of the community’s critical natural resources threatened by development, overuse, or other activities?

A: No. Development within the recharge aquifer is prohibited pursuant to the Bustins Island Zoning Ordinance and development within the General Purpose District and the Shoreland District is limited by appropriate bulk and height restrictions. Moreover, given the seasonal nature of the use of the Island and the Island community’s commitment to living “light on the land” and with reverence for Maine’s natural beauty and resources, the potential for overuse threatening the Island’s critical natural resources seems extremely attenuated.

2) Q: Are local shoreland zone standards consistent with state guidelines and with the standards placed on adjacent shorelands in neighboring communities.

A: Yes. Consistent with applicable State law, the Planning Board obtains approval of the DEP in connection with any amendment to the Bustins Island Zoning Ordinance that impacts the Shoreland District. The Planning Board has been advised by the DEP that the Bustins Island Zoning Ordinance is in compliance with applicable State law. In addition, where the DEP proposes that communities enact voluntary amendments of their zoning ordinances concerning shoreland districts, the Planning Board has historically complied with such requests. The development of the Bustins Island Shoreland District and the standards imposed on such development under the Bustins Island Zoning Ordinance are consistent with the standards placed on shorelands in Freeport and other neighboring communities.

3) Q: What regulatory and non-regulatory measures has the community taken or can the community take to protect critical natural resources and important natural resources?

A: The Bustins Island community has adopted the Bustins Island Zoning Ordinance establishing a Resource Protection District mostly in the center of the Island in which development is prohibited. Such district protects the Island’s aquifer’s recharge area as well as mitigating the potential for surface water pollution runoff from such area and maintaining a habitat for birds, deer, porcupines, turkeys, fox, mink, moose and other wildlife. In addition, the Bustins Island Zoning Ordinance prohibits clear cutting in any zoning district on the Island.

The Board of Overseers has determined that the most effective steps the community can take to protect critical and important natural resources is to promote and foster continued respect and

support for the Resource Protection District and the expansion of such district by charitable donations.

4) Q: Is there current regional cooperation or planning underway to protect shared critical natural resources? Are there opportunities to partner with local or regional groups?

A: The Board of Overseers and other Island boards regularly consult with Freeport officials concerning matters of shared importance as well as hosting an annual end of season dinner with Freeport officials to review the prior season and areas in which cooperation can be strengthened. Such contacts present a vehicle to promote regional cooperation and planning as appropriate to protect shared critical natural resources such as the Harraseeket River and the surrounding waters of Casco Bay. Additionally, the Island community has the opportunity to partner with the Casco Baykeeper and the Friends of Casco Bay.

C. Conditions and Trends

1. Topography, Geology and Soils

Bustins Island, with its long axis oriented northeast to southwest, was created in the aftermath of the glacial period. The Island's rocky shore rises steadily to 83 feet above sea level. Geologist Robert G. Gerber, in his 1991 Ground Water Study, provided the following description of Island geological characteristics:

“Although the bedrock of Bustins Island is all part of one basic rock formation, the Cushing Formation..., the bedrock nonetheless varies in folds and thickness across the Island. Mapping shows the fluctuations of bedrock layering and distinguishes between areas of ‘thick’ soil on Bustins and areas where the Island shows ‘exposed bedrock or thin soils with limited capacity for moisture storage.’”

“Soil mapping showed the southeast half of the Island to have a sand-silt-gravel and cobble mixture which was originally glacial till. This glacial till was partially sorted locally by wave action during a period of elevated sea level between 10,000 and 13,000 years ago. The northwest half of the Island contains some dense fine sand and interbedded ‘marine clay’ deposits.”

2. Flora, Fauna and Wildlife Habitat

A small Island, Bustins nevertheless contains a variety of habitat types. These include:

- cool, deep woods;
- open woods, clearings, thickets;
- open landscape, including meadows and fields;
- shoreline, including tidal pools;
- wet places, including vernal pools and other seasonal wet places; and
- specialized habitats, e.g., ice ponds, peaty bogs, pit and mound.

On the south and west side of the Island, soft woods such as spruce, balsam and pine predominate. On the north and east are found a wide variety of deciduous trees, primarily oak, maple and birch, but also species such as mountain ash. Many Island trees are 90-100 years old. In its forested sections, many areas can be characterized as primarily single-age mature woodland.

Bustins is fortunate to have its own Nature Center, and for many years its dedicated director has served as a resource on the Island's flora and fauna. Records kept by the Nature Center of Bustins regarding the Island's population of flora, birds and other forms of wildlife are an irreplaceable resource.

More than 150 different species of wildflowers and more than 20 species of trees have been identified, reflecting a rich variety of different plant life on one small island. Bustins shoreline and tidal areas offer diverse coastal populations, such as crabs, barnacles, periwinkles and blue mussels. Various seaweeds, particularly yellow and brown kelps, characterize Bustins' shore.

However, a number of challenges are also posed by flora and fauna, such as by white-tailed deer, whose large numbers on other Casco Bay Islands have made them a problem. The Island's fluctuating deer population and the destruction of native understory plants has contributed to a reduction in songbird populations, and to a rise in deer ticks and Lyme disease. A state deer expert has estimated that Bustins Island could "carry" two or three deer, but that that number could multiply rapidly should Bustins be "imprinted" on the does as a refuge. At the 2000 annual meeting voters directed the Overseers to issue two or three hunting permits to Island hunters during a week in November in the designated deer hunting season.

American toads and milk snakes, common as recently as the 1950s, have dramatically declined, presumably due to the over-population of raccoons that occurred from 1960 to the 1990s. Red squirrels, a problematic species during the 1980s, were subsequently brought under control by an influx of owls, including Great Gray and Great Horned Owls, and various kinds of hawks. Recently, porcupines and woodchucks have also made their presence felt for the first time in memory. Resident and transient owls, hawks and foxes can exert a natural predation effect on these populations, but recent blow-downs on the Island as well as some clearing of trees in the Island's center have reduced the habitat for predator birds, and Island squirrel and mice populations seem again to be expanding. The overpopulation of mice and red squirrels can pose significant problems by leading to winter stays in cottages, where they are prone to do significant damage.

With a relatively low population of snakes and other predators, problematic fauna can increase significantly. Invasive green crabs, meanwhile, are wreaking havoc with the native marine environment, while invasive non-native flora such as Japanese knotweed, barberry and bittersweet are crowding out native species and reducing native wildlife habitat.

3. Significant and Endangered Natural Resources

Bustins Island is located just outside of the Maquoit and Middle Bay focus area. No plant species listed as endangered, threatened or of special concern have been documented within the Town of Freeport (including Bustins Island), nor are there any rare and exemplary natural communities or ecosystems on the Island shown on the applicable Beginning with Habitat maps ("*Habitat Maps*"). While there are rare, threatened and/or endangered animals within the Town of Freeport, including Bald Eagles, Purple Sandpiper and Saltmarsh Sharp-tailed Sparrows, and while the Town of Freeport includes Deer Wintering Areas, Inland Waterfowl and Wading Bird Habitat, Seabird Nesting Islands, Shorebird Feeding and Roosting Areas, Significant Vernal Pools and Tidal Waterfowl and Wading Bird Habitats, the applicable Habitat Maps do not show any such areas, nor any Natural Heritage Network Occurrences or freshwater wetlands, on the Island. The maps do show Tidal Waterfowl and Wading Bird Habitats in the intertidal areas surrounding the Island. Buffers near these feeding and roosting areas are a critical part of the habitat because they protect the birds from disturbance so they can prepare for their long migratory flights. While most of the Island is located within the Development Buffer around the Island's ring road, there is an Undeveloped Habitat Block located

within the center of the Island, and the majority of the Island is shown as a Forested Habitat. Additionally, certain of the waters surrounding the Island appear on the applicable Habitat Maps as Significant Wildlife Habitats, and the entire coast of the Island is shown as a Riparian Habitat, Tidal Waterfowl/Wading Bird Habitat and subwatershed.

Of the eight species of bats found in Maine, three species of bats are now listed as Endangered, four are listed as of Special Concern and one is Threatened. It is likely that one or more species of bat could be found on Bustins Island, especially during migration and /or breeding season.

Bustins Island has a variety of natural habitats, ranging from coastline and tidal areas to meadows, deciduous and coniferous woodlands and wetlands. This variety of habitats provides hospitable environments for the flora and fauna characteristic of those areas.

The interior woodland area has several stands of tall maturing spruce and wetlands that may be important for holding runoff and promoting recharge of the Island's aquifer.

Some wildflowers are of special interest due to their scarcity on Bustins, or their scarcity in Maine. Scarce species on Bustins include sheep laurel, monkshood, dwarf ginseng, twinflower, wild leek, helleborine, creeping snowberry, fringed loosestrife, blue flag, fireweed, partridgeberry, red baneberry, sundew, and water lily.

See Appendix annexed to this Article 7 for a description of scenic areas and scenic views of local importance and Beginning with Habitat maps and resource data.

D. Policy

In order to accomplish the State's goal of protecting the State's other critical natural resources, the Bustins Island community's policy is:

To conserve critical natural resources in the community.

E. Strategies and Implementation Ideas

Islanders place great value on preserving the Island's natural resources as integral to the unique history and culture of Bustins. The degree of protection of those resources – coastline, woodlands, and the essential fresh water resource upon which the entire Island depends – will determine the quality of the Bustins Island experience passed on to successive generations.

In order to further the Island's policy stated above, the Bustins Island community has adopted and will endeavor to accomplish the following strategies and implementation ideas below as coordinated by the Planning Board or the Board of Overseers, as applicable, in consultation with appropriate Island committees:

- (1) ONGOING: Planning Board to ensure that the Bustins Island Zoning Ordinance is consistent with applicable state law regarding critical natural resources.
- (2) CURRENT: Planning Board to identify critical natural resources, if any, and designate such resources as Critical Resource Areas in the Future Land Use Plan.

- (3) BY OCT. 2016: Planning Board to consider if amendment of the Bustins Island Zoning Ordinance is required to ensure that subdivision or non-residential property developers should be required to look for and identify critical natural resources that may be on site and to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing and/or extent of excavation.
- (4) BY OCT. 2019: Planning Board to consider if amendment of the Bustins Island Zoning Ordinance is required to mandate that the Planning Board include as part of its application review process consideration of pertinent Beginning With Habitat (BwH) maps and information regarding critical natural resources.
- (5) ONGOING: Board of Overseers and Planning Board jointly to initiate and/or participate as warranted in interlocal and/or regional planning, management and/or regulatory efforts around shared critical and important natural resources.
- (6) ONGOING: Board of Overseers to pursue public/private partnerships as warranted to protect critical and important natural resources such as through purchase of land or easements from willing sellers.
- (7) ONGOING: Planning Board or Board of Overseers, as warranted, to distribute or make available to those living in or near critical or important natural resources information about current use tax programs and applicable local, state or federal regulations.
- (8) ONGOING: Board of Overseers to consider protecting and enhancing Island wildlife habitats through ongoing management of the Island's deer population and the stewardship and restoration of fragile areas and native plant species. A permitted hunting season has sharply reduced the Island's deer population.
- (9) BY OCT 2014: Planning Board to consider management plans for mosquitoes, ticks, green crabs, Japanese knotweed, cat-tails, Japanese barberry, oriental bittersweet, poison ivy, deer, porcupines, mice, woodchucks, brown-tailed moths, and carpenter ants and dissemination of educational materials about Island pest management in both printed and electronic formats.
- (10) BY OCT. 2018: Planning Board to consider developing a set of options for addressing the increasing vulnerability of Bustins' mature forest amid concerns about blow downs and fire safety. Consult local authorities as well as the extensive series of articles about Island forests available through www.Islandinstitute.org.
- (11) BY OCT. 2017: Planning Board and Board of Overseers, as warranted, to consider how best to deal with the build-up of dead vegetative matter in the woodlands as well as the accumulation of light-brush waste near cottages, seen by some as threat to wildlife habitat, fragile environments and a potential fire hazard.
- (12) BY OCT. 2019: Planning Board, building on Nature Center data, to consider conducting a comprehensive census of tree, shrub, and seaside plants to establish the rate at which species loss is occurring to inform Islanders' choices and future plans.
- (13) BY OCT. 2017: Planning Board to consider educating Islanders about how to enhance and restore wildlife and marine habitats, native beneficial species of flora and fauna and how best to manage non-native invasive species, problematic native species and cyclical problems such as the brown tail moth.

F. Inapplicable Policy

Because Bustins Island is an Island it has no shared critical natural resources with other neighboring communities, the following state-mandated policy is inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

“To coordinate with neighboring communities and regional and state resource agencies to protect shared critical natural resources.”

G. Appendix

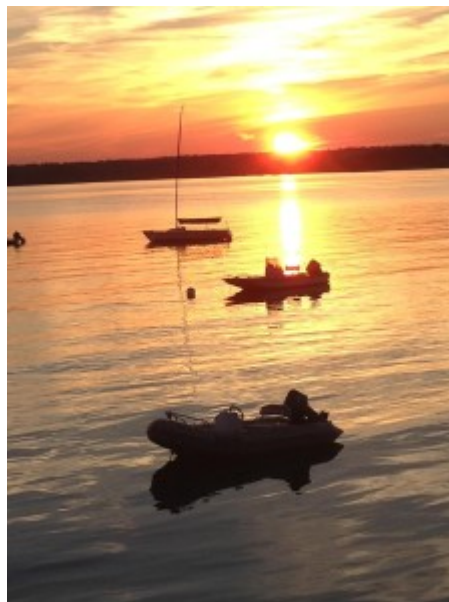
Scenic Areas and scenic Views of Local Importance

Given the relatively undeveloped character of the Island and the surrounding beauty of Casco Bay, one could characterize the entirety of Bustins Island as a scenic area. Public areas that are particularly scenic however, either in and of themselves or due to the view of Casco Bay they afford, include:

- The Steamer Dock and its beautiful sunsets over the bay



- Sunset Rock, a small rocky peninsula located along the coast approximately one hundred yards to the northwest of the Steamer Dock.

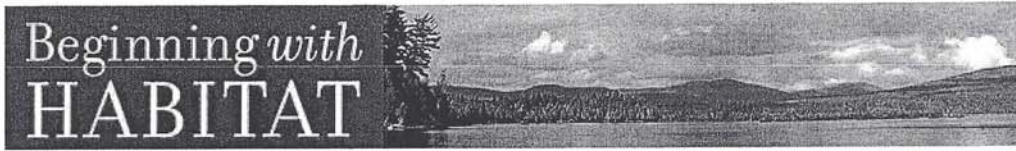


- The public float loading and unloading area, including Turtle Rock, a large coastal rock formation and tidal island located immediately to the west of the public float's loading and unloading area.



- The Golf Course and Recreation Area located at the northeast tip of the Island.





No rare plants or rare or exemplary natural community types have been documented on Bustins Island.

Important Plants, Animals, and Habitats

This information is based on known occurrences or known geographic distribution of the species listed and represents the best available information available at the time the report was printed. For more information, please contact Beginning with Habitat.

Freeport

Rare, Threatened, and Endangered Plants

Data from MNAP

None Documented

Rare, Threatened, and Endangered Animals

Data from MDIFW

Common Name	Scientific Name	Global Rank	State Rank	State Status
Bald Eagle	Haliaeetus leucocephalus	G5	S4B,S4N	SC
Purple Sandpiper	Calidris maritima	(blank)	(blank)	(blank)
Saltmarsh Sharp-tailed Sparrow	Ammodramus caudacutus	G4	S3B	SC

Rare and Exemplary Natural Communities and Ecosystems

Data from MNAP

None Documented

Significant, Essential, and other Animal Habitats

Significant and Essential Habitats and Significant Vernal Pools from MDIFW

Habitat Type

Deer Wintering Area

Inland Waterfowl and Wading Bird Habitat

Seabird Nesting Island

Note: The information in this section is from a 2011 report and may not reflect current data.

Freeport

Shorebird Feeding and Roosting Area

Significant Vernal Pool

Tidal Waterfowl and Wading Bird Habitat

Primarily from breeding bird atlas and based on county distribution data. Based on known ranges, these species may occur in this geographic area if appropriate habitat is available.

Bird Species of Greatest Conservation Need

Common Name	Scientific Name
American Bittern	<i>Botaurus lentiginosus</i>
American Black Duck	<i>Anas rubripes</i>
American Woodcock	<i>Scolopax minor</i>
Baltimore Oriole	<i>Icterus galbula</i>
Barn Swallow	<i>Hirundo rustica</i>
Barred Owl	<i>Strix varia</i>
Bay-breasted Warbler	<i>Dendroica castanea</i>
Black And White Warbler	<i>Mniotilta varia</i>
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>
Blackburnian Warbler	<i>Dendroica fusca</i>
Black-throated Blue Warbler	<i>Dendroica caerulescens</i>
Black-throated Green Warbler	<i>Dendroica virens</i>
Blue-gray Gnatcatcher	<i>Poliophtila caerulea</i>
Bobolink	<i>Dolichonyx oryzivorus</i>

Freeport

Brown Thrasher	Toxostoma rufum
Canada Warbler	Wilsonia canadensis
Chestnut-sided Warbler	Dendroica pensylvanica
Chimney Swift	Chaetura pelagica
Common Eider	Somateria mollissima
Common Loon	Gavia immer
Common Nighthawk	Chordeiles minor
Eastern Kingbird	Tyrannus tyrannus
Eastern Meadowlark	Sturnella magna
Eastern Towhee	Pipilo erythrophthalmus
Field Sparrow	Spizella pusilla
Glossy Ibis	Plegadis falcinellus
Great Blue Heron	Ardea herodias
Great Egret	Ardea alba
Great-crested Flycatcher	Myiarchus crinitus
Greater Shearwater	Puffinus gravis
Greater Yellowlegs	Tringa melanoleuca
Horned Lark (breeding)	Eremophila alpestris
Little Blue Heron	Egretta caerulea

Freeport

Louisiana Waterthrush	Seiurus motacilla
Marsh Wren	Cistothorus palustris
Nelson's Sharp-tailed Sparrow	Ammodramus nelsoni
Northern Flicker	Colaptes auratus
Northern Parula	Parula americana
Pied-billed Grebe	Podilymbus podiceps
Prairie Warbler	Dendroica discolor
Purple Finch	Carpodacus purpureus
Red Crossbill	Loxia curvirostra
Rose-breasted Grosbeak	Pheucticus ludovicianus
Ruddy Turnstone	Arenaria interpres
Sanderling	Calidris alba
Scarlet Tanager	Piranga olivacea
Semipalmated Sandpiper	Calidris pusilla
Snowy Egret	Egretta thula
Tri-colored Heron	Hydranassa tricolor
Veery	Catharus fuscescens
Vesper Sparrow	Pooecetes gramineus
Willet	Catoptrophorus semipalmatus

Freeport

Willow Flycatcher	<i>Empidonax traillii</i>
Wood Thrush	<i>Hylocichla mustelina</i>
Yellow-bellied Sapsucker	<i>Sphyrapicus varius</i>
Yellow-throated Vireo	<i>Vireo flavifrons</i>

Data from MDIFW, DMR, and USFWS. Based on known ranges, these species may occur in this geographic area if appropriate habitat is available.

Fish Species of Greatest Conservation Need

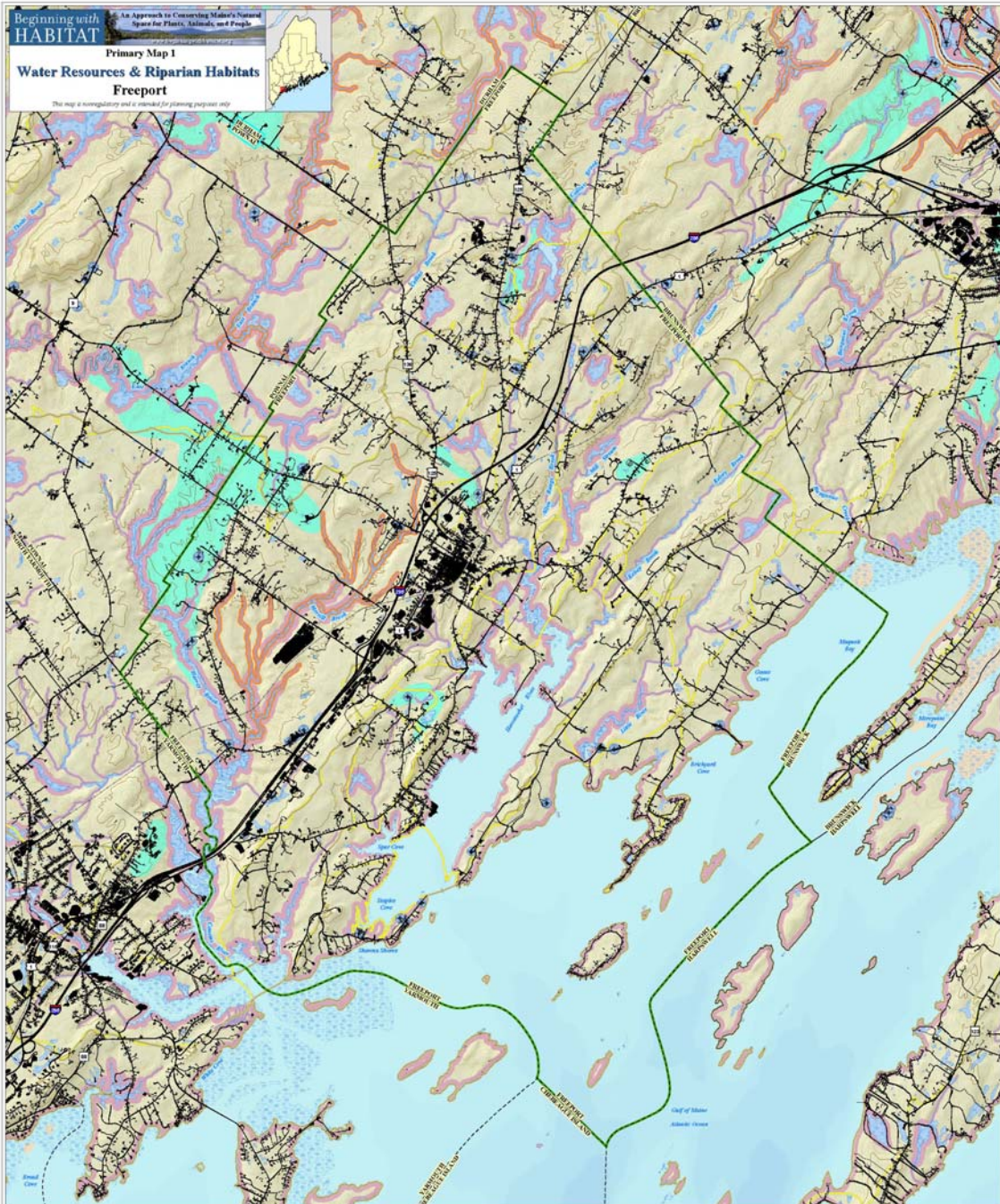
Common Name	Scientific Name
Alewife	<i>Alosa pseudoharengus</i>
American Eel	<i>Anguilla rostrata</i>
American Shad	<i>Alosa sapidissima</i>
Atlantic Salmon	<i>Salmo salar</i>
Atlantic Tomcod	<i>Microgadus tomcod</i>
Blueback Herring	<i>Alosa aestivalis</i>
Brook Trout	<i>Salvelinus fontinalis</i>
Rainbow Smelt	<i>Osmerus mordax</i>
Sea-run Brook Trout	<i>Salvelinus fontinalis</i>
Striped Bass	<i>Morone saxatilis</i>

Data from MDIFW, Damselfly/Dragonfly Survey, and Maine Fish Atlas. Based on known ranges, these species may occur in this geographic area if appropriate habitat is available.

Other Species of Greatest Conservation Need

Freeport

Common Name	Scientific Name
Deep-throat Vertigo	Vertigo nylanderi
Graceful Clearwing	Hemaris gracilis
Lamellate Supercoil	Paravitrea lamellidens



LEGEND

This map depicts riparian areas associated with major surface water features and important public water resources. This map does not depict all streams or wetlands known to occur on the landscape and should be used as a reference only and is intended to illustrate the nature hydrologic context rather than the water features. Planning to retain riparian habitat, protect water quality, maintain habitat connections, and address important economic resources including recreational and commercial fisheries.

- Selected Town or Area**
- Organized Township Boundary**
- Unorganized Township**
- Developed**: Impervious surfaces including buildings and roads
- Subwatersheds**: Drainage divides are grouped together to form subwatersheds. See area below for more information.
- Drainage divides**: These are the smallest hydrologic units in Maine. They are watershed boundaries for local ponds and streams in Maine.
- MHI Wetlands**: National Wetlands Inventory (NWI) uses aerial photographs to approximate wetlands. A NWI site is a comprehensive mapping of wetland resources and typically under represents the presence of wetlands on the landscape. The presence of wetlands needs to be determined in the field prior to conducting activities that could result in wetland disturbance.
- Riparian Habitat**: Designated using common regulatory zones including a 200-foot wide strip around Great Pond (ponds 1/2 acre), town, creeks, and wetlands 1/2 mile and a 75-foot wide strip around streams. Riparian areas identified on this map are ready for identification wetland uses.
- Shellfish Growing Areas**: The Maine Department of Marine Resources maps growing areas for economically important shellfish resources. The map depicts soft-shell and hard clam resources in order to designate the relation of these resources to streams and shoreline areas related to consumption.
- Brook Trout Habitat**: Streams and ponds, buffered to 100 feet, where wild brook trout populations have been documented, or managed to enhance local fisheries.
- Public Water Supply Wells**
- Source protection**: Buffers that represent surface water production areas for wells and surface water intakes that serve the public water supply. Their size is proportional to the distance between wells and the water supply system. These buffers range from 500 to 2,500 feet in radius.
- Aquifers**: flow of at least 10 gallons per minute.

Regional View of Watersheds

A watershed includes all of the land that drains to a common outflow. The area within the watershed can be divided into sub-watersheds. Hydrological units - watersheds are often grouped into larger drainage or divided into smaller areas. Drainage divides (lines on map map as yellow lines) are the smallest hydrological units and generally drain into small ponds, wetlands, or streams. These units are grouped into sub-watersheds (W1, W2) and are represented on the map (W1) and the above map map by the yellow brown yellow outlines.

- Main Map Extent**
- Selected Town or Area**
- Subwatersheds**

1 inch = 4 miles

Relationship of Ground Water and Surface Water

Precipitation is the source of all water. Surface water and ground-water are related. Ground-water can come from either source. Ground-water can affect both. The relationship between ground-water and surface-water is part of the hydrologic cycle. Precipitation falls from the atmosphere as rain or snow, reaches the land surface and either soaks into lakes, wetlands, and other surface bodies of water directly through **infiltration**. Surface water also seeps into the ground through **infiltration** and eventually reaches the ground-water, or through **evaporation** returns to the atmosphere. Water evaporates from lakes and oceans through **evaporation**.

Shoreland Zoning

Maine's Mandatory Shoreland Zoning Act is intended to protect water quality, conserve wildlife habitat, and preserve the natural beauty of Maine's shoreline areas. Shoreland interpretation requires local awareness of and approval for surface-water protection and effective enforcement of setbacks and buffer requirements.

As a minimum, Maine's shoreland zones include all land within:

- 200 feet of the high-water line of any pond over 10 acres, any river that drains at least 25 square miles, and all tide waters and estuarine waters;
- 200 feet of a freshwater wetland over 10 acres (except "border" wetlands); and
- 75 feet of a stream that either an outlet stream of a pond or, or located below the confluence of two perennial streams as depicted on a USGS topographic map.

Shoreland zoning encourages local to provide greater protection to their local water resources by adopting shoreland zone protection to additional resource types such as smaller streams and wetlands, and rare terrestrial features. For specific guidance regarding Maine's Mandatory Shoreland Zoning Act contact the Chief of Environmental Protection (Shoreland Zoning Unit, 207-287-2097 (August), 207-622-6700 (Portland), 207-624-4141 (Bangor), www.maine.gov/dep for additional information.

Data Sources

DATA SOURCE: INFORMATION

- Watershed: 2012-2013, Maine Department of Water Resources, www.maine.gov/dep/water
- MHI Wetlands: 2012, Maine Department of Environmental Protection, www.maine.gov/dep/water
- Subwatersheds: 2012, Maine Department of Environmental Protection, www.maine.gov/dep/water
- Drainage Divides: 2012, Maine Department of Environmental Protection, www.maine.gov/dep/water
- Shellfish Growing Areas: 2012, Maine Department of Marine Resources, www.maine.gov/dmr
- Brook Trout Habitat: 2012, Maine Department of Environmental Protection, www.maine.gov/dep/water
- Public Water Supply Wells: 2012, Maine Department of Environmental Protection, www.maine.gov/dep/water
- Aquifers: 2012, Maine Department of Environmental Protection, www.maine.gov/dep/water

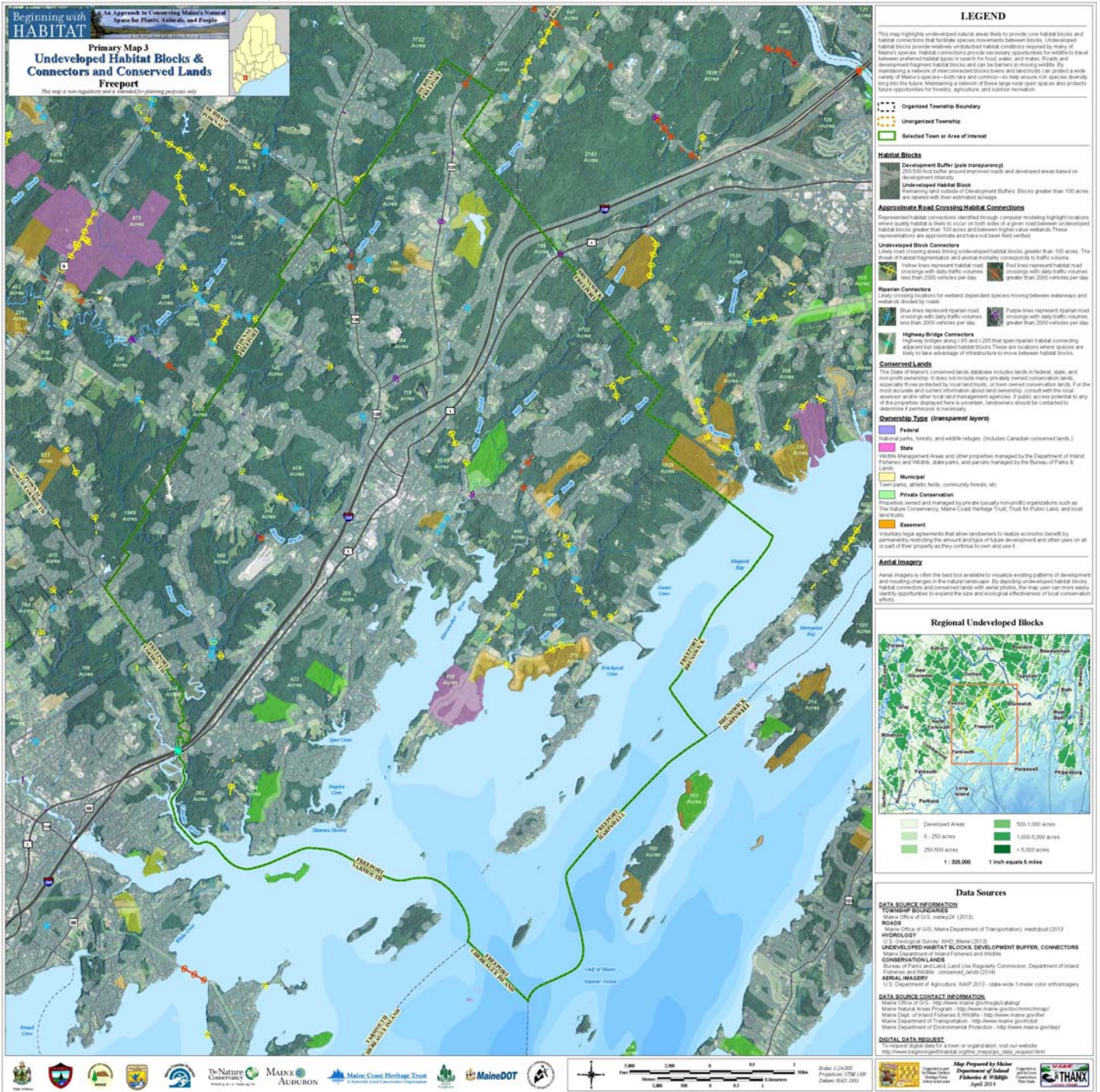
DATA SOURCE: CONTACT INFORMATION

- Maine Department of Environmental Protection: 207-622-6700 (Portland), 207-624-4141 (Bangor), www.maine.gov/dep
- Maine Department of Marine Resources: 207-622-6700 (Portland), 207-624-4141 (Bangor), www.maine.gov/dmr
- Maine Department of Water Resources: 207-622-6700 (Portland), 207-624-4141 (Bangor), www.maine.gov/dep/water

DATA SOURCE: WEBSITE

- 2012, Maine Department of Environmental Protection, www.maine.gov/dep/water
- 2012, Maine Department of Marine Resources, www.maine.gov/dmr
- 2012, Maine Department of Water Resources, www.maine.gov/dep/water

Map Prepared by Maine Department of Environmental Protection
 February 2, 2014
 April 2, 2014



Beginning with HABITAT
 An Approach to Conserving Maine's Natural Open Space for Plants, Animals, and People

Primary Map 3
Undeveloped Habitat Blocks & Connectors and Conserved Lands
Freetown

This map is non-regulatory and is intended for planning purposes only.

LEGEND

This map highlights undeveloped natural areas likely to provide core habitat blocks and habitat connectors that facilitate species movements between blocks. Undeveloped habitat blocks provide relatively undisturbed habitat conditions required by many of Maine's species. Habitat connectors provide necessary opportunities for wildlife to travel between protected habitat blocks and can be barriers to moving wildlife. By maintaining a network of interconnected blocks, roads, and other features, blocks can protect a wide variety of Maine's species—both rare and common—to help ensure rich species diversity long into the future. Many types of these larger natural open spaces also protect future opportunities for forestry, agriculture, and outdoor recreation.

- Organized Township Boundary
- Unorganized Township
- Selected Town or Area of Interest

Habitat Blocks
 Development Buffer (semi-transparent)
 200,000-foot buffer around improved roads and developed areas based on development intensity.
 Undeveloped Habitat Block
 Remaining habitat within Development Buffers. Blocks greater than 100 acres are labeled with their estimated acreage.

Approximate Road Crossing Habitat Connections
 Development buffer connectivity identified through computer modeling highlight locations where quality habitat is likely to occur on both sides of a given road between undeveloped habitat blocks greater than 100 acres and between higher value wetlands. These representations are approximate and have not been field-verified.

Undeveloped Block Connectors
 Likely road crossing areas linking undeveloped habitat blocks greater than 100 acres. The most of habitat fragmentation and animal mortality corresponds to traffic volume.
 Yellow lines represent habitat road crossings with daily traffic volumes less than 2000 vehicles per day.
 Red lines represent habitat road crossings with daily traffic volumes greater than 2000 vehicles per day.

Riparian Connectors
 Likely crossing locations for wetland dependent species moving between waterways and wetland habitat by road.
 Blue lines represent riparian road crossings with daily traffic volumes less than 2000 vehicles per day.
 Purple lines represent riparian road crossings with daily traffic volumes greater than 2000 vehicles per day.

Highway Bridge Connectors
 Highway bridges along I-95 that span riparian habitat connecting adjacent but separated habitat blocks. These are locations where species are likely to have an advantage of infrastructure to move between habitat blocks.

Conserved Lands
 The State of Maine's conserved lands database includes lands in federal, state, and non-profit ownership. It also includes privately owned conservation lands, especially those protected by local land trusts, or town owned conservation lands. For the most accurate and current information on all conserved lands, consult with the local assessor and/or other local land management agencies. If public access is provided to any of the conserved lands, landowners should be contacted to determine if a permit is necessary.

- Ownership Type (transparent layers)**
- Federal**
 National parks, forests, and wildlife refuges. (Includes Canadian conserved lands.)
 - State**
 Wildlife Management Areas and other properties managed by the Department of Inland Fisheries and Wildlife, state parks, and parcels managed by the Bureau of Parks & Lands.
 - Municipal**
 Town parks, schools, community forests, etc.
 - Private Conservation**
 Properties owned and managed by private (usually non-profit) organizations such as The Nature Conservancy, Maine Coast Heritage Trust, Trust for Public Lands, and local land trusts.
 - easement**
 Voluntary legal agreements that allow landowners to realize economic benefit by permanently restricting the amount and type of future development and other uses on all or part of their property as they continue to own and use it.

Aerial Imagery
 Aerial imagery is often the best tool available to illustrate existing patterns of development and resulting changes in the natural landscape. By depicting undeveloped habitat blocks, habitat connectors and conserved lands with aerial photos, the map can more easily identify opportunities to expand the size and ecological effectiveness of local conservation efforts.

Regional Undeveloped Blocks



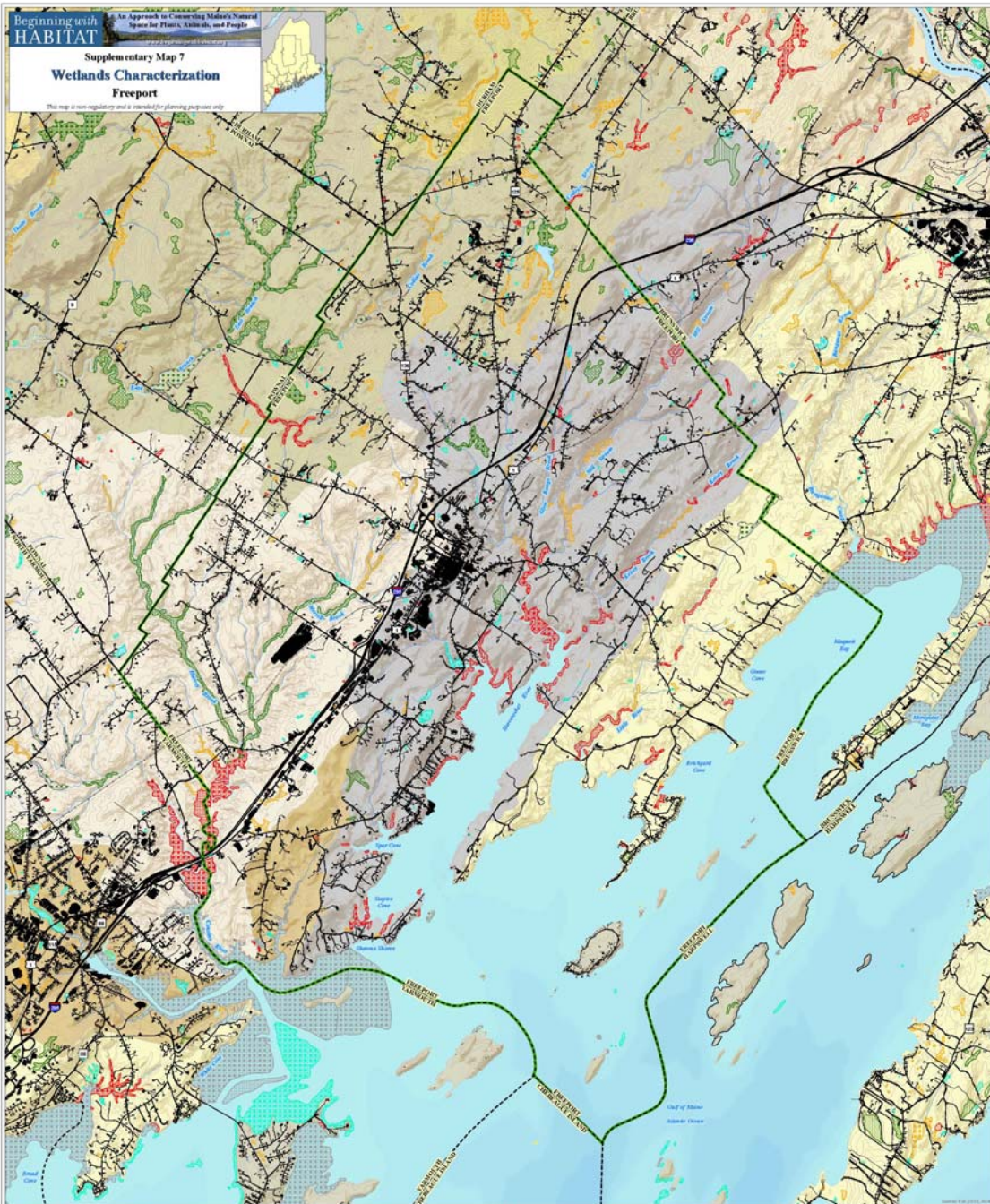
Data Sources

- TOWNSHIP BOUNDARIES**
 Maine State of GIS: maine.gov (2013)
- ROADS**
 Maine State of GIS, Maine Department of Transportation: mainedot (2013)
- HYDROLOGY**
 Maine State of GIS, Maine Department of Transportation: mainedot (2013)
- UNDEVELOPED HABITAT BLOCKS, DEVELOPMENT BUFFER, CONNECTORS**
 Maine State of GIS, Maine Department of Transportation: mainedot (2013)
- CONSERVATION LANDS**
 Bureau of Parks and Lands, Land Use Regularly Commission, Department of Inland Fisheries and Wildlife: maine.gov (2014)
- AERIAL IMAGERY**
 U.S. Department of Agriculture: NAIP 2013 - state-wide 1-meter color orthorectified
- DATA SOURCE CONTACT INFORMATION**
 Maine State of GIS: maine.gov
 Maine Natural Areas Program: http://www.maine.gov/nac/conservation/
 Maine Dept. of Inland Fisheries & Wildlife: http://www.maine.gov/ifw/
 Maine Department of Transportation: http://www.maine.gov/mtd/
 Maine Department of Environmental Protection: http://www.maine.gov/dep/
- ADDITIONAL DATA SOURCES**
 The Nature Conservancy: http://www.nature.org/
 Maine Coast Heritage Trust: http://www.maine.gov/mchtr/
 Trust for Public Lands: http://www.trustforpubliclands.org/

Beginning with HABITAT
 An Approach to Conserving Maine's Natural Space for Plants, Animals, and People

**Supplementary Map 7
 Wetlands Characterization
 Freeport**

This map is non-regulatory and is intended for planning purposes only.



LEGEND

This map depicts wetlands shown on National Wetland Inventory (NWI) maps, but categorizes them based on their wetland function. The map and legend of wetland features neither substitute for nor minimize the need to perform on-the-ground wetland inventory. These ecological services and functions that have associated economic benefits include: floodflow control, sediment retention, fish habitat, and/or shellfish habitat. There are other important services and values not depicted in this map. Refer to www.maine.gov/oc/mwr/land/wetlands/wetlands2.htm for additional information regarding wetland functions and values. Filled wetlands and small wetlands (such as vernal pools) are shown to be underrepresented in the National Wetland Inventory. This map was developed using the Wetlands Characterization Model (WCM) to estimate the functions provided by each wetland could not capture any wetland function or value. Therefore, it is important to use local knowledge and other data sources when evaluating wetlands, and each wetland should be considered relative to the area and landscape when assessing wetland resources at a local level.

The Wetlands Characterization Model is a planning tool intended to help identify likely wetland functions associated with specific wetlands on National Wetland Inventory (NWI) maps. This map provides basic information regarding what ecological services various wetlands are likely to provide. These ecological services and functions that have associated economic benefits include: floodflow control, sediment retention, fish habitat, and/or shellfish habitat. There are other important services and values not depicted in this map. Refer to www.maine.gov/oc/mwr/land/wetlands/wetlands2.htm for additional information regarding wetland functions and values. Filled wetlands and small wetlands (such as vernal pools) are shown to be underrepresented in the National Wetland Inventory. This map was developed using the Wetlands Characterization Model (WCM) to estimate the functions provided by each wetland could not capture any wetland function or value. Therefore, it is important to use local knowledge and other data sources when evaluating wetlands, and each wetland should be considered relative to the area and landscape when assessing wetland resources at a local level.

Wetland Functions: Fill Pattern

RUNOFF / FLOODFLOW MITIGATION
 (Shaded wetlands with a brick pattern fill)

Wetlands with a brick pattern fill are located in riparian areas. As natural barriers on the landscape, wetlands are able to receive, detain, and slowly release floodwaters, thereby reducing the risk of flooding. Wetlands also provide floodflow mitigation by providing an area for water to store, to expand and slow, thereby reducing the risk of flooding. This map assigns Runoff/Floodflow Mitigation Functions to wetlands that are (a) contained in a lower flood zone, (b) associated with a surfacewater course or wetlands, and (c) with slopes < 3%.

AND/OR

EROSION CONTROL / SEDIMENT RETENTION
 Wetlands with a brick pattern fill are also associated with erosion control and sediment retention. Wetlands with a brick pattern fill are associated with erosion control and sediment retention. This map assigns Erosion Control / Sediment Retention Functions to wetlands with (a) emergent vegetation, and (b) close proximity to a river, stream, or lake.

FISH HABITAT
 Wetlands with a brick pattern fill are also associated with fish habitat, including wetlands adjacent to a river, stream, or lake.

AND/OR

SHELLFISH HABITAT
 Wetlands with a brick pattern fill are also associated with shellfish habitat. Wetlands with a brick pattern fill are associated with shellfish habitat. Wetlands with a brick pattern fill are associated with shellfish habitat. Wetlands with a brick pattern fill are associated with shellfish habitat.

PLANTANIMAL HABITAT
 Wetlands with a brick pattern fill are also associated with plant/animal habitat. Wetlands with a brick pattern fill are associated with plant/animal habitat. Wetlands with a brick pattern fill are associated with plant/animal habitat. Wetlands with a brick pattern fill are associated with plant/animal habitat.

OTHER FUNCTIONS
 Wetlands with a brick pattern fill are also associated with other functions. Wetlands with a brick pattern fill are associated with other functions. Wetlands with a brick pattern fill are associated with other functions. Wetlands with a brick pattern fill are associated with other functions.

Wetland Class: Fill Color

Emergent Herbaceous Vegetation, Open Water
 Emergent Herbaceous Vegetation, Emergent/Overlaid Mixed Vegetation (2:1 Ratio), Emergent/Overlaid Mixed Vegetation (3:1 Ratio)
 Forested, Forested/Straw-Grass
 Shrub-Grass
 Other (Not Shown, Abandoned, Unconsolidated Soil, Wet, Rocky Bottom)

Data Sources

DATA SOURCE INFORMATION

DATA SOURCE CONTACT INFORMATION

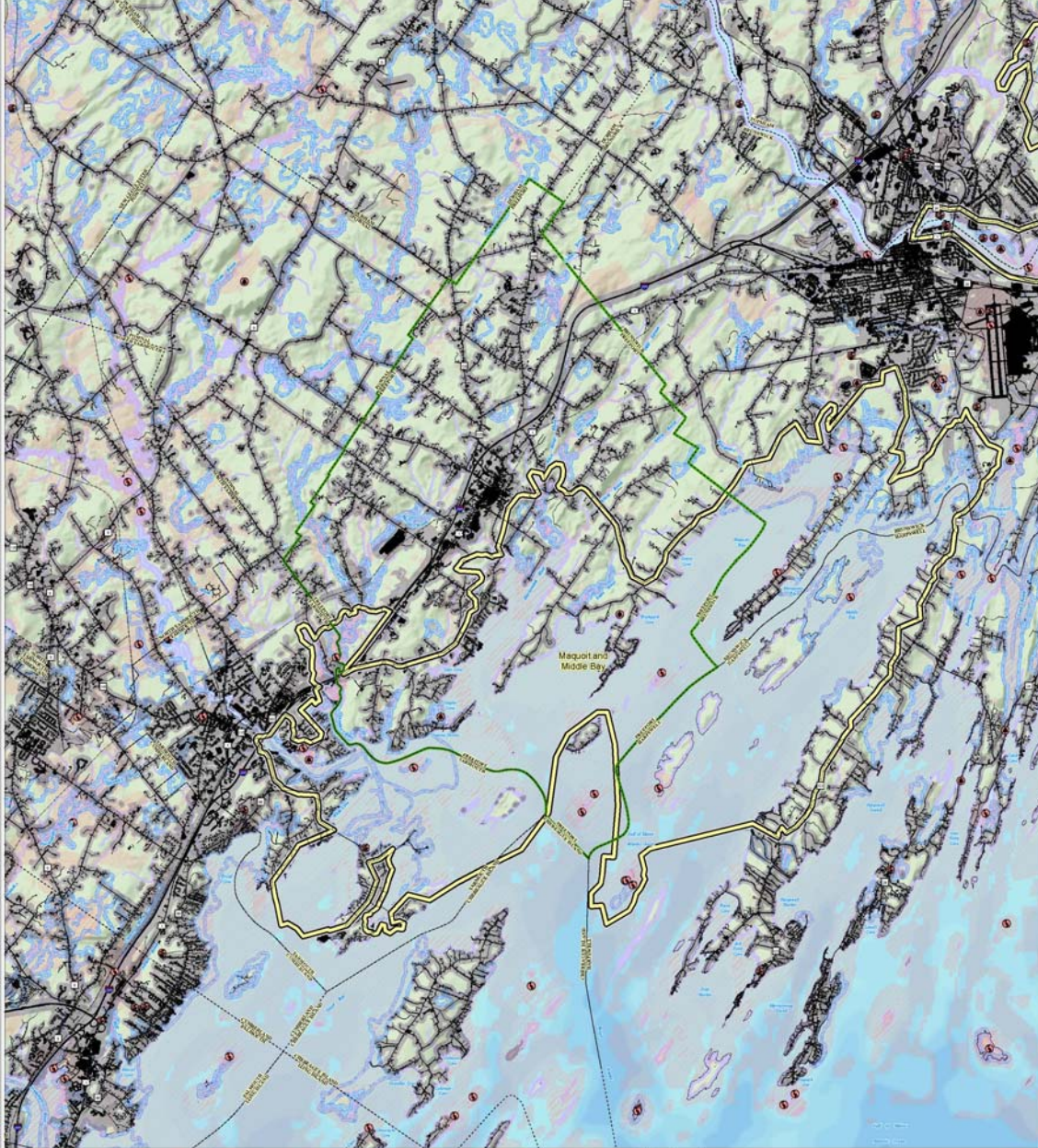
DIGITAL DATA REQUEST

Map Prepared by Maine Department of Inland Fisheries & Wildlife
 April 2014

Beginning with HABITAT
 An Approach to Conserving Maine's Natural
 Open Space for Plants, Animals, and People

Regional Map
Building a Regional Landscape
Freeport

This map is nonregulatory and is intended for planning purposes only.



LEGEND

The data presented here represents a compilation of core beginning with habitat map products. Comprehensive field surveys do not exist for all areas in Maine, so some important habitats may not be mapped. Habitat features on this map are based on limited field surveys, aerial photo interpretation, and computer modeling. Habitat data is updated regularly. Map users should consult with the Beginning with Habitat program to verify that data locations on this map in current plans or listings for planning decisions.

This regional map provides a landscape view of water resources. High value plant and animal habitats, and undeveloped habitat blocks. For more detailed information, please contact the U.S. Fish & Wildlife Service's Wetland Mapper, Riparian Buffers and Wetland Mapper, "High Value Plant and Animal Habitat" and "Undeveloped Habitat Blocks" maps. Availability of these maps is listed on the form at: www.beginningwithhabitat.org/ma_maps/maps_availability.htm

- Organized Township Boundary
- Unorganized Township
- Selected Town or Area of Interest
- Developed Area of Impervious surfaces including buildings and roads

MAP 1: Water Resources and Riparian Habitats

Riparian Buffer
 Purvs 2-10 acres (Small Purvs), rivers, coastal waters, and wetlands 2-10 acres in size are surrounded by a 250 foot riparian buffer zone. Streams are surrounded by a 75 foot riparian buffer zone.

NW Wetlands > 10 Acres
 The National Wetlands Inventory (NWI) uses aerial photographs from the mid-1980s to identify wetlands based on visible signs of wetland vegetation, hydrology, and geography. The NWI maps are not based on field wetland delineations and given the limits of aerial photo interpretation, they do not identify all wetlands that occur. Ground verification should be used to determine actual wetland boundaries and NWI maps should be considered as only a reference tool to determine potential wetland locations.

MAP 2: High Value Plant and Animal Habitats

Essential Wildlife Habitats (EWH) (MDFW)
 Maine's Department of Inland Fisheries & Wildlife (MDFW) uses marine geospatial data currently in its Wetland Mapper and Wetland Mapper to identify areas of enhanced or threatened species including marine birds, piping plovers, and sandpipers. Identification of Essential Wildlife Habitats is based on species observations and geospatial data. For more information about Essential Wildlife Habitats, go to www.maine.gov/inlandfisheries/wetland_mapper/essential_wildlife_habitats.htm. These habitat layers also may be downloaded from the Maine Office of GIS Data Catalog at <http://gisdata.maine.gov>.

Significant Wildlife Habitats (SWH) (MDFW)
 Maine's Natural Resources Protection Act (NRPA), 1989 was intended to slow further degradation and loss of Maine's natural resources. This act regulates activities within and adjacent to wetlands and riparian habitat. The act also regulates activities that could threaten the state's Significant Wildlife Habitats. Mapped Significant Wildlife Habitats include: coastal wetlands, riparian wetlands, forest wetlands, wetland areas, coastal nesting islands, wintered areas, and significant small ponds. For more information about SWHs, go to www.maine.gov/inlandfisheries/wetland_mapper/swh.htm.

Natural Heritage Network Occurrences (NHNO) (Maine Natural Areas Program)
Plants: Observations of plants cataloged by the Maine Natural Areas Program (NHNO) that are rare in Maine. Locations have been field-verified within the last 20 years.
Animals: Observations of animal species that are endangered, threatened, or rare in Maine. Mapped by the Maine Department of Inland Fisheries and Wildlife.
Communities: The NHNO has classified and distinguished 39 different natural communities that include forest, coastal bog, open summit, and many others. Each type is assigned a conservation status: common, rare, or very rare. Each community or ecosystem, or exemplary examples of common natural communities or ecosystems, are listed in the NHNO. For more information, contact the Maine Department of Inland Fisheries and Wildlife at http://www.maine.gov/inlandfisheries/wetland_mapper/nhno.htm.

High Value Habitat for Priority Trout Species (HVP) (MDFW)
 This data layer was derived from the Maine Department of Inland Fisheries and Wildlife's (MDFW) High Value Habitat (HVP) model developed by the U.S. Fish & Wildlife Service (USFWS) Gulf of Maine Coastal Program. The analysis evaluated existing field data and scientific literature for 31 species of fish, wildlife, and plants important to USFWS in the Gulf of Maine watershed and ranked the landscape based on potential habitat for each species. This theme shows only the most important habitat (top 25%) for all species combined and excludes areas less than 5 acres. For more information please see the 1-24-2010 Map 2 "High Value Plant and Animal Habitat" and Map 3 "Undeveloped Habitat Blocks for Priority Trout Species". For more information about the Gulf of Maine Watershed Habitat Analysis please visit: <http://www.fws.gov/gomcwh/>

MAP 3: Undeveloped Habitat Blocks

Undeveloped Habitat Blocks (MDPWF)
 Undeveloped habitat blocks are areas with relatively little development and that provide opportunity for meaningful habitat conservation. These areas remain mostly unfragmented and are likely to include habitat conditions of a quality that could be expected to support important species known to occur in the region. Undeveloped habitat blocks have been depicted on this map by removing areas within 200-foot buffer around intensity of all improved roads identified by the Maine Department of Transportation and all developed areas identified in the 2008 MCLD Land Use and Cover and 2008 Impervious Surface data.

Development Buffer (MDPWF)
 (note: transparent layer)
 Areas defined by a 200-foot buffer around all improved roads identified by the Maine Department of Transportation and all developed areas identified in the 2008 MCLD Land Use and Cover and 2008 Impervious Surface data.

Focus Areas
 (note: not present in all regions)
 Focus areas of statewide ecological significance have been designated based on an unusually rich convergence of rare plant and animal occurrences, high value habitat, and relatively intact natural resources. The combined elements of Beginning with Habitat Maps 1-3, Focus area boundaries were drawn by MDPWF and MDPWF biologists, generally following drainage divides and other major regional features such as roads, waterways, and other natural features. Focus areas are intended to draw attention to these truly special places in terms of building awareness and garnering support for land conservation by landowners, municipalities, and local land trusts. For descriptions of specific Focus Areas, contact the Beginning with Habitat program at the following website: http://www.maine.gov/inlandfisheries/wetland_mapper/focus_areas.htm

Data and Information Sources

DATA SOURCE INFORMATION

TOWNSHIP BOUNDARIES
 Maine Office of GIS, www.maine.gov

ROADS
 Maine Office of GIS, Maine Department of Transportation, www.maine.gov

HYDROLOGY
 U.S. Geological Survey, NHDPlus

DEVELOPED
 Maine Office of GIS, Maine Department of Transportation and all developed areas identified in the 2008 MCLD Land Use and Cover and 2008 Impervious Surface data.

FOCUS AREAS
 Maine Natural Areas Program

NATIONAL WETLANDS INVENTORY
 U.S. Fish & Wildlife Service, NWI

RIPIARIAN BUFFERS
 Maine Natural Areas Program

HIGH VALUE PLANT & ANIMAL HABITATS
 Maine Office of GIS, U.S. Fish & Wildlife Service, www.maine.gov

UNDEVELOPED HABITAT BLOCKS
 Maine Department of Inland Fisheries & Wildlife, Maine Natural Areas Program, U.S. Fish & Wildlife Service, www.maine.gov

PLANTS, ANIMALS, AND NATURAL COMMUNITIES
 Maine Department of Inland Fisheries & Wildlife, Maine Natural Areas Program

UNDEVELOPED HABITAT BLOCKS, DEVELOPMENT BUFFER
 Maine Department of Transportation

DATA SOURCE CONTACT INFORMATION
 Maine Office of GIS: <http://www.maine.gov>
 Maine Natural Areas Program: <http://www.maine.gov/naturalareas>
 Maine Department of Inland Fisheries & Wildlife: <http://www.maine.gov/ifw>
 U.S. Fish & Wildlife Service, Gulf of Maine Coastal Program: <http://www.fws.gov/gomcwh/>
 Maine Department of Transportation: <http://www.maine.gov/dot>

DIGITAL DATA REQUEST
 To request digital data for a town or organization, visit our website: http://www.beginningwithhabitat.org/ma_maps/maps_request.htm

Map Prepared by Maine Department of Inland Fisheries & Wildlife
 April 2014

THANK YOU

Scale: 1:40,000
 Projection: GCS: NAD 83
 Datum: NAD 1983

8. AGRICULTURAL AND FOREST RESOURCES

A. State Goal

The Act states that communities must work:

“To safeguard the State’s agricultural and forest resources from development which threatens those resources.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the questions set forth below concerning its agricultural and forest resources. Given that Bustins Island is a seasonal vacation community and therefore does not have any agricultural or forest resources of note, the B.I.V.C. believes that the agriculture and forestry provisions of the Act and the Rule are inapplicable to Bustins Island pursuant to Rule Section 2.6. Notwithstanding such inapplicability, the B.I.V.C. has included responsive materials, to the extent possible, in the spirit of the comprehensive plan process.

- 1) Q: How important is agriculture and/or forestry and are these activities growing, stable or declining?

A: There is no agriculture and/or forestry on Bustins Island beyond small gardens and the felling of trees by Islanders for personal cordwood use.
- 2) Q: Is the community currently taking regulatory and/or non-regulatory steps to protect productive farming and/or forestry lands? Are there local or regional land trusts actively working to protect farms or forest lands in the community?

A: Given the current seasonal vacation use of Bustins Island, the community is not taking regulatory and/or non-regulatory steps to protect productive farming and/or forestry lands, nor are there any known local or regional land trusts actively working to protect farms or forest lands on the Island.
- 3) Q: Are farm and forest land owners taking advantage of the state’s current tax laws?

A: No. There are no farmers and forest land owners on the Island.
- 4) Q: Has proximity of new homes or other incompatible uses affected the normal farming and logging operations?

A: No. There are no normal farming and logging operations on the Island.
- 5) Q: Are there large tracts of agricultural or industrial forest land that have been or may be sold for development in the foreseeable future? If so, what impact would this have on the community?

A: No.

6) Q: Does the community support community forestry or agriculture (i.e., small woodlots, community forests, tree farms, community gardens, farmers markets, or community-supported agriculture)? If so, how?

A: Yes. Many homeowners own lots in the Resource Protection District in the center of the Island and are permitted to cut down trees on such lots for personal firewood use. Given the large amount of firewood available for personal use in the developed portions of the Island due to blow downs and the prudent removal of dead or diseased trees, however, it is not believed that many, if any, Islanders use their woodlots for such purpose.

The large garden located at the site of the Kitchen farmhouse has in recent years been operated and maintained by the Island truck driver as essentially a community garden, with most of the produce generated from such farm given away to Islanders once it ripens at the end of the season.

In recent years a local business operating from Chebeague Island has brought in local produce by boat and operated a farmers market from their boat. The Leland family has been kind enough to allow such market to operate from their private dock located near the public dock.

7) Q: Does the community have town or public woodlands under management, or that would benefit from forest management?

A: Yes. The forest in the Resource Protection District, which sits on a combination of B.I.V.C. and privately owned land, has become a mature forest and blow downs are becoming a more frequent occurrence. The need to develop sound policies to manage the risk and damage from such blow downs, and to properly handle the wood and brush that results from such blow downs, is a topic of increased discussion on the Island.

C. Conditions and Trends

While the northern coastal regions of the Island are shown as farmland of statewide importance on the Bustins Island Agricultural Resources Map dated May, 2014, produced by the Municipal Planning Assistance Program, Maine Department of Agriculture, Conservation and Forestry, there are in no fact no farms on the Island nor have there been any farms on the Island for well over one hundred years. There also are no managed forest lands on the Island other than the mature forest located in the Resource Protection District in the center of the Island. There is no land on Bustins Island enrolled in the State's farm, tree growth and/or open space law taxation programs nor has there been any change in enrollment in the past 10 years. Some undeveloped lots may qualify for open space tax status. The Planning Board will work with owners and the Freeport assessor to determine qualification requirements and other details about that program. There is one private garden on the Island (on the grounds of the historic Kitchen farmhouse) that is operated as a quasi-community garden, but there otherwise are no community gardens on the Island. A description of the community farming and forestry programs is included in the answers in subsection 9(B) above.

See Appendix annexed to this Article 8 for agriculture resource map provided by the State of Maine.

D. Inapplicable Policies

Because Bustins Island is a small, relatively rocky island with neither critical rural areas nor areas suitable for farming or forestry, the following state-mandated policies are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

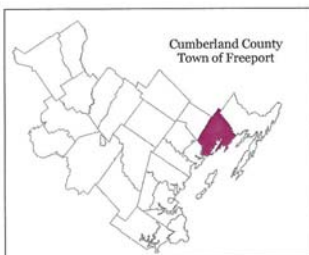
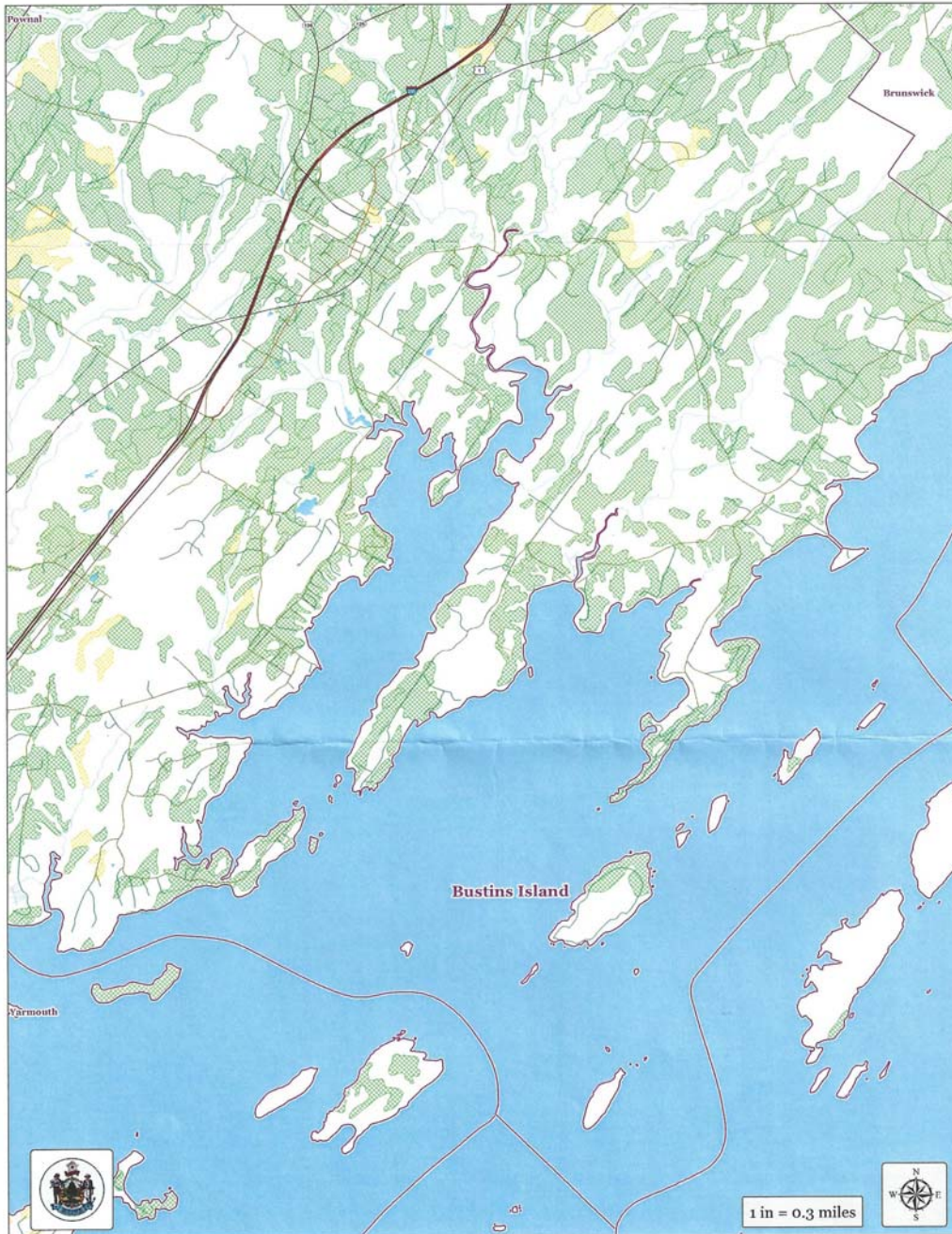
- (1) “To safeguard lands identified as prime farmland or capable of supporting commercial forestry.”
- (2) “To support farming and forestry and encourage their economic viability.”

E. Inapplicable Strategies and Implementation Ideas

Because Bustins Island is a small, relatively rocky island with neither critical rural areas nor areas suitable for farming or forestry, the following state-mandated strategies and implementation ideas are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

- (1) “Consult with the Maine Forest Service district forester when developing any land use regulations pertaining to forest management practices as required by 12 M.R.S.A. §8869.”
- (2) “Consult with Soil and Water Conservation District staff when developing any land use regulations pertaining to agricultural management practices.”
- (3) “Amend land use ordinances to require commercial or subdivision developments in critical rural areas, if applicable, maintain areas with prime farmland soils as open space to the greatest extent practicable.”
- (4) “Limit non-residential development in critical rural areas (if the town designates critical rural areas) to natural resource-based businesses and services, nature tourism/outdoor recreation businesses, farmers’ markets, and home occupations.”
- (5) “Encourage owners of productive farm and forest land to enroll in the current use taxation programs.”
- (6) “Permit land use activities that support productive agriculture and forestry operations, such as roadside stands, greenhouses, firewood operations, sawmills, log buying yards, and pick-your-own operations.”
- (7) “Include agriculture, commercial forestry operations, and land conservation that supports them in local or regional economic development plans.”

F. Appendix



Bustins Island Agricultural Resources

Source Data: USDA, MEGIS, Maine DACF
Projection: UTM, NAD83, Zone 19, Meters
Produced by: Municipal Planning
Assistance Program, DACF
May 2014

Legend

- Municipal Border
- Interstate
- U.S. Routes
- State Routes
- E911 Roads
- Railroad
- Waterbody
- River/Stream

Soils

- Prime Farmland
- Farmland of statewide importance

9. MARINE RESOURCES

A. State Goal and State Coastal Policies

The Act states that communities must work:

“To protect the State’s marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fisherman and the public.”

For coastal communities such as Bustins Island, the Act requires that the community’s comprehensive plan address the state coastal management policies (38 M.R.S.A. §1801). These are:

1. *To promote the maintenance, development, and revitalization of the State’s ports and harbors for fishing, transportation and recreation;*
2. *To manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats, to expand our understanding of the productivity of the Gulf of Maine and coastal waters and to enhance the economic value of the State’s renewable marine resources;*
3. *To support shoreline management that gives preference to water-dependent uses over other uses, that promotes public access to the shoreline and that considers the cumulative effects of development on coastal resources;*
4. *To discourage growth and new development in coastal areas where, because of coastal storms, flooding, landslides or sea-level rise, it is hazardous to human health and safety;*
5. *To encourage and support cooperative state and municipal management of coastal resources;*
6. *To protect and manage critical habitat and natural areas of state and national significance and maintain the scenic beauty and character of the coast even in areas where development occurs;*
7. *To expand the opportunities for outdoor recreation and to encourage appropriate coastal tourist activities and development;*
8. *To restore and maintain the quality of our fresh, marine and estuarine waters to allow for the broadest possible diversity of public and private uses; and*
9. *To restore and maintain coastal air quality to protect the health of citizens and visitors and to protect enjoyment of the natural beauty and maritime characteristics of the Maine coast.*

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its marine resources:

1) Q: Is coastal water quality being monitored on a regular basis?

A: The Bustins Island Harbormaster regularly monitors the quality of the surrounding coastal water by visual inspection. The B.I.V.C. does not take and analyze water samples on a regular basis, however, instead deferring to other state and local officials, as well as the Casco Baykeeper and the Friends of Casco Bay, for such functions.

2) Q: Is there a local or regional plan in place to identify and eliminate pollution sources?

A: The B.I.V.C. is unaware of any such local or regional plan beyond the boat pump out and other programs run by the Friends of Casco Bay and its Casco Baykeeper. The Planning Board or Board of Overseers will contact the Casco Baykeeper to determine if he or she is aware of any such plans.

3) Q: Has closings of clam or worm flats threatened the shellfishing industry, and are sources of contamination known? If so, are sources point (direct discharge) or nonpoint sources?

A: The clam flats on the Harraseeket River have been closed in the recent past due to overflow point discharge from the Freeport sewage treatment facilities. Such closures and discharge have occasionally affected clam flats on Bustins Island. There also have been closures of the Bustins Island clam flats from time to time due to red tide blooms. Such blooms are thought to be caused in part by nonpoint runoff of fertilizers used in farming, gardening and lawn maintenance. While certain Islanders undoubtedly use fertilizers for small flower gardens on the Island, it is believed that few if any Islanders use fertilizers in appreciable quantities and that therefore any contribution to red tide blooms from fertilizers most likely comes from mainland sources.

4) Q: Are traditional water-dependent uses thriving or in decline? What are the factors affecting these uses? If current trends continue, what will the waterfront look like in 10 years?

A: Traditional water-dependent uses – sail boating, power boating, swimming and recreational fishing – appear to have remained relatively constant over the past 30-50 years, with perhaps a higher concentration of power boats relative to sailboats. The primary factor affecting boat use appears to be the economy, *i.e.*, it appears certain Islanders decide to save money during recessions by not launching their boats, and during sustained boom periods boat ownership increases. In the past 10-15 years there appears to have been an uptick in the issuance and use of lobstering licenses by Islanders who are Maine residents, although this is largely a subjective observation based on anecdotal evidence.

5) Q: Is there reasonable balance between water-dependent and other uses, and between commercial and recreational uses? If there have been recent conversions of uses, have they improved or worsened the balance?

A: Yes. The only water-dependent uses of the shore are (i) the two (2) publicly-owned docks, (ii) the eleven (11) privately-owned docks, (iii) the publicly-owned vehicle landing area by the golf course and (iv) commercial clamming which typically occurs off-season. All other shore uses are recreational. The public brush dump adjacent to the shore by the golf course was closed and decommissioned within the past twenty years. While leading to a problem with brush disposal, such closure has otherwise been positive for the shoreland area. There have been no other conversions of use of the shore in that time period other than the installation of one or two private docks consistent with shore usage and applicable state law. Overall, given the seasonal nature of the Island community and the relatively low population and development of the Island, use of the

shore is relatively minor, the shore area is not stressed and there have been no reported instances of conflicts between competing uses.

6) Q: How does local zoning treat land around working harbors?

A: Bustins Island has two public docks and numerous private docks but does not have any working harbors per se. Accordingly, the Bustins Island Zoning Ordinance does not have specific zoning districts or provisions relating to working harbors.

7) Q: Is there a local or regional harbor or bay management plan? If not, is one needed?

A: Bustins Island has a volunteer Harbormaster who oversees and manages mooring placement and use of the Island's public docks. Given the relatively light use of the water and the Island's docks by Islanders there does not appear to be a need for a harbor or bay management plan beyond any such plans maintained by other state and local officials.

8) Q: Are there local dredging needs? If so, how will they be addressed?

A: There are no local dredging needs at Bustins Island.

9) Q: Is there adequate access, including parking, for commercial fisherman and members of the public? Are there opportunities for improved access?

A: Subject to compliance with applicable federal, state and local laws, commercial fisherman and Islanders are freely entitled to use of the waters of Casco Bay surrounding Bustins Island. Given Islanders' ability to moor boats in the waters surrounding the Island, the Island's public docks are relatively small and are reserved for (i) short-term landings by the Island ferry and private vessels for the pickup and drop off of passengers and freight and (ii) long-term dinghy and skiff tie-up. While landings by appropriately-sized commercial fishing vessels to drop off fish and shellfish ordered by Islanders would be permitted, the Island's public docks are not designed to accommodate more extensive use by commercial fishing vessels and there further does not appear to be any demand for such use. Accordingly, there is adequate access to the surrounding marine resources for commercial fisherman and members of the public. Parking is not a concern for either commercial fisherman or the public since private vehicles are prohibited other than for a limited number of "grandfathered" historic vehicles and contractor vehicles operating under short-term special permits. Public boat launch areas are available by the public dock and adjacent to the closed dump by the golf course. Public access to the shore for swimming, and for use of the public rope swing, are available via the publicly owned Shore Reserve and numerous right-of-ways to the shore elsewhere on the Island. Swimming is also permitted off of the public dock by the post office and by the "steamer" dock at the south end of the Island.

10) Q: Are important points of visual access identified and protected?

A: Given the relatively small size and height of Bustins Island, there are no important points of visual access that need to be protected.

C. Conditions and Trends

Access to Bustins Island is by water only, generally from the Freeport Town Dock in South Freeport, which provides commercial and recreational opportunities for both residents and visitors to the area.

The marine waters surrounding Bustins Island are designated Class SB by the State of Maine. In the 2012 and draft 2014 Integrated Water Quality Monitoring and Assessment Reports, the Maine DEP lists these waters as meeting their designated uses (i.e., not impaired).

Over the past decade, water quality issues have come to the fore. For example, Freeport had some of the most productive clam flats in the State of Maine, but in 2009 seventy percent (70%) of the clam flats along the Harraseeket River were closed by the Maine Department of Marine Resources. The Town of Freeport was awarded a grant in 2009 from the State Planning Office to develop a plan to open more clam flats in the Harraseeket River.

While most of the clam flats on the Harraseeket were opened in early January 2013 by the State of Maine's Department of Marine Resources, sustaining and improving water quality to expand fish and shellfish harvesting will continue to be a major issue for the Town of Freeport in the next decade, with direct impacts on the water quality surrounding Bustins.

The Freeport Sewage Treatment plant generally functions below its capacity in terms of the amount of flow going into the plant. However, during heavy rain storms, raw sewage can flow directly into the river due to leaks in old sewer pipes which allow rain water to enter the system, creating a peak in effluent that overwhelms the treatment plant's capacity, necessitating the discharge of untreated waste into the Harraseeket River. Freeport is attempting to strike a delicate balance between the health of the Harraseeket River and its shellfish flats and growth due to more homes connecting to the public sewer system. To address these challenges, Freeport is attempting to manage areas of new growth carefully in coordination with the sewer district to ensure that sewer lines in the area are functioning properly.

The Friends of Casco Bay organization, which conducts research on a voluntary basis under the supervision of marine scientists, is also warning of the impact of green crabs, an invasive species, and ocean acidification, which dissolves the shells of oysters, clams and mussels, on the Bay's native shellfish populations.

Surveys and mapping conducted by the DEP and DBEP in 2001 and 2002 show eelgrass beds surround Bustins Island and throughout Harraseeket Bay. The 2013 survey did not show any remaining eelgrass surround the Island. The decimation of eelgrass beds in this areas is largely credited to the population explosion of the invasive green crabs in upper Casco Bay.

As sea levels rise and the potential for severe storms increases, Bustins Island will be challenged to sustain its coastal bluffs and its roads, to protect its fresh water quality and to maintain the structural integrity of its docks and buildings.

With the exception of seasonal lobstering and occasional clamming, Bustins Island contains no commercial agriculture or forestry industries. Islanders do make personal use of shellfish beds, for which a license and legal-sized clams are required, but these are often stripped clean in the offseason by commercial harvesters. Seaweed has been harvested commercially from time to time from the Island, but this is not a regular activity.

In addition to making good use of locally available produce on the mainland, cottagers frequent a weekly "floating farmers market" from Mitchell Ledge Farm that serves Bustins and Chebeague Islands during

the summer season. They also make use of their own woodlots for firewood and occasionally mill boards for personal use.

A large publicly-owned wharf, known as the “Steamer Dock”, provides direct vehicular access for freight unloading and hauling and is used for shipping and receiving of bulk freight items such as the tanks of LP gas used for cooking, refrigeration, and lighting. These tanks are received at this location and it is used as a staging area for empty tanks to be returned to the mainland.

A public float and runway located on the southeasterly side of the Island is used for all public transportation of people to and from the Island as well as hand luggage and small freight.

Private land along the shoreline is part of the Shoreland District under the Bustins Island Zoning Ordinance. While permitted uses in the district largely tract those in the General Purpose District, as of right uses and development are more restricted, and typically require issuance of a Conditional Use Permit by the Planning Board, due to the more fragile nature of the land in such district. There are no local or regional harbor or bay management plans or planning efforts that directly involve Bustins Island.

Public access to the shore is available at the public dock, the Steamer Dock and the golf course at the north end of the Island. In addition, most of the shoreland along the east side of the Island is publicly owned and is accessible by various access easements located along the east side of the Island. There are a number of public privies located throughout the Island that are readily accessible from the shore but there are no plans to expand or improve them. Private motor vehicles are largely prohibited on Bustins Island so as a result there are no shoreland or other parking areas on the Island.

D. Policies

In order to accomplish the State’s goal of protecting the State’s marine resource industries, ports and harbors, and to promote access to the shore for commercial fisherman and the public, the Bustins Island community’s policies are:

- (1) To protect, maintain and, where warranted, improve marine habitat and water quality.
- (2) To foster water-dependent land uses and balance them with other complementary land uses.
- (3) To maintain and, where warranted, improve harbor management and facilities.
- (4) To protect, maintain and, where warranted, improve physical and visual public access to the community’s marine resources for all appropriate uses including fishing, recreation, and tourism.

E. Strategies and Implementation Ideas

In order to further the Island’s policies stated above, the Bustins Island community has adopted and will endeavor to accomplish the following strategies and implementation ideas below as coordinated by the Planning Board or the Board of Overseers, as applicable, in consultation with appropriate Island committees:

- (1) BY OCT. 2019: Planning Board to identify needs for additional recreational and commercial access (which includes parking, boat launches, docking space, fish piers and swimming access).

- (2) ONGOING: Board of Overseers to encourage owners of marine businesses and industries, if any, to participate in clean marina/boatyard programs as applicable.
- (3) ONGOING: Planning Board to provide information about the Working Waterfront Access Pilot Program and current use taxation program to owners of waterfront land used to provide access to or support the conduct of commercial fishing activities, as applicable.
- (4) ONGOING: Board of Overseers to support implementation of local and regional harbor and bay management plans.
- (5) ONGOING: Board of Overseers to periodically review Harbormaster budget to ensure the Harbormaster has sufficient funding and staffing to carry out necessary duties.
- (6) ONGOING: Board of Overseers and Planning Board jointly to work with local property owners, land trusts, and others to protect major points of physical and visual access to coastal waters, especially along public ways and in public parks. Consult with Soil and Water Conservation District staff when developing any land use regulations pertaining to agricultural management practices.
- (7) BY OCT. 2018: Planning Board to consider ways to improve and restore marine water quality, biodiversity and productive use of marine resources such as by seeding bi-valves and by educating Islanders about fragile marine environments.
- (8) ONGOING: Planning Board to consider ways to assist cottagers in responding to and preparing for anticipated sea level rise and more extreme weather patterns with resulting increased pressure on coastal bluffs and low-lying areas and the potential for saltwater intrusion.
- (9) ONGOING: Board of Overseers to consider methods of limiting coastal erosion with preference given to “living shorelines” wherever possible and appropriate, rather than hardened structures such as riprap.
- (10) ONGOING: Board of Overseers and Harbormasters support and participate in local and regional programs to manage invasive green crabs and promote the regrowth of eelgrass beds around the Island.

10. POPULATION AND DEMOGRAPHICS

A. State Goal

The Act does not have an express State goal concerning population and demographic elements of a community's comprehensive plan.

B. Analysis

The Rule requires that as part of the community's analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its population and demographics:

- 1) Q: Is the rate of population change expected to continue as in the past, or to slow down or speed up? What are the implications of this change?

A: There are few developable lots left on Bustins Island so the rate of development on the Island is expected to remain either consistent with the slow growth observed in the past 30-50 years or to decrease from such levels. The future seasonal population on the Island is very difficult to predict. On the one hand, it is possible there will be an increase in instances in which multiple generations are present in the same cottage at the same time due to increases in both lifespan and functional mobility in later years. On the other hand, there has been an observed decrease in the length of vacation stays on the Island with the generational increase in families in which both parents work. It appears the Island can readily support increased population usage without adversely impacting resources and services. The impact on the Island community and social fabric of a marked decline in usage of the Island, however, is worrisome to some Islanders.
- 2) Q: What will be the likely demand for housing and municipal and school services to accommodate the change in population and demographics, both as a result of overall change and as a result of change among different age groups?

A: Due to the seasonal vacation use of Bustins Island it is not anticipated that the likely demand for housing and municipal services will change significantly, either as a result of change in population or due to changes among different age groups on the Island.
- 3) Q: Does your community have a significant seasonal population, and if so is the nature of that population changing? What is the community's dependence on seasonal visitors?

A: 100% of the population on Bustins is seasonal. The nature of that population is not changing. Certain homeowners rely upon renters to offset a portion of their real estate taxes and other ownership and maintenance expenses.
- 4) Q: If your community is a service center or has a major employer, are additional efforts required to serve a daytime population that is larger than its resident population?

A: Bustins Island is not a service center and does not have a major employer, so additional efforts are not required to service a daytime population that is larger than its resident population.

C. Conditions and Trends

See Section 4 for Applicable Conditions and Trends.

D. Policy

It is the policy of the Bustins Island community that the community support and foster conditions that maintain Bustins Island as a close-knit, family-friendly seasonal community with a strong sense of community and community pride, and with a reverence for Maine's unique natural resources, beauty and culture.

E. Strategy and Implementation Idea

In order to further the Island's policy stated above, the Bustins Island community has adopted and will endeavor to accomplish the following strategy and implementation idea as coordinated by the Planning Board:

Planning Board to maintain and update as necessary the existing land use and other regulations which have fostered controlled, orderly growth and development of the Island.

11. ECONOMY

A. State Goal

The Act states that communities must work:

“To promote an economic climate that increases job opportunities and overall economic well-being.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the questions set forth below concerning its economy. Given that Bustins Island is a seasonal vacation community and therefore has neither a year-round economy nor an economy that is separate from the surrounding regional economy, the B.I.V.C. believes that the economic provisions of the Act and the Rule are inapplicable to Bustins Island pursuant to Rule Section 2.6. Notwithstanding such inapplicability, the B.I.V.C. has included responsive materials, to the extent possible, in the spirit of the comprehensive plan process.

1) Q: Is the economy experiencing significant change, and how does this, or might this, affect the local population, employment and municipal tax base?

A: As a seasonal vacation destination, Bustins Island offers various part-time and seasonal working opportunities for Islanders and for citizens of the surrounding communities (e.g., Island superintendent, Island truck driver, gas delivery service, etc.) but it does not have a significant economy outside of such positions. The B.I.V.C. does not anticipate significant change in this paradigm and it is therefore not expected that the local economy, or any changes to such economy, will have a significant impact on the local population, employment and/or the municipal tax base.

2) Q: Does the community have defined priorities for economic development? Are these priorities reflected in regional economic development plans?

A: Given that Bustins Island is a seasonal vacation community, it has neither defined priorities for economic development nor a regional economic development plan.

3) Q: Is there a traditional downtown or village center(s) in the community? If so, are they deteriorating or thriving?

A: The post office has been and remains one of the primary centers of social life in the community, but there is no traditional downtown or village center in the community.

4) Q: Is tourism an important part of the local economy? If so, what steps has the community taken to support this industry?

A: No.

5) Q: Do/should home occupations play a role in the community?

A: The B.I.V.C. employs a number of Islanders for part time, seasonal employment (e.g., Island

superintendent, Island truck driver, *etc.*), and a few Islanders have established seasonal businesses supporting the Island community (*e.g.*, propane gas delivery service, privy maintenance, handy man), but given that Bustins Island is a seasonal vacation community, home occupations otherwise do not play a role in the community.

- 6) Q: Are there appropriate areas within the community for industrial or commercial development? If so, are performance standards necessary to assure that industrial and commercial development is compatible with the surrounding land uses and landscape?

A: Given that Bustins Island is a seasonal vacation community, there are no areas within the community reserved for industrial or commercial development.

- 7) Q: Are public facilities, including sewer, water, broadband access or three-phase power, needed to support the projected location, type, and amount of economic activity, and what are the issues involved in providing them?

A: No. The Planning Board is considering a proposal, however, to upgrade the Brewer Cottage with broadband access so that it could be used by as a business center so that Islanders could come to the Island for working vacations and/or extended weekend vacations.

- 8) Q: If there are local or regional economic development incentives such as TIF districting, do they encourage development in growth areas?

A: Given that Bustins Island is a seasonal vacation community, there are no local or regional economic development incentives applicable to the Island.

- 9) Q: How does/can the community use its unique assets such as recreational opportunities, historic architecture, civic events, *etc.*, for economic growth?

A: Because Bustins Island is a seasonal vacation community and is not interested in promoting development of the Island, it does not make an effort to use its unique assets for economic growth.

C. Conditions and Trends

With their advantageous location on the protective waters of the Gulf of Maine and proximity to the powerful economic engine of the City of Portland, Freeport and the surrounding communities of Yarmouth, Brunswick and Bath have enjoyed an enviable history of economic development and prosperity relative to other coastal and inland communities in the State. While such relative prosperity was originally built on foundations of fishing, shipbuilding and attendant industries, and while fishing and shipbuilding obviously remain important regional economic engines, the region's economy has become increasingly dependent upon the tourism industry, specifically "retail" tourism. Such reconfiguration of the region's economy is most directly evident in the dramatic and continuing expansion of Freeport's "outlet store" retail model, but can also be seen in such examples as the impressive recasting of Portland's old port as a retail tourism mecca for antiquing and specialty shops and the rise of an artist colony in nearby Georgetown. The redevelopment of Bustins Island as a vacation community in the early 1900s can be viewed as part and parcel of, and an integral component of, such transition in the surrounding regional economy.

Notwithstanding the fact that the reshaping of Bustins Island's economy from a farming and fishing

community to a regional vacation community mirrors the changes in the surrounding community's economic structure, Bustins Island is more of a passive supporter of such changes via the consumption demand provided by its community than a participating driver in the regional economy. As a result, to the best of the Island community's knowledge, the Island has not been included in any meaningful way in any local (Freeport) or regional development plans. There are no economic incentive districts, such as tax increment districts, on Bustins Island.

Given that Bustins Island is a seasonal vacation community, most of the Island's population works in the communities in which they maintain their principal residence. Certain Islanders do provide seasonal services on the Island (Island Superintendent, Island truck driver, propane gas delivery service, etc.) and therefore reside on the Island while providing such services. The remainder of the population that enjoy employment opportunities on the Island (Island Ferry captain and crew, Farmer's market owner and crew, repair and maintenance contractors, etc.), live in surrounding communities and commute to the Island by ferry or private boat.

The major employers in the Bustins Island community itself are the B.I.V.C., which hires the Island superintendent, the Island truck driver, the Island Ferry captain and crew and other paid positions, and private homeowners retaining contractors to perform maintenance and repairs and/or to add septic systems, additions and, occasionally, construction or reconstruction of an entire cottage. Relative to the employment opportunities available in Portland, Freeport and the surrounding communities, however, the employment opportunities provided by and available on the Island are relatively modest.

Major employers in the surrounding region include L.L. Bean and the outlet mall retailers that have grown up around it, the Bath Iron Works, and companies in the insurance, health care and other industries concentrated in downtown Portland. The economic development in Portland, Freeport and the surrounding communities in the past 20-30 years has been impressive. It is hoped and expected that with continued wise stewardship by private industry in partnership with local governments, such growth and the prosperity it brings to the surrounding communities can continue in a controlled way that preserves the unique culture and natural beauty of southern coastal Maine.

As a seasonal vacation community, there are no large-scale commercial agricultural, forestry, docking or other commercial and industrial facilities on Bustins Island. The Island does, however, support some seasonal lobstering. The only commercial business based entirely on the Island is related to the repair and maintenance of the current cottages' gas lamps, gas refrigerators, and other gas appliances and supplying LP gas. A bicycle rental establishment that operates seasonally, largely with children as its customer base, is also present on the Island. Commercial businesses operated both on and off the Island include solar installations and residential construction and repair.

While new cottage construction and repairs are often done by businesses based off-island that perform services on the Island on an *ad hoc* basis, Bustins does provide fairly regular job opportunities for people engaged in property maintenance and residential services, particularly home repair and the provision of LP gas. In keeping with its seasonal character and Vision Statement, the Island does not encourage year-round commercial or industrial development or residential construction.

Without its own significant commercial activity, the seasonal Bustins Island community helps to boost the mainland economy. Islanders shop at local food stores as well as at a weekly floating farmers' market, use local laundromats, keep and tie up their boats at South Freeport's two marinas and Paul's Marina in Brunswick, frequent the restaurants on Peak's and other islands in Casco Bay and generally contribute to Freeport's and the greater Portland metropolitan region's economy, particularly during the summer season of approximately five months per year.

Bustins Island is also featured on the Atlantic Seal tours of Casco Bay and thus forms part of the local tourism economy.

Representing a wide range of household incomes, Islanders were variously affected by the 2008 “Great Recession” and continuing weak job market. Bustins Island is also undergoing a generational shift as residents who grew up on Bustins in their childhoods 80, 90 and 100 years ago, and those who arrived as young marrieds a half century ago, are now beginning to decline in number. While some families are able to pass on their Bustins cottage to younger generations, others are not. This has in some instances resulted in the pricing out of young family members caught in the grips of a weak economy.

D. Policies

In order to further the State’s goal of promoting an economic climate that increases job opportunities and overall economic well-being, the Bustins Island community’s policies are:

- (1) To support the type of economic development activity the community desires, reflecting the community’s role in the region.
- (2) To make a financial commitment, if necessary, to support desired economic development, including needed public improvements.
- (3) To coordinate with regional development corporations and surrounding towns as necessary to support desired economic development.

E. Strategies and Implementation Ideas

In order to further the Island’s policies stated above, the Planning Board will facilitate the Bustins Island community’s cooperation as appropriate in regional planning efforts affecting Bustins and the surrounding area as follows:

- (1) ONGOING: Planning Board to participate in any regional economic development planning efforts as feasible and warranted.
- (2) BY OCT. 2017: Planning Board to consider ways to maximize opportunities for Islanders and Island-based contractors to benefit from public and private construction and other activities as feasible and warranted.

F. Inapplicable Strategies and Implementation Ideas

Because Bustins Island is a seasonal vacation community with no year round residents or businesses and limited or no opportunities for economic growth, the following state-mandated strategies and implementation ideas are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

- (1) “Consider assigning responsibility and provide financial support for economic development activities to the proper entity (e.g., a local economic development committee, a local representative to a regional economic development organization, the community’s economic development director, a regional economic development initiative, or other).”
- (2) “Consider enacting or amending local ordinances to reflect the desired scale, design, intensity, and location of future economic development.”

- (3) “Consider if public investments are foreseen to support economic development and identify the mechanisms to be considered to finance them (local tax dollars, creating a tax increment financing district, a Community Development Block Grant or other grants, bonding, impact fees, etc.).”

12.HOUSING

A. State Goal

The Act states that communities must work:

“To encourage and promote affordable, decent housing opportunities for all Maine citizens.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the questions set forth below concerning its housing. Given that Bustins Island is a seasonal vacation community and all cottages on the Island are second homes, not principal residences, the B.I.V.C. believes that the affordable housing provisions of the Act and the Rule are inapplicable to Bustins Island pursuant to Rule Section 2.6. Notwithstanding such inapplicability, the B.I.V.C. has included responsive materials, to the extent possible, in the spirit of the comprehensive plan process.

1) Q: How many additional housing units (if any), including rental units, will be necessary to accommodate projected population and demographic changes during the planning period?

A: During the past fifty to sixty years, development on Bustins has been relatively consistent at a rate of one and one-half (1.5) cottages per decade. There are no projected changes in the Island’s demographics, and the Island’s population is projected to grow in accordance with historic trends or remain flat. Accordingly, consistent with historic development trends, at most one to two additional housing units are projected to be constructed during the planning period.

2) Q: Is housing, including rentable housing, affordable to those earning the median income in the region? Is housing affordable to those earning 80% of the median income? If not, review local and regional efforts to address issue.

A: Bustins Island does not include any year-round housing. It is a seasonal vacation community consisting of, for the most part, small, uninsulated cottages that lack pressurized water systems. Many cottage still use outhouses rather than composting toilets or septic systems. It is not designed to accommodate, and is not suitable for, year-round residents. Accordingly, the concept of affordable housing for year-round residents is simply inapplicable to the community.

3) Q: Are seasonal homes being converted to year-round use or vice-versa? What impact does this have on the community?

A: No. Since the redevelopment of the community in the early 1900s as a seasonal vacation community, the homes on the Island have been designed and used solely for seasonal use.

4) Q: Will additional low and moderate income family, senior, or assisted living housing be necessary to meet projected needs for the community? Will these needs be met locally or regionally?

A: No. Any such needs will be met by the communities in which the Islanders maintain their year-round residence.

5) Q: Are there major housing issues in the community, such as substandard housing?

A: No. Most of the housing on the Island is substandard for year-round housing but is completely adequate for seasonal vacation use.

6) Q: How do existing local regulations encourage or discourage the development of affordable/workforce housing?

A: Given that Bustins Island is exclusively a seasonal vacation community there is no demand for affordable/workforce housing, and therefore local regulations neither encourage nor discourage the development of affordable/workforce housing.

C. Conditions and Trends:

Since the 1950s, development on the Island has averaged approximately one and one-half (1.5) cottages per decade. It is expected that future development will be consistent with this historic trend. All cottages on Bustins Island are second homes, not principal residences. Most cottages have minimal or no insulation, pressurized water systems or central heat. No one lives on the Island year round. Accordingly, there are no local or regional affordable/workforce housing coalitions or similar efforts that have expressed an interest in erecting affordable housing on the Island. The local land use regulations do not specifically address affordable/workforce housing on the Island. While there are approximately 30 developable lots remaining on Bustins Island, the conversion of the Island from a farming and fishing community to a seasonal vacation community, and the development of the Island in connection with the conversion, was largely completed by the 1950s. Since then, development of the remaining buildable lots on the Island has been very gradual, averaging approximately one and one-half (1.5) cottages per decade.

D. Inapplicable Policies:

Because Bustins Island (i) has no municipal or regional services available in the off season, including, without limitation, ferry service, water, electric, gas and/or sewer service, (ii) is only reachable by boat, which is an impossibility when the surrounding waters of Casco Bay freeze over, and (iii) has neither insulated year-round housing nor housing with central heating, Bustins Island is completely unsuitable as a location for workforce or other affordable housing. The following State-mandated policies designed to encourage community-based workforce and affordable housing therefore are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

- (1) "To encourage and promote adequate workforce housing to support the community's and region's economic development."
- (2) "To ensure that land use controls encourage the development of quality affordable housing, including rental housing."
- (3) "To encourage and support the efforts of the regional housing coalitions in addressing affordable and workforce housing needs."

E. Inapplicable Strategies and Implementation Ideas:

Because Bustins Island (i) has no municipal or regional services available in the off season, including, without limitation, ferry service, water, electric, gas and/or sewer service, (ii) is only reachable by boat, which is an impossibility when the surrounding waters of Casco Bay freeze over and (iii) has no insulated

year-round housing, Bustins Island is completely unsuitable as a location for workforce or other affordable housing and the following State mandated strategies and implementation ideas designed to encourage community-based workforce and affordable housing are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

- (1) “Maintain, enact or amend growth area land use regulations to increase density, decrease lot size, setbacks and road widths, or provide incentives such as density bonuses, to encourage the development of affordable/workforce housing.”
- (2) “Maintain, enact or amend ordinances to allow the addition of at least one accessory apartment per dwelling unit in growth areas, subject to site suitability.”
- (3) “Create or continue to support a community affordable/workforce housing committee and/or regional affordable housing coalition.”
- (4) “Designate a location(s) in growth areas where mobile home parks are allowed pursuant to 30-A M.R.S.A. §4358(3)(M) and where manufactured housing is allowed pursuant to 30-A M.R.S.A. §4358(2).”
- (5) “Support the efforts of local and regional housing coalitions in addressing affordable and workforce housing needs.”
- (6) “Seek to achieve a level of at least 10% of new residential development built or placed during the next decade be affordable.”

13. RECREATION

A. State Goal

The Act states that communities must work:

“To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its recreation resources:

1) Q: Will existing recreational facilities and programs in the community and region accommodate projected growth or changes in age groups in your community?

A: Yes. Bustins Island has a variety of recreational facilities and programs targeted to Islanders of all ages. These facilities and programs included, among others:

- Fishing
- Swimming
- Water Skiing
- Walking, Hiking and Running
- Bike Riding
- Tennis
- Golf
- Ultimate Frisbee
- Square Dancing
- Swing Set and Volley Ball on the Public Playground
- Field Day
- Bingo
- Karaoke
- Trick or Treating

2) Q: Is there a need for certain types of services or facilities or to upgrade or enlarge present facilities to either add capacity or make them more usable?

A: Some Islanders have expressed interest in increasing the dinghy tie-up capacity of the public dock. Other than that expression, the Island community believes the existing recreational services and facilities are adequate for the community.

3) Q: Are important tracts of open space commonly used for recreation publicly-owned or otherwise permanently conserved?

A: Yes. The primary open space on the Island used for recreational purposes is the golf course. In addition to its use for golfing, the course is also used for ultimate Frisbee and Field Day, among other recreational uses. The golf course is publicly owned.

4) Q: Does the community have a mechanism, such as an open space fund or partnership with a land trust, to acquire important open spaces and access sites, either outright or through conservation easements?

A: Yes. The B.I.V.C. has various capital funds that could be used for this purpose if so approved at the annual meeting. There is also presently an account set up to receive donations from anyone wishing to support land conservation on Bustins.

5) Q: Does the public have access to each of the community's significant water bodies?

A: Yes. In addition to the Island's two public docks and two public boat launch areas, there are numerous public access rights of way to the shore including the publicly owned Shore Reserve located along the eastern side of the Island.

6) Q: Are recreational trails in the community adequately maintained? Are there use conflicts on these trails?

A: The public recreational trails are adequately maintained consistent with the Island community's interest in keeping the Island in as natural and wild a state as possible. In addition, the Island's dirt roadways are primarily used for pedestrian use, the only vehicles on the Island being a limited number of Island vehicles, a limited number of historic "grandfathered" vehicles which see sporadic use and contractor vehicles authorized by special permit from the Board of Overseers. The use of the Island's roads by young people on bicycles is occasionally a source of conflict due to complaints of high speed or other dangerous operation, but such conflicts have not been a major source of discord and are promptly dealt with by the Board of Overseers and the occasional dressing down of children by parents and other adults. Bustins has a strong "family" sense of identity, most people on the Island having known each other through the generations, and unrelated adults do not hesitate to correct the behavior of misbehaving children, whether in connection with the operation of bicycles on the Island's roads or otherwise.

7) Q: Is traditional access to private lands being restricted?

A: No.

C. Conditions and Trends

As a seasonal summer community, all of Bustins Island is in some sense a recreation area. Its shore and the surrounding waters of Casco Bay provide opportunities for fishing, swimming and boating; its dirt roads and trails, walking, hiking and running; its playground, swings, volleyball and basketball hoop, ways for children and families to engage in physical activities; its publicly owned athletic field, golf and large field sports, opportunities for baseball, Frisbee and large-scale games; and its two tennis courts, opportunities for Islanders to learn and upgrade skills.

There are three distinctly different major recreational and open space areas on the Island. These are:

- Recreational Facilities
The B.I.V.C owns a large open field at the northeast end of the Island served by the public circumferential road that is used for golf, Ultimate Frisbee and other field sports. There are also public tennis courts and a public playground area. The Community House is used for dancing and occasionally for yoga and other indoor recreational activities.
- The Publicly Owned Shore Reserve
This land assures shore access for all. This reserve extends along most of the east side of the Island and around onto the most southwest portion of the west side. Publically owned areas along the shore are used for water access and recreational activities.
- Island Roads and Paths
Almost entirely without vehicular traffic, Bustins Islands' roads and paths become a major recreational resource used by adults and children alike for walking, running and bicycling.

Other forms of recreation – in this case more mentally than physically challenging -- include Scrabble nights at the Community House, ice cream socials and square dances, as well as gardening and creative property upgrades. All are part of Bustins' norms and dense fabric of sociability and community.

More recently, young people have accessed forms of recreation and socializing via the Internet. While Bustins is generally seen as a paradise for young children in offering the increasingly rare exposure to nature and experience of self-reliant play, it is sometimes experienced differently by youth seeking new experiences or links to far off people and places. For that reason, it has been suggested that a wifi hot spot at the School House or elsewhere, perhaps on a time-limited basis, might address an unmet need.

In addition, there are many dog owners and dogs on the Island. In recent years there have been a few mishaps. Because the safety of Islanders comes first, greater control of dogs has become necessary. In order to keep the Island's dogs and their owners happy, well exercised and socialized, the suggestion has been made to repurpose some available open space as a dog park. Of course dogs would have to be watched and dog owners would be responsible for keeping any such area clean and well maintained.

Access to the ocean is readily available on Bustins Island. While Bustins Island has plentiful trails and dirt roads, the recreational uses of such trails and roads are limited to pedestrian and bicycle traffic, with all-terrain vehicles, snow mobiles and other personal vehicles prohibited on the Island.

See Appendix at the end of this Section 13 for a map showing recreational facilities on the Island.

D. Policies

In order to further the State's goals of promoting and protecting the availability of outdoor recreation opportunities, the Bustins Island community's policies are:

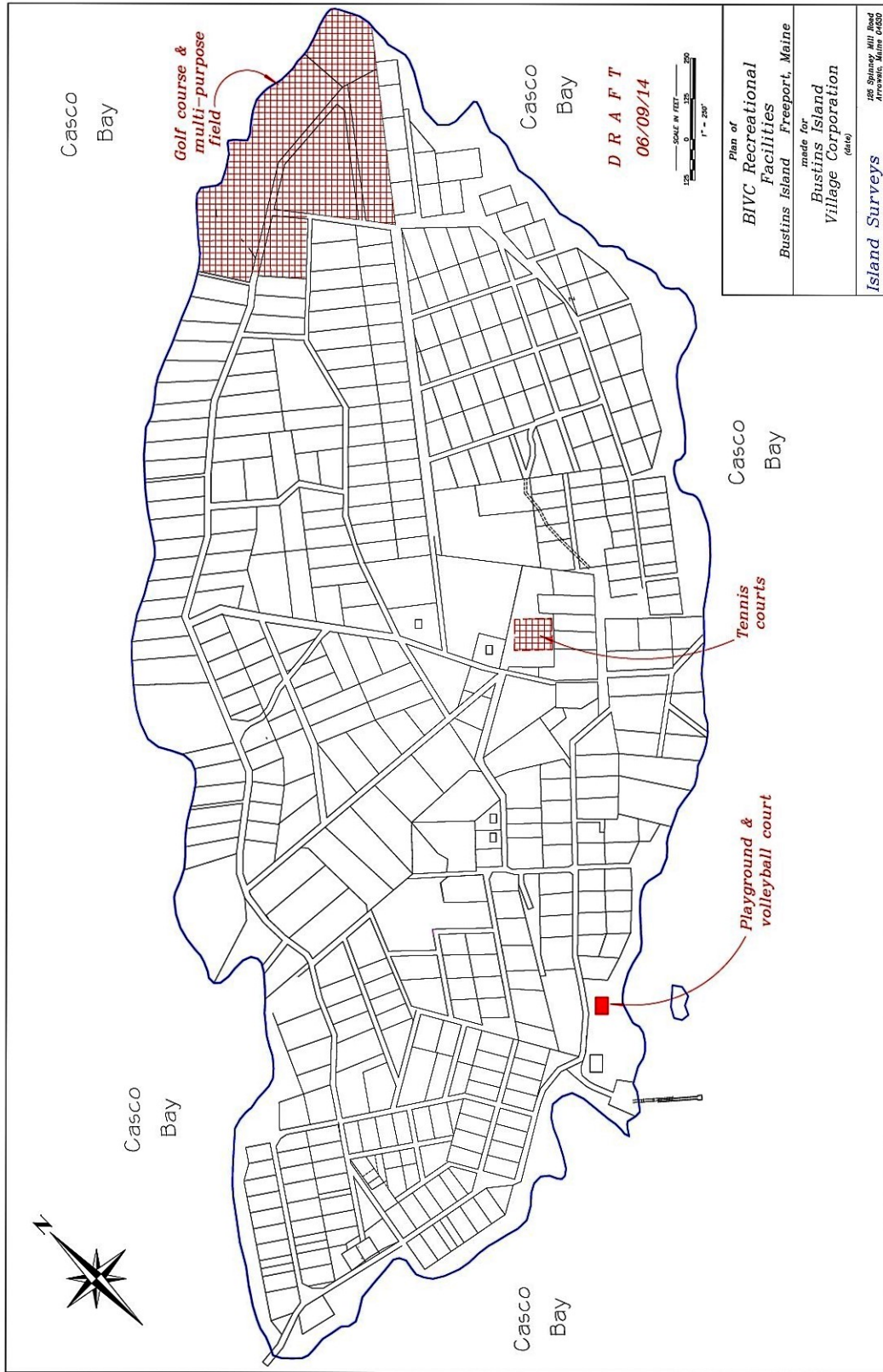
- (1) To maintain/upgrade existing recreational facilities as necessary to meet current and future needs.
- (2) To preserve open space for recreational purposes as appropriate.
- (3) To seek to achieve or continue to maintain at least one major point of public access to major water bodies for boating, fishing, and swimming, and work with nearby property owners to address concerns.

E. Strategies and Implementation Ideas

In order to further the Island's policies stated above, the Bustins Island community has adopted and will endeavor to accomplish the following strategies and implementation ideas below as coordinated by the Planning Board or the Board of Overseers, as applicable, in consultation with appropriate Island committees:

- (1) BY OCT. 2018: Board of Overseers and Planning Board jointly to create a list of recreation needs or develop a recreation plan to meet current and future needs.
- (2) BY OCT. 2019: Planning Board to assign a committee or community official to explore ways of addressing the identified needs and/or implementing the policies and strategies outlined in this Comprehensive Plan.
- (3) ONGOING: Planning Board to work with public and private partners to extend and maintain a network of trails for non-motorized uses.
- (4) ONGOING: Planning Board to work with an existing land trust or other conservation organizations to pursue opportunities to protect important open space or recreational land.
- (5) BY OCT. 2015: With much of the private and island-owned property in the central part of the Island already included within the Resource Protection District, Board of Overseers to consider how to encourage additional protection of the central portion of the Island for its recreational and aquifer replenishment value vital to Bustins as a seasonal community, and detail necessary restrictions to ensure water quality and supply.
- (6) BY OCT. 2019: Board of Overseers and Planning Board jointly to carefully assess the advisability of creating access to a wifi hot spot for young people, perhaps on a time-limited basis.
- (7) BY OCT. 2019: Board of Overseers and Planning Board jointly to consider creating a dog park where dog owners – and their dogs - could gather to socialize, perhaps at specific hours of the day. The “sunken area” next to the Community House has been suggested as a central and often empty location where increased activity might be welcome, assuming a high level of respect for and sensitivity to abutters.

F. Appendix



14. TRANSPORTATION

A. State Goal

The Act states that communities must work:

“To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its transportation resources and services:

1) Q: What are the transportation system concerns in the community and region? What, if any, plans exist to address these concerns?

A: Bustins Island is only accessible by boat, either the Island Ferry or private boat. The landing facilities in Freeport and surrounding departure ports are accessible by (i) passenger vehicle traveling over state and local highways to connecting local roads, (ii) by bus or rails to Freeport and then taxi to the departure port and (iii) by air to Portland and then taxi to the departure port.

The primary transportation system concerns in traveling to Bustins Island are (i) the cost of air, rail and bus travel to Freeport and taxi service to the departure port, (ii) traffic on highways and local roads, (iii) the lack of sufficient free parking during peak occupancy periods at the Island, (iv) the cost of Ferry travel to the Island and relatively limited schedule, (v) the high cost of private boat transportation, including boat acquisition expenses, slip fees, fuel costs, mooring costs, *etc.*, and (vi) the cost of freight and passenger travel from the public dock on the Island to individual cottages.

The Bustins Island community can do little or nothing concerning the cost of travel getting to departure ports accessible to the Island and traffic and other travel impediments getting to such ports. While the Board of Overseers will continue to investigate the possibility of arranging free overflow parking options to supplement the existing free municipal parking available to Islanders at the L'École Française du Maine school parking lot in South Freeport, at present there does not appear to be any such options available. There is sufficient overflow paid parking available at the Rings and Brewer marinas.

The Island currently subsidizes the cost of traveling on the Island Ferry. The amount of such subsidy is revisited on an annual basis and can be increased if Island priorities or tax revenues increase. While Bustins could marginally decrease the cost of private boat travel to the Island by expanding the Island’s public dock, to date the Island community has not viewed this as a worthwhile community expense.

2) Q: Are conflicts caused by multiple road uses, such as a major state or U.S. Route that passes through the community or its downtown and serves as a local service road as well?

A: There are occasional conflicts between pedestrians and bicycle riders on the local Island dirt roads, but these are relatively minor and easily addressed. There are no bridges connecting Bustins Island and the mainland nor, other than a few “grandfathered” historic vehicles which receive sporadic use, private vehicles, so there are no vehicular traffic concerns on the Island.

3) Q: To what extent do sidewalks connect residential areas with schools, neighborhood shopping areas, and other daily destinations.

A: There are no sidewalks on Bustins Island nor is there a need for any.

4) Q: How are walking and bicycling integrated into the community’s transportation network (including access to schools, parks, and other community destinations)?

A: There are no private vehicles allowed on Bustins Island other than a few “grandfathered” historic vehicles which receive minimal use. While the Island truck is available to provide travel for senior citizens and disabled persons, travel on Bustins Island is otherwise exclusively provided by walking and bicycling.

5) Q: How do state and regional transportation plans relate to your community?

A: Given that there are no bridges connecting Bustins Island to the mainland and passenger vehicles are essentially prohibited, state and regional transportation plans only affect travel to the Island to the extent they improve passenger car access to the Freeport Town Dock and/or provide travel options to Freeport and/or Portland (e.g., the recent extension of passenger rail service to Freeport).

6) Q: What is the community’s current and approximate future budget for road maintenance and improvement?

A: The current budget for road maintenance and improvement is \$10,000 per annum. There are not currently any plans or interest in expanding the Island’s public right of ways so it is anticipated that this expense will remain largely constant from year to year subject to regional inflation and/or localized inflation in labor costs, transportation cost and/or the prices of gravel, sand and other materials used to maintain the Island’s dirt roads.

7) Q: Are there parking issues in the community? Is so, what are they?

A: The primary parking issue in the community is the lack of adequate free public parking on the mainland during the July 4th weekend and other peak occupancy periods. There is sufficient paid parking available at the local marinas to satisfy the Island’s overflow parking needs.

8) Q: If there are parking standards, do they discourage development in village or downtown areas?

A: This element is inapplicable to Bustins Island since private vehicles are essentially prohibited on Bustins Island and there is further no village or downtown area on the Island.

9) Q: Do available transit services meet the current and foreseeable needs of community residents? If transit services are not adequate, how will the community address the needs?

A: There are no transit services located on Bustins Island, nor are they desired by the Island community. The Island Truck is available to ferry older and/or disabled Islanders who are unable

to comfortably walk from the Island dock to their cottage.

10) Q: If the community hosts a transportation terminal, such as an airports, passenger rail station or ferry terminal, how does it connect to other transportation modes (e.g., automobile, pedestrian, bicycle, transit)?

A: Bustins Island does not host a transportation terminal.

11) Q: If the community hosts or abuts any public airports, what coordination has been undertaken to ensure that required airspace is protected now and in the future? How does the community coordinate with the owner(s) of private airports?

A: Bustins Island does not host or abut any public airports.

12) Q: If you are a coastal community, are land-side or water –side transportation facilities needed? How will the community address these needs?

A: Bustins Island currently has adequate water-side and land-side transportation facilities through the facilities provided on the Island and the facilities available to Bustins in Freeport through its shared services agreements with Freeport.

13) Q: Does the community have local access management or traffic permitting measures in place?

A: Given that private passenger vehicles are prohibited on Bustins Island other than for a few “grandfathered” historic vehicles that receive minimal use, the Island has no need for local access management or traffic permitting measures.

14) Q: Does the local road design standards support the community’s desired land use pattern?

A: Yes.

15) Q: Do the local road design standards support bicycle and pedestrian transportation?

A: Yes. The Island’s roads are primarily used for bicycle and pedestrian transportation as well as the hauling of freight and trash by Island vehicles and a limited number of contractor vehicles operating under short term special permits.

16) Q: Do planned or recently built subdivision roads (residential or commercial) simply dead-end or do they allow for expansion to adjacent land and encourage the creation of a network of local streets? Where dead-ends are unavoidable, are mechanism in place to encourage shorter dead-ends resulting in compact and efficient subdivision designs?

A: All potential future rights of way required to provide access to the remaining buildable lots on the Island are capable of connecting to the existing Island roads without need of creating deadends.

C. Conditions and Trends

All access to Bustins Island is by water.

The primary transportation to the Island for about two-thirds of all Islanders is the Bustins Island ferry service to and from the harbor in South Freeport. Until 2000, this service was privately provided with a

subsidy from the B.I.V.C. After 50 years of service, Captain Archie Ross retired and the Island sought captains with their own boats, but this proved to be difficult. To assure reliable service, the B.I.V.C. contracted for the construction of a new boat in 1999 and the new Island-owned boat, the Lily B., designed by long-time Islander Al Spalding, was placed into service for the 2000 season. The Island manages the ferry service, hiring personnel and determining schedules and rates with guidance and oversight from the Boat Committee. While passengers pay a fee, the ferry is still subsidized.

Daily ferry service from the Freeport town dock is provided from mid-June through Labor Day weekend. While the Island Ferry has docking privileges at the town dock, the ferry is not allowed to permanently tie up at the town dock. Accordingly, during periods in which the Island Ferry is not actively loading or off loading it is docked at Rings Marina. The off-season ferry schedule runs on weekends only in the “shoulder seasons” from mid-May to mid-June and from Labor Day to Columbus Day. Free parking for Island residents and their guests is available at the L'École Française du Maine school parking lot in South Freeport, with paid overflow parking available at the Strout's and Brewer marinas in South Freeport.

The other third of Islanders own their own boats, of various types and sizes. While at the Island, most of these are moored near the public dock, creating the need for additional dinghy tie-up spaces, or near privately owned docks. There is no long-term docking permitted at the Freeport town dock but long-term paid docking is available at both the Strout's and Brewer marinas in the Freeport harbor, as well as at Paul's Marina in Brunswick and the Royal River Boat Marina in Yarmouth. Many Islanders maintain both a mooring at Bustins and a paid-slip at one of the local mainland marinas, while other Islanders maintain only a mooring at Bustins. Boat launches for smaller boats are available at Winslow Park and Campground in Freeport and the Mere Point Boat Launch in Brunswick, and all of the surrounding marinas have cranes or marine travel lifts for launching and retrieving larger vessels.

The Island itself is largely pedestrian, with only single-lane dirt roads which are maintained in good condition by the Island superintendent. In addition to a circumferential shore road there is one cross-Island road. The Island truck is used for baggage transport and passenger service for persons having difficulty walking. Although there are a substantial number of bicycles, most traffic is on foot. The primary maintenance of the Island roads occurs in the spring when the roads are leveled and raked using a towed grading tool and then spot leveled with sand and/or gravel. As-needed maintenance is then conducted by the Island superintendent throughout the summer. There are no sidewalks, bridges, municipal parking areas, airports, bus or van services, or marine or rail terminals, on Bustins Island. Other than for community-wide events hosted at the Community House and the occasional on-Island wedding, there are no major traffic generators on the Island.

Children often rent bicycles from a seasonal porch-based business, and bicycle safety is an ongoing challenge, with each generation of riders requiring guidance about bicycle etiquette. Island children are reminded to slow down when approaching people, especially elderly Islanders who may not hear bike riders, and to not pile bikes in the road or at beach access points.

A graveled ramp near the golf course provides access for heavy trucks ferried at high tide to the Island by barge or landing craft and also serves as a small boat launch ramp.

Article XVI of the B.I.V.C. by-laws limits the use of private motorized vehicles on Bustins to those expressly permitted by the Board of Overseers for legitimate commercial purposes (e.g., LP gas delivery). Use of private vehicles for non-commercial purposes is not allowed. Private vehicles must be approved by the Board of Overseers on a case-by-case basis, generally for construction or, occasionally, medical necessity. Several historic vehicles have been grandfathered.

Bustins Islanders also potentially benefit from new rail access via the extended Amtrak Down-easter line, with station stops in Freeport and Brunswick as well as Portland beginning in 2012.

See Appendix annexed to this Article 14 for relevant data provided by the State of Maine.

D. Policies

In order to further the State's goals of planning for, financing and developing an efficient system of public facilities and services to accommodate anticipated growth and economic development, the Bustins Island community's policies are:

- (1) To prioritize community and regional needs associated with safe, efficient, and optimal use of transportation systems.
- (2) To safely and efficiently preserve or improve the transportation system.
- (3) To promote public health, protect natural and cultural resources, and enhance livability by managing land use in ways that maximize the efficiency of the transportation system and minimize increases in vehicle miles traveled.
- (4) To meet the diverse transportation needs of residents (including children, the elderly and disabled) and through travelers by providing a safe, efficient, and adequate transportation network for all types of users (motor vehicles, pedestrians, bicyclists and boaters).
- (5) To promote fiscal prudence by maximizing the efficiency of the state or state-aid highway network as appropriate for an island community.

E. Strategies and Implementation Ideas

In order to further the Island's policies stated above, the Bustins Island community has adopted and will endeavor to accomplish the following strategies and implementation ideas below as coordinated by the Planning Board or the Board of Overseers, as applicable, in consultation with appropriate Island committees:

- (1) BY OCT. 2014: Board of Overseers and/or Planning Board to consider ways to promote bicycle safety on dirt roads, an issue both to riders, drivers of Island vehicles and pedestrians.
- (2) BY OCT. 2015: Board of Overseers and/or Planning Board to consider options for relieving limited dinghy tie-up capacity at the public dock for those dependent on private boats for their transportation.
- (3) BY OCT. 2017: Board of Overseers and/or Planning Board to consider alternative forms of transportation for frail or handicapped Islanders such as a rugged solar-energy-powered electric cart (but restrict its use).
- (4) ONGOING: Board of Overseers and/or Planning Board to continue to update a prioritized improvement, maintenance, and repair plan for the community's transportation network.

F. Inapplicable Strategies and Implementation Ideas

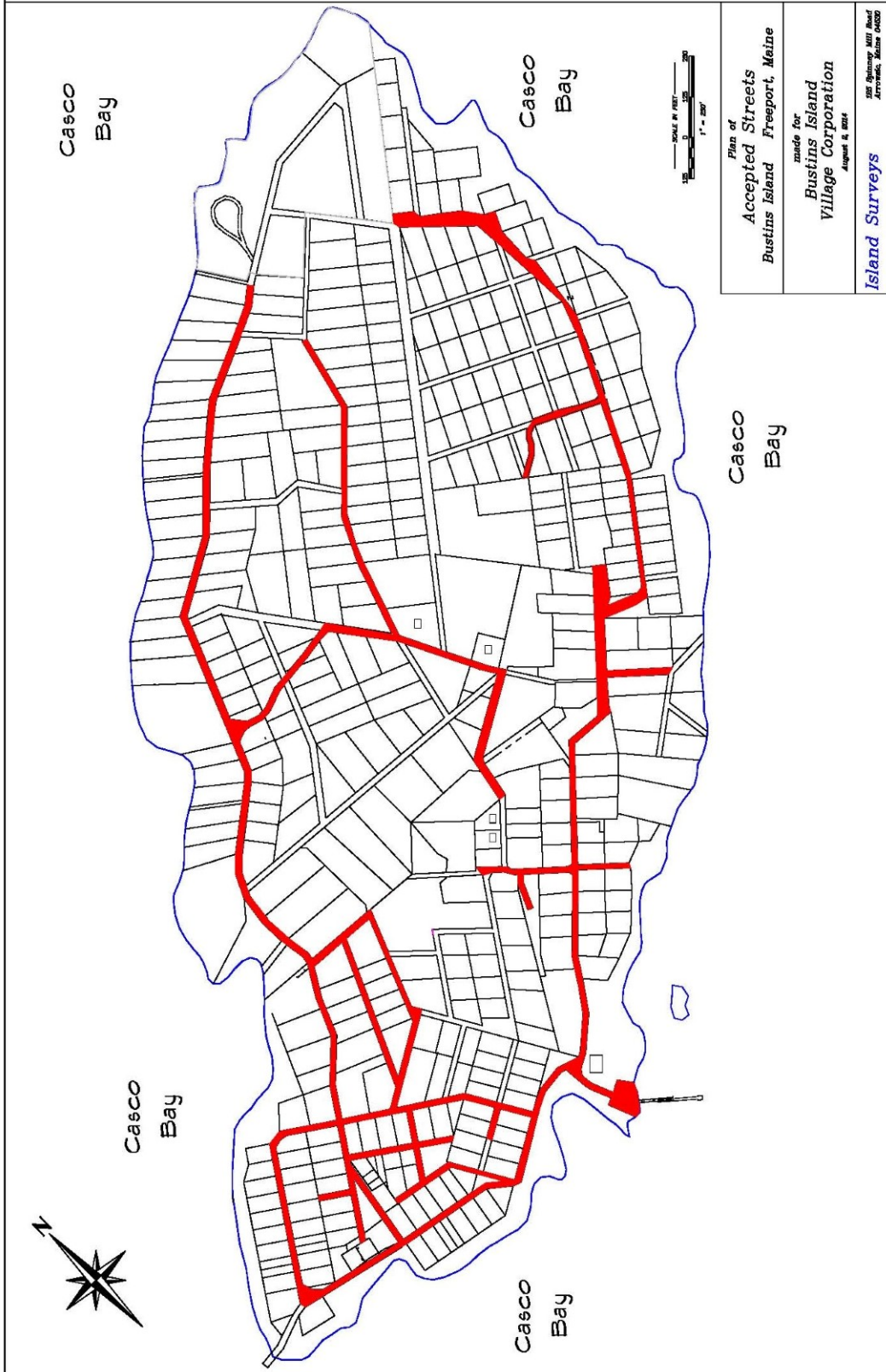
Bustins Island is only accessible by boat, it has no paved roads or sidewalks (and no intentions of installing same) and, other than for a few municipal vehicles (two pickup trucks for delivering freight, a tractor and three fire trucks), a few “grandfathered” historic vehicles which receive minimal use, and the occasional off-season contractor vehicle brought on to the Island by special permit, no vehicles. Excluding the afore-mentioned “grandfathered” historic vehicles and off-season contractor vehicles, private vehicles are prohibited on the Island. There is minimal economic activity on the Island such that the Island’s only transportation needs are to preserve its existing mainland docking rights, its existing public dock facilities on the Island and the on-going seasonal maintenance of its dirt roads. With only 30 remaining buildable lots under current zoning, it is unlikely transportation needs will increase significantly. These needs are covered in Sections 15 and 16 of this Plan. As a result of the forgoing, the following state-mandated policies have already been implemented as appropriate or are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

- (1) “Initiate or actively participate in regional and state transportation efforts.”
- (2) “Maintain, enact or amend local ordinances as appropriate to address or avoid conflicts with:
 - a) Policy objectives of the Sensible Transportation Policy Act (23 M.R.S.A. §73);
 - b) State access management regulations pursuant to 23 M.R.S.A §704); and
 - c) State traffic permitting regulations for large developments pursuant to 23 M.R.S.A. §704-A.”
- (3) “Maintain, enact or amend ordinance standards for subdivisions and for public and private roads as appropriate to foster transportation-efficient growth patterns and provide for future street and transit connections.”

G. Appendix

**2014 Bustins Island Ferry
Schedule and Rates**

<p>Boat: Lilly B Managing Captain: Abe Whittaker</p>	<p>Ferry Phone: (207) 751- 2283 Truck Phone: (207) 233-8368</p>																																																
<p>Regular Season Schedule Friday, June 13th – Monday, September 1st</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 35%;">From South Freeport</th> <th style="width: 35%;">From Bustins Island</th> </tr> </thead> <tbody> <tr><td>Daily</td><td>8:00 AM</td><td>8:40 AM</td></tr> <tr><td>Daily</td><td>11:00 AM</td><td>11:40 AM</td></tr> <tr><td>Sunday only</td><td>1:00 PM</td><td>1:40 PM</td></tr> <tr><td>Daily except Tue & Thur</td><td>3:00 PM</td><td>3:40 PM</td></tr> <tr><td>Daily</td><td>5:00 PM</td><td>5:40PM</td></tr> <tr><td>Friday only</td><td>7:00 PM</td><td>7:30 PM</td></tr> </tbody> </table>	Day	From South Freeport	From Bustins Island	Daily	8:00 AM	8:40 AM	Daily	11:00 AM	11:40 AM	Sunday only	1:00 PM	1:40 PM	Daily except Tue & Thur	3:00 PM	3:40 PM	Daily	5:00 PM	5:40PM	Friday only	7:00 PM	7:30 PM	<p>Fares</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 20%;">Adult</th> <th style="width: 20%;">Child</th> </tr> </thead> <tbody> <tr><td>Individual</td><td>\$12</td><td>\$6</td></tr> <tr><td>Ten Trip Book</td><td>\$95</td><td>\$45</td></tr> <tr><td>Same-Day Round Trip</td><td>\$18</td><td>\$8</td></tr> <tr><td colspan="3" style="text-align: right;">Dogs \$1</td></tr> </tbody> </table> <p>Fare Notes:</p> <ul style="list-style-type: none"> Same day, round-trip ticket is good for any day of the week. Can originate from Bustins or South Freeport. Child is less than 12 years old Tickets are NOT valid for Specials 		Adult	Child	Individual	\$12	\$6	Ten Trip Book	\$95	\$45	Same-Day Round Trip	\$18	\$8	Dogs \$1														
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Sunday	11:00 AM	11:40 AM																																															
	1:00 PM	1:40 PM																																															
	3:00 PM	3:40 PM																																															
Memorial, Labor & Columbus Day Weekends																																																	
Monday	11:00 AM	11:40 AM																																															
	1:00 PM	1:40 PM																																															
	3:00 PM	3:40 PM																																															
Tuesday	11:00 AM	11:40AM																																															
	Fare																																																
Specials operating between regularly scheduled trips	\$65																																																
Specials operating outside of scheduled runs	\$150																																																
<p>*pending the launch of the public float</p>	<p>Freight</p> <ul style="list-style-type: none"> Regular baggage is free. Other freight and animals will be charged according to published list. NO Gasoline or Propane aboard NO Smoking or Drinking Alcohol Dogs must be on a leash 																																																



15. PUBLIC FACILITIES AND SERVICES

A. State Goal

The Act states that communities must work:

“To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its public facilities and services:

1) Q: Are municipal services adequate to meeting changes in population and demographics?

A: Yes.

2) Q: Has the community partnered with neighboring communities to share services, reduce costs and/or improve services? In what ways?

A: Yes. Bustins Island and Freeport have entered into an agreement modifying the Enabling Act pursuant to which Freeport provides Bustins Island with police, fire and other emergency services, as well as dock space, parking and other services, in exchange for 40% of the tax revenues from Bustins Island.

3) Q: If the community has a public sewer system, what issues or concerns are there currently and/or anticipated in the future? Is the sanitary district extension policy consistent with the Future Land Use Plan as required by (38 M.R.S.A. §1163), or will it be?

A: Bustins Island does not have a public sewer system.

4) Q: If the community has a public water system are any public water supply expansions anticipated? If so, have suitable sources been identified and protected? Is the water district extension policy consistent with the Future Land Use Plan?

A: Bustins Island has public hand-pump wells located throughout the Island but otherwise does not have a public water system. Public water supply expansions are not anticipated. The Island has taken adequate measures to protect the Island’s potable water supply.

5) Q: If the town does not have a public sewer or water system, is this preventing the community from accommodating current and projected growth?

A: No. Bustins Island is a seasonal vacation community and is substantially built out, with few buildable lots remaining.

6) Q: Are existing stormwater management facilities adequately maintained? What

improvements are needed? How might future development affect the existing system?

A: Bustins Island does not have stormwater management facilities other than culverts. They are adequately maintained.

7) Q: How do residents dispose of septic tank waste? Are there issues or concerns regarding septic tank waste?

A: The B.I.V.C. organizes and coordinates private septic system pump out services on the Island as a means of dealing with the concern that septic systems might malfunction and spill untreated waste into the aquifer if Islanders fail to regularly pump out their septic systems.

8) Q: Is school construction or expansion anticipated during the planning period? Are there opportunities to promote new residential development around existing and proposed schools?

A: No. As a seasonal vacation community Bustins Island has no need for schools.

9) Q: Is the community's emergency response system adequate? Are improvements needed?

A: Bustins Island enjoys full emergency response support from the Town of Freeport. In light of the distance and response times involved, Bustins supplements the Freeport services with on-Island first response capabilities. These include a volunteer fire department which has the use of on-Island retired fire trucks obtained from surrounding communities. In response to suggestions from the Freeport emergency response services, the Island is in the process of transitioning its fire response to a quick response system based on sea water pumps and hose trailers that can be pulled by various Island vehicles. It is anticipated that such a system would be simpler and easier for Islanders to operate and could not only decrease response times but could also increase the amount of water available at the fire scene.

First response medical services are provided by a volunteer team that includes, when on the Island, at least two medical doctors. First response police service is provided by the Code Enforcement Officer who recently completed the required training to be a police officer and is now a fully licensed police officer.

In light of the challenges provided in providing emergency first response services on a seasonal vacation island, the community's emergency response services are adequate. There is of course always room for improvement.

10) Q: Is the solid waste management system meeting current needs? Is the community reducing the reliance on waste disposal and increasing recycling opportunities? Are improvements needed to meet future demand?

A: The solid waste management system is meeting current needs but the Island truck driver who handles the on-Island pickups has complained that the volume of trash is too high and is not packed properly by Islanders. The Community is not currently reducing its reliance on waste disposal and increasing recycling opportunities. Accordingly, an increased emphasis on recycling could prove to be an effective means of improving the Island's solid waste disposal system while reducing costs.

11) Q: Are improvements needed in the telecommunications and energy infrastructure?

A: Yes. Telecommunications service has improved in recent years but is still frequently unreliable, particularly during periods of inclement weather. This unreliability has made it difficult for Islanders to telecommute from the Island, which has been theorized to lead to periods in which the vitality and energy on the Island flags at times during the summer. The Planning Board has recently been exploring the concept of asking the Board of Overseers to permit the installation of reliable satellite telecommunications service at the Brewer Cottage so that the facility may be used as a business center in addition to its current meeting room functions.

The primary energy used on the Island is propane gas delivered in 23.5 gallon/100 lb. cylinders. The cylinders are delivered by a private business operated from the Island. Service is reliable but relatively expensive due to the costs of transporting the individual cylinders. It is possible the use of a storage tank on the Island might provide a cheaper, more efficient system.

12) Q: Are local and regional health care facilities and public health and social service programs adequate to meet the needs of the community?

A: Yes. There are neither local healthcare services nor public health and social service programs on the Island given that it is a seasonal vacation community. Mainland health care facilities and services are excellent.

13) Q: Will other public facilities, such as town offices, libraries, and cemeteries accommodate projected growth?

A: Yes. Projected growth is anticipated to be modest over the planning period. The Island has a community house, meeting rooms and adult and children's libraries but there are no other public facilities on the Island given that the Island is a seasonal vacation community. There is a farmer's family burial ground dating from the 1800s and containing approximately 3-5 headstones located on the east side of the Island but no operating cemeteries on the Island.

14) Q: To what extent are investments in facility improvements directed to growth areas?

A: There are no growth areas on the Island. Investments in facility improvements will therefore be targeted to use needs rather than area needs.

15) Q: Does the community have a street tree program?

A: No.

C. Conditions and Trends

1. Existing Conditions

A. Municipal Buildings and Facilities

The Island's governing body, the Bustins Island Village Corporation, or B.I.V.C., represented by an elected Board of Overseers, owns a number of municipal buildings and public facilities. The four major municipal buildings include a Community House, Post Office/library/museum, fire barn, and the Brewer Cottage used principally for office use and meeting space. These wooden municipal buildings date from the early twentieth century but are in good repair. Although in good repair, they require continuing maintenance.

In addition, there are the two municipal port facilities. The so-called "steamer dock" at the southwest end of the Island, which provides direct vehicular access for freight unloading and hauling, and the shipping and receiving of bulk freight items, as well as the staging area for LP gas tanks.

The public float and runway to it located on the southeasterly side of the Island are used for all public transportation of passenger's hand luggage and small freight to and from the Island, as well as for the tie-up of dinghies and skiffs. Trash is shipped off the Island from this facility for final disposal at a mainland transfer station. In addition, there is a barging area located near the athletic field for large-scale construction materials and debris.

The athletic field and Shore Reserve areas represent the largest municipally-owned land areas. These land uses were adopted by the Island pursuant to the Zoning Ordinance and map adopted in 1975 and reaffirmed by adoption of the Island's 2001 Comprehensive Plan.

For the most part the existing municipally owned land should be sufficient for the Island's needs into the foreseeable future.

B. Equipment

The Island owns and operates two (2) pickup trucks used primarily to haul luggage and freight from the Island docks to the Islanders' cottages. Such trucks are also available to provide ferry service for senior citizens and disabled persons unable to walk to their cottages, as well as emergency transport for sick or injured Islanders. In addition to the Island trucks, the Island owns a tractor which, when not being used for road maintenance and other essential governmental services, is available for use by Islanders to haul construction materials and other items too heavy or bulky for the Island trucks.

The volunteer fire department on the Island has use of the following firefighting equipment maintained on the Island: (i) 1 large pumper truck with internal water supply; (ii) 1 medium pumper truck with internal water supply; (iii) 1 small pumper truck with internal water supply; and (iv) 1 hose trailer with hose. While the fire hose and hose trailers are relatively new, the remainder of the firefighting equipment is "vintage". All of such equipment is owned by the B.I.V.C. and is maintained in good operating condition by the Island superintendent and the Safety Committee and its volunteers. Based upon the recommendation of the Freeport Fire Department, the Safety Committee is in the process of acquiring sea water pumps and additional hose trailers, with the intention being that larger fire trucks will be phased out and retired in lieu of a rapid-response system consisting of (i) a series of permanently stationed pumps capable of drawing sea water from the ocean, (ii) mobile floating pumps that can be transported to the scene of a fire and dropped into the sea or, if closer, one of the two Island ponds and (iii) hose trailers that can be quickly towed to the scene and unwound by the Island trucks and/or one or more ATVs. It is anticipated that such a rapid response system will not only be simpler to operate (and therefore less prone to failure due to operator error from inexperience or lack of training), but it will lead to reduced response times and will also permit the responders to direct a virtually

unlimited stream of water at the fire once in place at the scene. The estimated cost of fully transitioning to this new system is \$10,000.

C. Municipal Services.

The B.I.V.C. maintains two public privies and three public wells (hand pump operated) located throughout the Island. There is no other public sewage system or water supply.

Bustins Island is required to follow applicable federal and state regulations concerning septic system installation, maintenance and collection and disposal and does not have additional supplemental regulations on this topic. The Board of Overseers coordinates and publicizes a regularly scheduled private contractor's pump out service in an effort to encourage the regular pump out of septic tanks in order to minimize the risk of contamination of the Island's potable water supply by systems that malfunction due to overflowing tanks.

Bustins Island maintains a system of stormwater culverts to limit erosion from stormwater runoff but it does not maintain detention ponds or other stormwater management systems.

Currently there is no municipal power or communications on Bustins Island outside of the use of CB radios by the Island truck driver, the Island superintendent and other island officials (e.g., an emergency radio in the first aid room located underneath the historical society museum). The Planning Board is currently considering the renovation of the Brewer Cottage to include a business center with reliable satellite internet and phone connection in addition to its current meeting room and office uses.

Emergency response times vary widely depending upon whether the emergency occurs during the peak summer months or off-season and whether the emergency occurs on the weekend, when most emergency first responders are present, or during the week when many first responders are at their mainland jobs. Subject to that proviso, emergency response to medical emergencies, the most common emergency on the Island, roughly averages one half or three quarters of an hour. Response time to the two most recent fire emergencies on the Island roughly averaged 20 minutes. Response time for police emergencies varies depending upon whether the Island police officer is present on the Island. When the Island police officer is present, response time is estimated to be 10-20 minutes depending on location. Response time by the Freeport secondary response can also vary wildly depending upon the time of day, with the minimum response time likely being 60-90 minutes (less if the Freeport Harbormaster is available to meet the Freeport responders at the Freeport town dock when they arrive), and with some response times being as much as 2 hours.

As a seasonal vacation community, Bustins Island does not maintain any primary or secondary schools.

Bustins Island maintains a free first aid station in a room under the Historical Society Museum, but it does not have or maintain any major health care facilities such as hospitals, clinics or doctors' offices.

Paid municipal positions on the Island include the Island superintendent, the Island truck driver, the Code Enforcement Officer, the Island police officer and the Island Ferry captain and crew. All other positions are filled by volunteers.

The Resource Protection District in the center of the Island, as well as many developed lots on the Island, are thickly forested and Bustins Island therefore does not maintain, and does not need to maintain, a start tree program.

2. Capital Needs Assessment

Historically, the B.I.V.C. has focused its capital budget on maintenance of corporation-owned buildings, docks and equipment, and has devoted a portion of each year's tax receipts to reserve funds designed to fund replacement and major maintenance of capital items.

In 1999, for the first time in many years, the B.I.V.C. borrowed money to help fund construction of an Island ferry and in 2002 invested in a new runway to the public float and better fire protection equipment. The debt was paid off and the Island is now debt-free.

In addition, there is a general emergency reserve, known as the CASCO Fund, intended to help the B.I.V.C. replace facilities that might be lost in a natural disaster. Because of its relatively limited seasonal population, this reserve account approach to capital planning has been and is expected to continue to be adequate and preferred to borrowing.

The Island intends to continue the strategy of identifying capital needs and at least partially pre-funding them through earmarked reserve accounts.

3. Regional Coordination

There is increasing coordination and communication between the governance structures of Bustins Island and the Town of Freeport, of which emergency medical transport and services and the coordination of fire protection efforts and training are prime examples. A meeting between the Freeport Town Council and the B.I.V.C. Board of Overseers to discuss matters of mutual interest has occurred annually since at least the 1980s. In addition, there is regular contact among various personnel on *ad hoc* issues.

See Appendix annexed to this Article 15 for maps showing the locations of public facilities and infrastructure.

D. Policies

In order to further the State's goals of planning for, financing and developing an efficient system of public facilities and services to accommodate anticipated growth and economic development, the Bustins Island community's policies are:

- (1) To efficiently meet identified public facility and service needs.
- (2) To provide public facilities and services in a manner that promotes and supports growth and development in identified growth areas.

E. Strategies and Implementation Ideas

In order to further the State's goals of planning for, financing and developing an efficient system of public facilities and services to accommodate anticipated growth and economic development, the Board of Overseers and the Planning Board annually review the adequacy and state of facilities in light of present

and anticipated future needs. The Public Safety Committee in addition is in on-going contact with the Town of Freeport regarding firefighting strategy and emergency response. From these assessments:

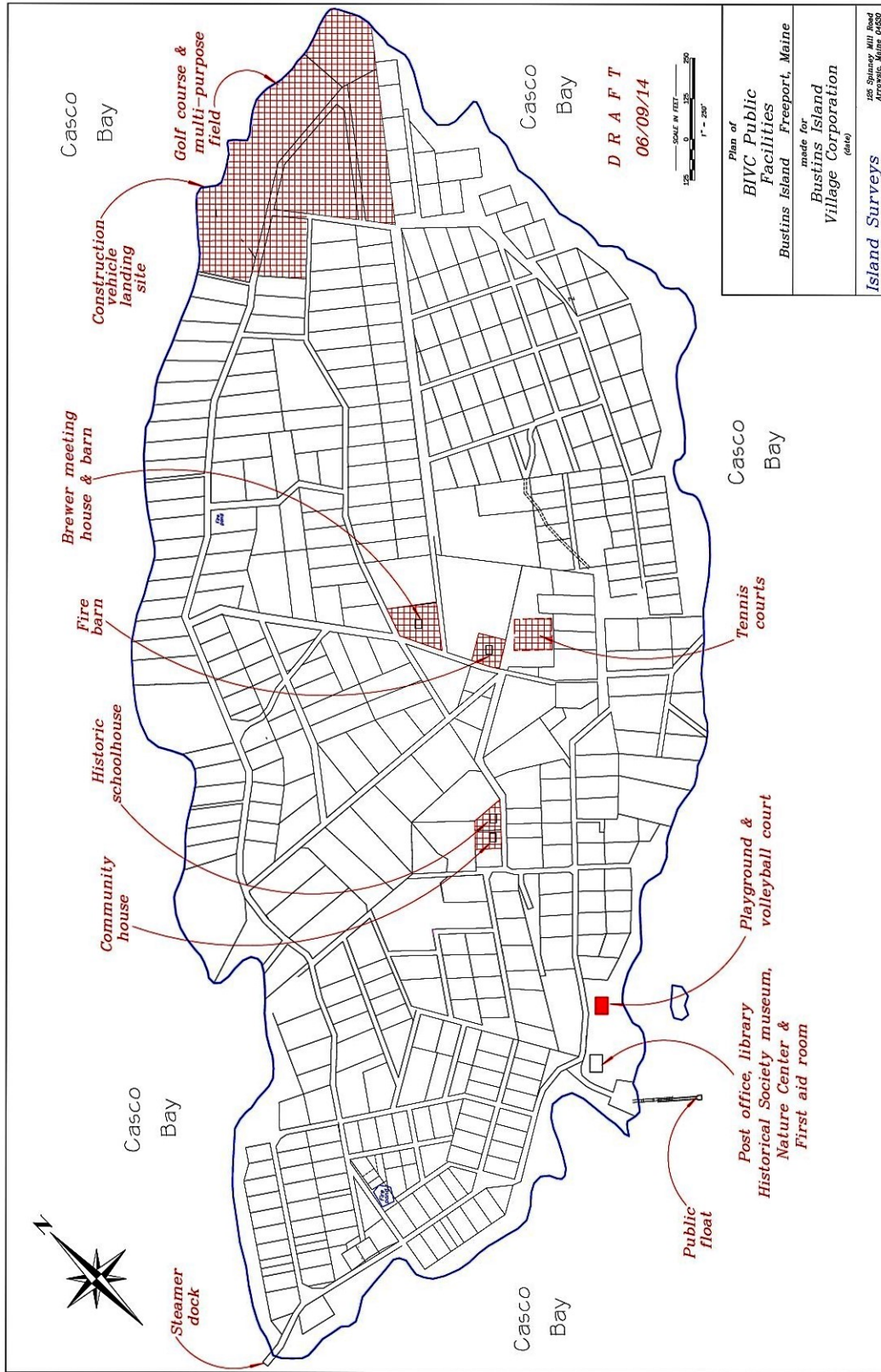
- (1) ONGOING: Capital improvements needed to maintain or upgrade public services to accommodate the community's anticipated growth and changing demographics are identified and, if necessary, brought forward for action at the annual meeting. This includes a balancing of the costs of maintaining and/or reconstructing historic structures with the replacement of such structures with modern, lower maintenance structures.
- (2) ONGOING: The adequacy of the public water supply is assessed and if expansion is anticipated, action taken to identify and protect suitable sources.
- (3) ONGOING: From these a Capital Projects list is developed with the short- and long-term budgeting implications of various strategies and timelines.

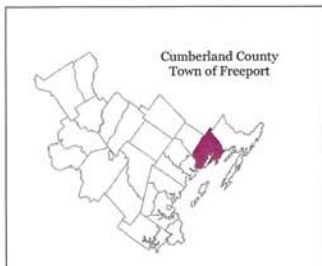
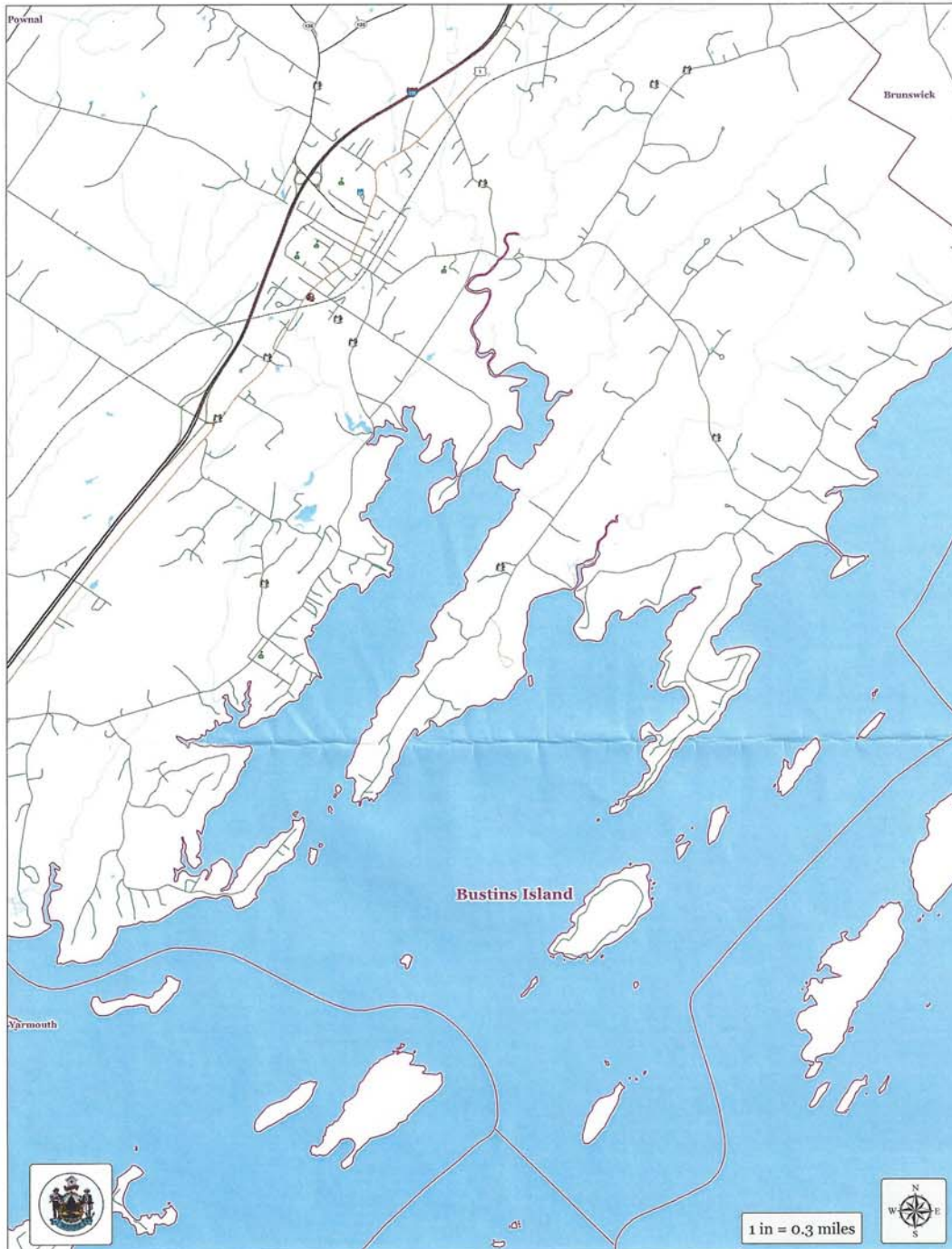
F. Inapplicable Strategies and Implementation Ideas

Because (i) Bustins Island is a seasonal vacation community with no piped municipal sewer or water systems (the Island maintaining only three hand-pump water wells and only two public privies) and only modest public facilities, (ii) Bustins Island anticipates only modest, if any, growth and economic development, and (iii) all areas of the Island are within walking distance of the others, such that municipal capital investments are made in the areas that make the most functional sense without regard to whether they are located in growth areas or the rural Resource Protection District in the center of the Island, the following state-mandated strategies and implementation ideas are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

- (1) "Locate new public facilities comprising at least 75% of new municipal growth-related capital investments in designated growth areas."
- (2) "Encourage local sewer and water districts to coordinate planned service extensions with the Future Land Use Plan."
- (3) "Explore options for regional delivery of local services."

G. Appendix





Bustins Island Town of Freeport Infrastructure

Source Data: USDA, MEGIS, Maine DACF
 Projection: UTM, NAD83, Zone 19, Meters
 Produced by: Municipal Planning
 Assistance Program, DACF
 May 2014

Legend	
	Municipal Border
	Interstate
	U.S. Routes
	Hospital
	Fire Station
	School
	Police Station
	Library
	Cemetery
	Airport
	State Routes
	E911 Roads
	Railroad
	Waterbody
	River/Stream

16.FISCAL CAPACITY AND CAPITAL INVESTMENT PLAN

A. State Goal

The Act states that communities must work:

“To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.”

B. Analysis

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its public facilities and services:

1) Q: How will future capital investments identified in the plan be funded?

A: While Bustins Island has on occasion borrowed funds to pay for capital improvements (e.g., the Island Ferry was purchased using the proceeds of a loan), the community’s clear preference is to pay for capital improvements out of savings. The B.I.V.C. currently maintains two capital improvement funds that are separate from the general operations fund. Such funds were largely depleted a number of years ago to pay for a number of capital improvement projects that came due at the same time, but in recent years the Island has been able to run a surplus and is in the process of restoring such funds to a level sufficient to pay for anticipated capital expenses as they come due.

2) Q: If the community plans to borrow to pay for capital improvements, does the community have sufficient borrower capacity to obtain the necessary funds?

A: Yes. While at this time the community does not intend to borrow to pay for capital improvements, the Island’s capital needs are relatively modest given that Bustins Island is a seasonal vacation community and it is believed that the Island community has sufficient borrowing capacity to obtain the funds necessary for future capital improvement projects that cannot be paid for out of existing capital improvement funds.

3) Q: Have efforts been made by the community to participate in or explore sharing capital investments with neighboring communities? If so, what efforts have been made?

A: To date the B.I.V.C. has not made efforts to participate in or explore sharing capital investments with neighboring communities. This is in large part due to the nature of our community as seasonal vacation community located on an Island. As a result of this reality there appear to be few if any opportunities to share capital investments with neighboring communities. That being said, to the extent Bustins Island elects to pursue capital projects designed to mitigate the effects of anticipated increases in sea levels, it is possible there may be opportunities to work with neighboring communities on shared project, materials and other bids.

C. Conditions and Trends

Under the Enabling Act that established the Bustins Island Village Corporation, Freeport remits 60% of collected taxes (less county taxes) to the BIVC as the primary funding for everything. The BIVC runs a seasonal ferry service between South Freeport harbor and Bustins Island. Passenger fares are the other major source of revenue and pay for a significant portion of the cost of that service. External funding and Donations are minor and sporadic. Transfers from reserve funds are used strictly to pay for Capital Improvement projects. Property tax payments have been slowly growing, primarily because of very occasional new construction and a few properties selling annually at somewhat higher prices. Revenue from the Ferry Service varies significantly based on the impact of summer weather on ridership.

Expenditures are relatively stable, growing somewhat with inflation and some increases in services when the revenue permits. The BIVC fiscal year ends on July 31, right in the middle of our seasonal operations. Much of the variability of expenses from one year to the next is due the timing of billing for some normal operational activities falling late one year and early the next. The last debt payment for the loan used for purchasing the Ferry boat was made in 2010 and no further loans and debt payment are expected. The cost of Capital projects varies greatly from year to year. Slow growth of expenses due to inflation and salaries is expected to continue

Account Description	2009-10	2010-11	2011-12	2012-13	2013-14
Revenues					
Property Tax Allocation (from Freeport)	160,623	168,105	170,599	167,749	170,665
Ferry Service	58,706	53,085	57,963	67,352	59,804
Other Revenue (permits, fees, interest)	2,174	2,055	828	2,413	511
* Total Operating Revenues	221,503	223,245	229,389	237,514	230,980
External Funding (Govt. funding, grants)	0	5,786	0	0	0
Donations	4,739	419	0	0	0
Transfers In (from Reserve Funds)	0	6,356	1,500	0	24,000
** Total Revenues & Transfers	226,242	235,805	230,889	237,514	254,980
Expenditures					
Superintendent Services	27,218	22,624	29,738	27,230	27,350
Administrative (insurance, legal, CEO, survey, committees)	33,130	29,820	28,905	32,463	36,083
Ferry Service	73,049	81,319	77,194	75,029	85,220
Public Works (buildings, roads, docks, vehicles)	15,292	22,988	11,045	20,621	15,798
Public Safety (fire, medical, harbor, police)	5,395	3,736	4,169	1,478	6,210
Public Utilities (water, lighting)	1,297	547	1,462	896	1,227
Sanitation (trash, septage, transfer station)	8,739	11,134	11,812	10,412	13,153
Transportation (island truck service)	4,289	4,796	5,799	4,389	4,609
Parks & Recreation (CABI contribution)	2,446	3,000	3,000	3,000	3,000
* Total Operating Expenditures	170,855	179,964	173,125	175,518	192,650
Debt Payments	18,432	0	0	0	0
Capital Projects (major projects, equipment, repairs)	35,927	39,229	9,537	7,946	32,325
Transfers Out (to Reserve Funds)	1,028	16,612	48,228	54,050	30,006
** Total Expenditures & Transfers	226,242	235,805	230,889	237,514	254,980

While Bustins Island has in the past relied upon borrowed funds to fund a portion of its capital expenditures, such practice is the exception rather than the norm. At present Bustins Island funds all

capital investments out of an allocation from current revenues as well as from the general Reserve Fund and a Capital Maintenance (reserve) Fund.

As a village corporation within the Town of Freeport the Bustins Island Village Corporation has all the powers and responsibilities of a municipality with the exception of property tax assessment and collection, which is retained by Freeport. Shown below is the assessed value of Bustins Island properties and the Freeport mil rates.

Year	2010	2011	2012	2013	2014
Total BI Valuation	\$19,120,000	\$ 19,404,000	\$ 19,404,000	\$ 19,538,800	\$ 19,542,100
Freeport Mil Rate	12.75	15.15	15.20	15.45	15.45

Given that the B.I.V.C. currently has no municipal debt, its debt load compares favorably with the statutory and Maine Bond Bank recommended limits on municipal debt.

D. Policies

In order to further the State’s goals of planning for, financing and developing an efficient system of public facilities and services to accommodate anticipated growth and economic development, the Bustins Island community’s policies are:

- (1) To finance existing and future facilities and services in a cost effective manner.
- (2) To explore grants available to assist in the funding of capital investments within the community.
- (3) To reduce Maine’s tax burden by staying within LD 1 spending limitations.

E. Strategies and Implementation Ideas

In order to further the Island’s policies stated above, the Bustins Island community has adopted and will endeavor to accomplish the following strategies and implementation ideas below as coordinated by the Planning Board or the Board of Overseers, as applicable, in consultation with appropriate Island committees:

- (1) ONGOING: Board of Overseers to explore opportunities, if any, to work with neighboring communities to plan for and finance shared or adjacent capital investments to increase cost savings and efficiencies.
- (2) ONGOING: Board of Overseers and Planning Board jointly to identify and explore grant and subsidized loan programs that may be available to the Island to fund capital improvement projects, including without limitation capital improvement projects designed to protect Island roadways located on coastal bluffs from potential loss or damage due to erosion from increases in sea levels.

F. Capital Investment Plan

The purpose of a Capital Investment Plan is to establish a framework for prioritizing and financing capital Investment projects. A Capital Investment Plan guides the budgeting and expenditure of tax revenues and reserves. It also identifies those projects for which alternative sources of funding such as loans, grants or gifts will be needed and sought.

Capital Investments are investments in the repair, renewal, replacement or purchase of capital items that can include equipment and machinery, buildings, real property and utilities. They differ from items that are budgeted as operating expenses, which include consumables. Capital Investments generally have an acquisition cost of \$2,000 or more, are not an annually recurring item and have a useful life of 3 or more years. They often create a new fixed asset or result in a significantly increased fixed asset cost basis. Capital Investments are funded through an allocation for capital projects in the annual budget and are funded from a combination of current year income, grants, donations and transfers from the Reserve Fund or Capital Maintenance Fund.

For the purpose of this plan, the estimated total costs have been noted with an indication of the expected time frame for each item, based on both the priority ratings and available funding. The Capital Investment Plan is reviewed and updated at least annually by the Finance Committee and the Board of Overseers. Each year the annual budget approved at the BIVC annual meeting includes an allocation for the capital Investments planned and funded for that year.

In the capital Investment plan the projects identified below are assigned a priority based on the rating system listed below. Logically, “A” Investments would be implemented prior to “B” and so on. However, a lower priority item may be implemented ahead of higher rated items because funding for that specific item has been provided (such as from donated funds or grants), or higher level items are prohibitively expensive and cannot be funded at the scheduled implementation time. In order to implement some capital Investments projects, it will be necessary to identify and secure funding sources well in advance of the projected time of implementation.

A - Immediate. Projects that correct a current safety or health issue or are needed to meet immediate Federal or State legal requirements.

B – Required. Projects that are required within a few years to repair and maintain the island’s current infrastructure, including buildings, piers and equipment, and to replace equipment that is no longer cost effective to maintain and repair.

C – Necessary. Projects that are necessary to improve the capacity and functionality of island facilities and equipment in order to support growth and defined plans and goals. Also, projects that are necessary to preserve and protect infrastructure in the longer term.

D – Desirable. Projects that are desirable to modernize and upgrade existing island facilities and provide new functionality.

Table 16A: Capital Investment Plan

Capital Project	Estimated Cost	Implementation Date	Priority	Funding Sources
Groundwater Study	\$3,300	2014-15	C	Reserve Funds
Ferry boat repairs	\$4000	2014-15	B	Capital Maintenance Fund
New roof for Historical Society Building	\$8,000	2015-16	B	Capital Maintenance Fund
New roof for Library/Post Office Building	To be determined	2016-17	B	Capital Maintenance Fund
Siding & Windows for Historical Society Building	\$18,000	2016-17	B	Annual capital projects allocation, Historical Society
School House repairs and repurposing	\$10,000-\$18,000	2015-16	C	Annual capital projects allocation & Donations
Repair and improve drainage under Library/Post Office Building	To be determined	2017-18	B	Annual capital projects allocation
Repair foundation for Library/Post Office Building	To be determined	2017-18	B	Capital Maintenance Fund
Repair foundations of Brewer Cottage	To be determined	unscheduled	C	To be determined
Replace/repair windows of Brewer Cottage	To be determined	unscheduled	C	To be determined
Storage building for NY fire truck	To be determined	unscheduled	C	Annual capital projects allocation
Replace solar batteries in Community House	\$10,000	2018 - 2020	B	Annual capital projects allocation, Capital Maintenance Fund
Major overhaul of Ferry engine	\$15,000	2020 - 2024	B	Capital Maintenance Fund
Pidge's Cove bank stabilization	\$100,000 +	unscheduled	C	Grants, Multi-year annual capital projects allocation
Brush and Log disposal	To be determined	unscheduled	D	To be determined

17.ENERGY

A. State Goal

The Act has not established goals regarding energy. However, the State of Maine has the goal to become more energy independent by maximizing use of clean, reliable, and renewable energy resources while reducing greenhouse gas emissions that contribute to climate change and by reducing energy consumption through conservation. (Governor's Office of Energy Independence and Security).

B. Analysis

Off the grid, Bustins Island provides an excellent example of energy efficiency and a "less is more" ethos. A conscious effort to maintain a traditional way of Island life was reflected in the 1969 vote to reject Central Maine Power Company's proposal to bring electricity to Bustins via underwater cable. More than 40 years later, while energy use on the mainland has increased significantly, Bustins' household energy use has changed far less quickly.

Many Bustins households use a variety of forms of solar energy collected by photovoltaic cells and transmitted to storage batteries where it is stored as direct current (DC) electricity. Users of solar electric systems are divided into two primary groups: (i) those with DC systems of varying sizes used for lighting, cell phones, etc.; and (ii) those with more sophisticated systems including inverters producing alternating current (AC) to run a variety of appliances/equipment including water pumps.

The use of propane gas on Bustins for lighting, cooking and refrigeration goes back to the period before World War II. Over the years the Island business providing this service has grown to provide the sale and installation of lighting fixtures, refrigerators, stoves, hot water heaters and space heaters.

Suppliers of propane are required to secure four different state licenses, to deliver propane, install gas lines, fixtures and appliances, and repair appliances. Even those doing only tank delivery, handling and hook-up are required to secure a delivery license. Each license requires instructional classes and preparation in order to pass the licensing exam. Licenses must be renewed every two years. Bustins' on-Island supplier, Bustins Builders, has recently met with some difficulty in obtaining supplies and insurance following the sale of a local propane company to a national corporation. This situation will need to be tracked carefully as Islanders on Bustins and many Maine households rely on access to propane as a primary energy source.

C. Strategies and Implementation Ideas

In order to further the State's goals of promoting energy independent by maximizing use of clean, reliable, and renewable energy resources while reducing greenhouse gas emissions that contribute to climate change, and by reducing energy consumption through conservation, the Bustins Island community has adopted the following strategies and implementation ideas:

- **BY OCT. 2017:** As more and larger solar and other electrical systems are installed on the Island and the potential fire hazard from technical failures increases, Planning Board to consider requiring inspection and approval of solar systems to reduce fire hazards. This raises the issue of whether to require adopting the state's electrical code or inspection of new and existing systems by a licensed electrician.
- **ONGOING:** Board of Overseers and Planning Board jointly to consider continuing to educate generator owners and cottage renters about the importance of sensitivity to the frequency, length

of time and times of day when generators are used. Generator noise can also be made less intrusive by construction of insulated generator houses or purchase of insulated, low-noise generators.

18. WASTE AND RECYCLING

A. State Goal

In 1989, the Maine legislature adopted the following goal:

“It is the goal of the State to recycle or compost, by January 1, 2009, 50% of the municipal solid waste tonnage generated each year within the state.”

-- 38 M.S.R.A. §2132.

As noted by the Town of Freeport, however, “[i]n the past twenty years, the state has achieved a recycling rate of 38%. The state is refining its goal.”

-- Freeport Comprehensive Plan (2011), page 9

B. Analysis

Waste on Bustins Island is generated by privy and septic systems, construction and repair activities, the packaging in which food and other commodities come, discarded furniture and appliances, light and heavy brush, and food preparation and remainders.

Historically, Bustins residents managed their trash individually. Age-old practices of burying garbage or rowing to “Garbage Ledge” for disposal have been replaced by the need to separate, reduce and recycle wherever possible. Responsibility for overseeing waste handling services lies with the Superintendent, under the supervision of the Overseers and is sub-contracted to an Island resident using the Island’s truck for weekly pick up in season. It is then put in wheeled trash containers that are ferried to South Freeport by a private contractor.

The Island Superintendent schedules occasional large-item and/or metal pickups depending upon need (usually every two years) with the exception of household appliances, which are the responsibility of individual cottage owners.

Removal of construction debris is the responsibility of the cottage owner and/or his contractor. Shingles and asphalt roofing must be hauled off Island using the same system as for metal removal. The disposal of large household debris (mattresses, furniture, etc.), and the cost thereof, are the responsibility of the cottage owner.

Small amounts of brush and yard debris were previously picked up weekly and hauled to the dump for burning, using the Island tractor and trailer. Since burning no longer occurs on Bustins, an alternate solution is needed for the handling of small brush and yard waste, which is now the responsibility of homeowners. The chipping and composting of brush has been proposed as a possible solution.

The Board of Overseers, acting as the Bustins' Board of Health, has responsibilities for the protection of groundwater and management of sewage wastes. The Planning Board and Water Commissioner have related responsibilities that must be coordinated to ensure that this critical function is efficiently and effectively managed.

Contaminants from waste and waste water can get into groundwater, do not completely dissipate over the off-season and can build up in Bustins soils and groundwater. A poorly sited septic system can contaminate near-by wells. Modeling suggests that it may take on the order of seven years or more after contamination has been cleaned up before it is possible to use a previously contaminated well.

Refuse is required to be placed in heavy duty trash bags individually handled three or more times in the disposal process. Too often, householders and renters place dirty diapers, broken glass, bags of cement, yard debris, nails and other sharp and dangerous objects into the bags, which then break, becoming unnecessarily unpleasant and dangerous work for the individuals involved in their handling.

As of 2010, Freeport had achieved a municipal recycling rate in 2010 of 53.63%, a rate in excess of the State's goal of 50%. (See May 20, 2011 letter from Maine State Planning Office to Town of Freeport in appendix.) Bustins does not have a specific plan or goal for recycling, although on a voluntary basis, many residents separate recyclables. Bustins also has a voluntary collection of cans and bottles with deposits.

A major waste challenge is disposal of the increasing number of mature trees that are being blown down in storms and micro-bursts. As the "stump dump" has been closed for some years, this is becoming a major issue. While the State of Maine suggests that logs be left in place, this is not always feasible or practicable.

C. Strategies and Implementation Ideas

In order to further the State's goal to recycle or compost, by January 1, 2009, 50% of the municipal solid waste tonnage generated each year within the state, the Bustins Island community has adopted the following strategies and implementation ideas:

- **BY OCT. 2015:** Board of Overseers to consider options such as composting for the disposal of small brush and yard waste using state-of-the-art methods.
- **ONGOING:** Board of Overseers and Planning Board jointly to educate Islanders about the importance of the careful siting of septic systems and other waste disposal in order to protect the Island's fresh water quality for all.
- **ONGOING:** Board of Overseers to educate Islanders about ways to limit trash output; for example, by burning paper (with attention to chimney screens of appropriate size), composting and recycling.
- **BY OCT. 2017:** Board of Overseers to consider requesting Islanders to separate recyclable from non-recyclable trash and develop a system for recycling, perhaps in coordination with the Town of Freeport's silver bullet and recycling operations. In 2007, approximately 42% of the solid waste from Freeport was recycled, with improvement since. For example, Freeport encourages composting through the bulk purchasing of composting containers and sells them to residents at cost. Perhaps a 50% reduction in trash volume over three years would be a comparable and reasonable goal for Bustins.
- **BY OCT. 2018:** Board of Overseers to consider options for the productive use or ecologically safe and beneficial disposal of large logs resulting from the increasing blown down of Bustins' mature trees in storms and micro-bursts.

See Appendix at the end of this Section 18 for relevant information received from the State of Maine.

19. EXISTING LAND USE

A. State Goal

None.

B. Community Goal

To maintain conditions fostering the continued orderly and controlled development of the remaining buildable lots on the Island while maintaining the present character of Bustins.

C. Analysis

The Rule requires that as part of the community's analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its existing land use:

1) Q: Is most of the recent development occurring: lot by lot; in subdivisions; or in planned development? Is recent development consistent with the community's vision?

A: Development since the 1940s has been lot by lot and has been consistent with the community's vision.

2) Q: What regulatory and non-regulatory measures would help promote development of a character, and in locations, that are consistent with the community's vision?

A: At present it is believed that the Bustins Island Zoning Ordinance is adequate to promote development that is of a character and in locations consistent with the community's vision. The community therefore does not anticipate the need for any new regulatory measures, or revisions to existing regulatory measures, required to promote consistent development. The primary bulwark for ensuring development that is consistent with the community's vision is the strong-knit sense of community on the Island. This sense of community appears to be vibrant and there does not appear to be a need for community-building meetings or other non-regulatory measures to guide future development in a direction consistent with the community's vision.

3) Q: Is the community's administrative capacity adequate to manage its land use regulation program, including planning board and code enforcement officer?

A: Yes. The Code Enforcement Officer is extremely experienced and serves in such capacity for both the Town of Freeport and Chebeague Island. The Planning Board is fully-staffed and enjoys an energetic membership from a variety of backgrounds and perspectives that inform its decision making process, including two attorneys experienced in land use matters.

4) Q: Are floodplains adequately identified and protected? Does the community participate in the National Flood Insurance Programs? If not, should it? If so, is the floodplain management ordinance up to date and consistently enforced? Is the floodplain management ordinance

consistent with state and federal standards?

- A: There are no floodplains on Bustins Island and therefore no floodplain management ordinance. Certain portions of the coast are within the V-2 coastal flooding area as shown on the current FEMA map for the Town of Freeport (Panel 14 of 25, Community Panel No. 3200460014B, effective date January 17, 1985). The community does not currently participate in the National Flood Insurance Programs. In light of the anticipated rise in sea levels in the coming century, however, the community will be discussing whether it can and should participate in one or more of these programs.

D. Conditions and Trends

1) Current Lot Dimensional Standards

Excluding grandfathered lots existing prior to the adoption of the Bustins Island Zoning Ordinance on August 2, 1975, the minimum lot size requirements on Bustins Island are (i) 20,000 in the Resource Protection District, (ii) 30,000 in the Shoreland District (10,000 if the lot has a sanitary sewer or other non-subsurface waste disposal system), (iii) 20,000 in the General Purpose District (10,000 if the lot has a sanitary sewer or other non-subsurface waste disposal system) and (iv) 4 acres for cluster and planned-unit developments.

2) Existing Land Use Regulations

The primary tool used to manage land use on Bustins Island is the Bustins Island Zoning Ordinance. The ordinance establishes three (3) principal zoning districts: (i) the General Purpose District in which the broadest uses, including rural, residential, commercial, public and institutional uses are permitted; (ii) the Shoreland District in which many, if not all, uses permitted in the General Purpose District are permitted, but in which as of right uses and development are more tightly controlled due to the more fragile nature of the land in which the district is located; and (iii) the Resource Protection District in which certain rural, municipal, camping and other uses are permitted, but in which as of right uses and development are strictly controlled or prohibited. The Resource Protection District was established to, among other things, protect the quality and quantity of the Island's potable water supply by preserving the Island aquifer's primary recharge area in the center of the Island. A more detailed description of these three (3) zoning districts is included in Article 20.G below.

Subdivision development on the Island is controlled through minimum lot size requirements as well as separate subdivision requirements within the Bustins Island Zoning Ordinance which include site plan review and approval by the Planning Board.

3) Future Development Land Use Needs

Since the 1950s, development on the Island has been limited to residential development and has been extremely gradual, averaging perhaps one (1) new cottage per decade. Indeed, most development on the Island, such as it is, has been limited primarily to additions and improvements to pre-existing cottage structures. If current trends continue, the Island would need one to at most two lots to accommodate projected development within the next ten (10) years. While the Island is close to being fully developed, there are approximately thirty (30) buildable lots left on the Island so there appears to be more than enough developable land remaining to meet projected growth in the coming ten (10) year planning cycle.

See Appendix at the end of this Article 19 for map showing existing land use districts, the locations of all lots and the primary structures created within the last ten years.

E. Policy

In order to further the Bustins Island community's goal of continued orderly and controlled development of the remaining buildable lots on the Island, the Bustins Island community's policy is:

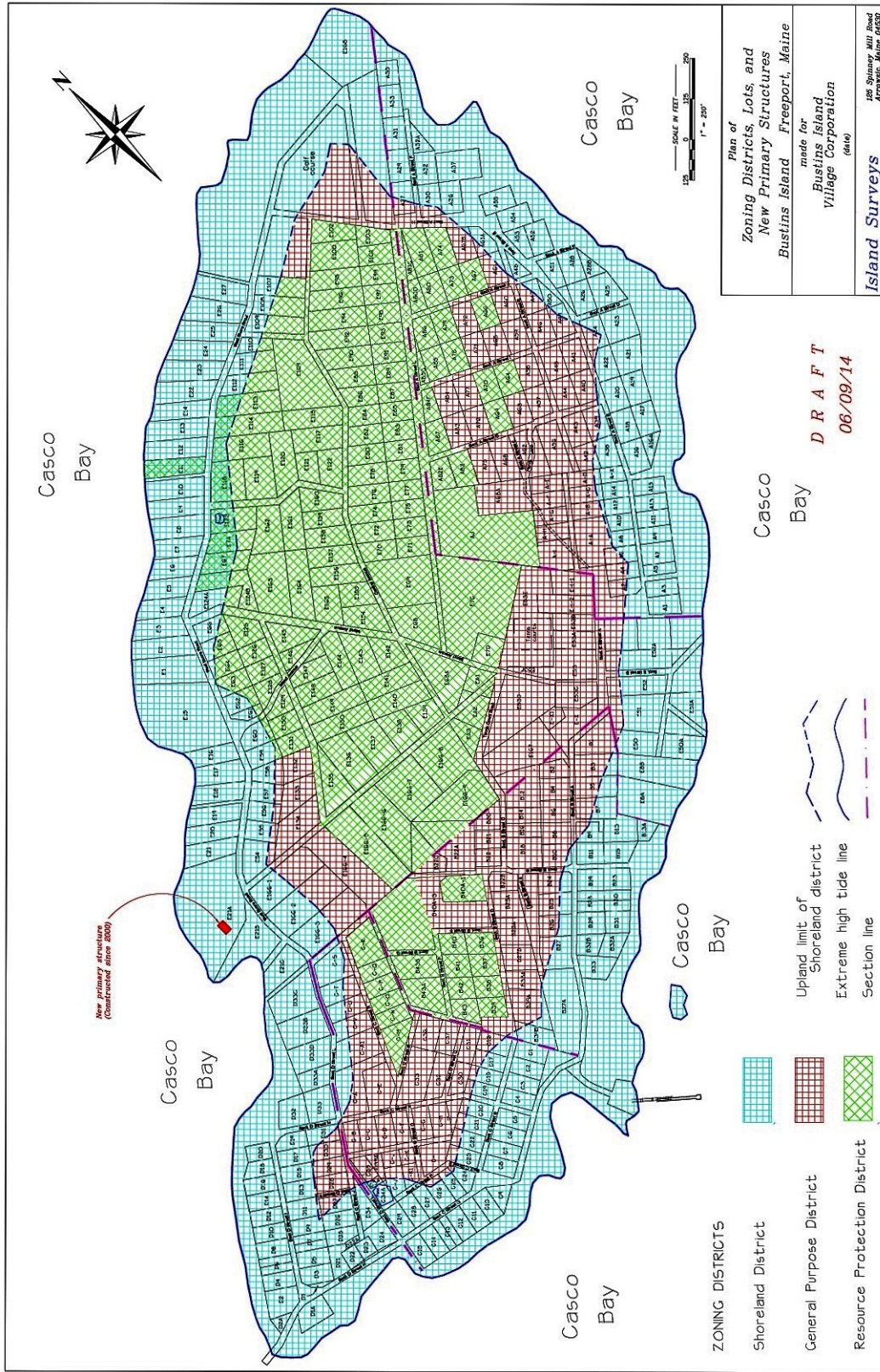
- (1) To continue the existing policies and land use regulations which have fostered the orderly and controlled development of the remaining buildable lots on the Island.

F. Strategy and Implementation Idea

In order to further the Bustins Island community's goal of continued orderly and controlled development of the remaining buildable lots on the Island, the Bustins Island community has adopted the following strategy and implementation idea:

ONGOING: The Board of Overseers and Planning Board jointly will continue to monitor development on the Island and make changes to the existing regulatory and non-regulatory framework as needed to foster the continued orderly and controlled development of the remaining buildable lots on the Island.

G. Appendix



20.FUTURE LAND USE PLAN

A. State Goal

The Act states that communities must work:

“To encourage orderly growth and development in appropriate areas of each community and region, while protecting the State’s rural character, making efficient use of public services and preventing development sprawl; and encourage and promote affordable decent housing opportunities for all residents.”

B. Growth Areas

Currently there are approximately thirty (30) buildable lots remaining on Bustins Island. All such lots are located with the General Purpose District and/or the Shoreland District (as such terms are defined in the Bustins Island Zoning Ordinance). The General Purpose District and the Shoreland District are hereby designed as “Growth Areas” within the meaning of the Act and the Rule. That said, the community is not actively seeking to promote future growth and development on the Island. Since the 1950s there has been minimal growth, development having averaged approximately one new cottage per decade. Bustins Island lacks a central village, a year-round population and a piped municipal or quasi-municipal water or sewer system.

C. Rural Areas

The Resource Protection District located in the center of the Island is hereby designated as a “Rural Area” within the meaning of the Act and the Rule. Use and development of such district is sharply restricted and/or prohibited pursuant to the Bustins Island Zoning Ordinance in order to maintain such area as, among other things, the primary recharge area for the Island’s potable water aquifer.

D. Critical Natural Resources

There are no “critical natural resources” on Bustins Island as such term is defined in the Rule. However, a large portion of the Island is zoned as a “Resource Protection District” in order to protect the Island’s freshwater aquifer and water supply.

E. Critical Rural Areas and Critical Waterfront Areas.

At present the Bustins Island community believes that the Bustins Island Zoning Ordinance strikes the proper balance between individual property rights and the community desire to promote controlled and orderly growth. The Island community does not see a need to identify any areas of the Island as critical waterfront areas at this time. The Planning Board and/or the Board of Overseers will consider whether future designation of the “Resource Protection District” as a “critical rural area” as defined in the Rule is appropriate.

F. Analyses

The Rule requires that as part of the community’s analysis and planning reflected in its comprehensive plan, the community must answer the following questions concerning its land use and future growth:

- 1) Q: Does the Future Land Use Plan align and/or conflict with the community’s vision statement?

A: The Future Land Use Plan aligns with vision statement of Bustins Island set forth in this comprehensive plan.

- 2) Q: Is the configuration of the growth area(s) shaped by natural opportunities and/or constraints (i.e., the physical suitability or unsuitability of land for development)? The location of public facilities? The transportation network?

A: The growth areas encompass the two (2) zoning districts on the Island (General Purpose District and Shoreland District) that permit the construction of residential cottages and other buildings. The growth areas on the Island therefore are shaped by applicable zoning. There are no natural or other constraints on development in such growth areas (other than such applicable zoning) as all lots in such growth areas are within reasonable walking distance from all other areas on the Island, are served by the Island's existing roads (or public land that may developed for such purpose as necessary) and are not encumbered by cliffs, rivers or other natural impediments to development.

- 3) Q: How does the Future Land Use Plan relate to recent development trends?

A: Development on Bustins Island since the 1950s has been extremely gradual and consistent, averaging approximately one and one-half (1.5) new cottages per decade. Accordingly, the Island community believes that its Land Use Plan matches up extremely well with this stable historic development.

- 4) Q: Given current regulations, development trends, and population projections, estimate how many new residential units and how much commercial, institutional and/or industrial development will likely occur in the planning period? Where is the development likely to go?

A: The Planning Board estimates that there will likely be one (1) or at most two (2) new cottages built within the coming 10 year planning period. It is not anticipated that there will be any commercial, institutional or industrial development during such planning period. It is anticipated that the development will take place on one or more of the existing vacant, buildable lots in either the General Purpose District or the Shoreland District.

- 5) Q: How can critical natural resources and important natural resources be effectively protected from future development impacts?

A: The Island's natural resources can be most effectively protected by maintaining the Resource Protection District, as defined in the Bustins Island Zoning Ordinance, with its current restriction and boundaries, while encouraging Islanders to add land to such district if they are so inclined.

General Overview

The B.I.V.C. Zoning Ordinance has been reviewed and accepted by the DEP. Ordinances are generally reviewed by Maine counsel prior to being submitted to the annual meeting for possible adoption. With these policies in place, it is expected that the B.I.V.C.'s ordinances are and will continue to be consistent with state law.

In addition, Bustins offers the category "Conservation Land" which, while not formally defined in the Zoning Ordinance, came into being at the 1999 annual meeting, when voters authorized creation of a separate B.I.V.C. account to accept tax-deductible donations for the purchase of land "to be held for

conservation purposes, including conservation easements.” However, most of Bustins conservation land has been so designated by restrictions placed on deeds as properties have been given to the B.I.V.C. specifically for conservation purposes.

The B.I.V.C. owns a number of municipal buildings and facilities. This land use has been promoted by the Zoning Ordinance and map originally adopted in 1975 and reaffirmed by the adoption of the Island’s 2001 Comprehensive Plan. The four major municipal buildings include a community house, a post office/library/museum, a fire barn, and a cottage used principally for office use and meeting space. In addition, there are the two municipal port facilities, the public float and the “steamer dock.” The athletic field and Shore Reserve areas represent the largest municipally-owned land areas in addition to the former Brewer property.

The current Zoning Ordinance, with ongoing refinements as needed through formal Planning Board processes, is deemed adequate for regulating the anticipated gradual growth, providing, among other things, density limits and performance standards. For example, height and toilet limits have been very effective.

Future Land Use and Growth

As there are currently no large tracts of available land for development on Bustins Island, future growth is expected to occur on single lots in the General Purpose and Shoreland Districts. The Bustins Island Zoning Ordinance, first passed on August 2, 1975, and updated as recently as August 3, 2013, establishes standards for development as well as permitting procedures.

There are approximately 30 undeveloped lots on Bustins that might hold cottages. Some of these are located in areas that the 1991 *Gerber* report identified as sensitive for the preservation of the Island’s water resources. Nearly all are away from the shore. The only infrastructure expected to be needed to accommodate this development is access roads. No commercial or industrial development is expected.

None of the Bustins water bodies is large enough to fall under Title 38, M.R.S.A. The concern on Bustins is leachate from privies and septic systems and its potential effect on the groundwater used for drinking. A 1991 water study, updated in 2005, addressed this issue and identified areas of particular concern. Bringing these identified areas within the Resource Protection District is desirable.

Adherence to State Goals

The State of Maine encourages orderly growth and preservation of communities’ natural, rural and historic resources and character. These goals have been embraced and continue to be expressed in the pace and patterns of development of the Bustins Island seasonal community. The style of life on Bustins Island continues to resemble that common during the early 20th century. The Island’s lack of public utility electricity, community-owned hand-pumped wells, unpaved roads and forested central aquifer-protection area contribute to this ambiance.

Preservation of Historic and Archeological Resources

Bustins Island shares the State of Maine’s goal in preserving historic and archeological resources. This is accomplished largely through the activities of the Bustins Island Historical Society and the maintenance and funding of historically significant public buildings. The village corporation makes space available for the Historical Society’s Museum on a rent-free basis.

Fresh Water Protection

Protecting the central portion of the Island as a Resource Protection District is consistent with the State of Maine's interest in water resource protection and with the Bustins Island community's self-interest. The Island's water supply comes from aquifers recharged by rainfall. Preventing contamination of this groundwater is essential for the continued viability of the community. The Resource Protection District also provides protection for wetlands and wildlife habitat and safeguards the Island's forest resource, another State of Maine goal. Policies that maintained and expanded the Resource Protection District, together with water conservation and proper waste disposal, have assured the continued quality of Bustins' water supply. The public facilities necessary to accommodate reasonable expected growth in accordance with State of Maine goals are in place.

Shoreland Protection

Consistent with the state's goals, public rights-of-way and the Shore Reserve, access to the shore is provided for all. The Bustins Island Zoning Ordinance has been approved by the DEP as consistent with the state's shoreland zoning requirements. It is enforced by the Bustins Island Code Enforcement Officer and kept up to date by the Bustins Island Planning Board.

Affordable Housing

As a seasonal summer community accessible only by water, and with no large parcels of buildable land and virtually no modern infrastructure, Bustins Island does not present opportunities for the construction of new affordable housing. Most of Bustins' cottages are one and one-half story, clapboard or shingle, wood structures built in the late 1800s and early 1900s, many with original floors, walls, hand-pumps and furnishings. Lots are small, averaging 66 by 100 feet. Bustins Island is also "off the grid." There is no public electricity, telephone, or water service in any of the cottages. Heat is from fireplaces or wood stoves and light from windows, gas lamps, and, more recently, solar power. Most homes are uninsulated. Gas for refrigeration and lighting comes from tanks of LP gas delivered by the only on-Island business which does not operate outside of the summer season. By and large, cottages are kept affordable through shared ownership among extended family members and the passing down of properties through generations.

Bustins' median household income is not known, while that in Freeport was \$61,958 as of its 2011 Comprehensive Plan. As in Freeport, the economic downturn of 2008 created both challenges and opportunities for homeownership on Bustins. Low interest rates created opportunities for some home buyers but financing has become more difficult except for those with high incomes and excellent credit ratings. Availability of insurance for shore properties is also a problem.

G. Components

1. Maps

See Appendix at the end of this Section 20 for maps showing Current Land Use Districts, Rural Area (Resource Protection District) and Growth Areas (General Purpose District and Shoreland District).

2. Land Use Districts

The Bustins Island Zoning Map identifies three districts:

- General Purpose District

This district is comprised of private and publicly held developed parcels as well as buildable parcels of land not designated Resource Protection or within the Shore Reserve. It is the least restrictive of the zoning designations and together with the Shoreland District is where most development is concentrated. As of right uses in the General Purpose District include open space use, agriculture and gardening, timber and cordwood harvesting and storage, recreational camping and municipal public recreation uses, single and two family dwelling structures, recreational areas, boathouses, piers, docks and floats not requiring a conditional use permit and home occupations. Conditional uses include planned unit developments, cell towers, industrial or commercial activities with 6 or more employees and waste water treatment plants. The principal use of the General Purpose District is seasonal residential, i.e., summer cottages that for the most part are not insulated and do not have pressurized water systems. Other than for the Island's municipal structures and recreation areas, and a few mixed use-residential/commercial Island businesses (e.g., Island propane gas delivery service, Island contractors), it is believed seasonal residential use is the only current and anticipated future use of the General Purpose District. Such use is consistent with both the Island's vision and its natural resources and does not require any buffers or other special development considerations. The density in the General Purpose District is largely rural with a few pockets where cottages are located more closely together. While the Island has a large wish list of capital improvement projects – including protecting the coastal bluffs on which Island roads and other municipal facilities are located, reorganizing the fire response system to a quick-response system based on portable pumps and hose trailers, and purchasing a chipper or other capital equipment to dispose of brush and fallen trees – Bustins Island does not currently have any major municipal capital investments planned.

- Shoreland District

This district includes an area within 250 feet of the shore in which more stringent development standards apply to conform to the State's Shoreland zoning requirements. Within the Shoreland District, the B.I.V.C. owns significant portions of the Bustins Island shore designated as Shore Reserve. In addition, as shown on the zoning map, there are a number of B.I.V.C. owned rights-of-way to the shore where there is no Shore Reserve. The Island float and "steamer dock" provide water access for any necessary Island related commercial activity. Article XXI of the B.I.V.C. by-laws spells out the Harbor and Mooring Regulations. As of right uses in the Shoreland District include open space use, agriculture and gardening, timber and cordwood harvesting and storage, recreational camping and municipal public recreation uses. Conditional uses include single and two family dwelling structures, recreational areas, boathouses, piers, docks and floats, home occupations and boat

yards, marinas, commercial fishing activities and other commercial uses requiring a shorefront location, churches and other institutional buildings and public buildings and facilities. The principal use of the Shoreland District is seasonal residential, i.e., summer cottages that for the most part are not insulated and do not have pressurized water systems. Other than for the Island's municipal structures and recreation areas, and a few mixed use-residential/commercial Island businesses (e.g., Island propane gas delivery service, Island contractors), it is believed seasonal residential use is the only current and anticipated future use of the Shoreland District. Such use is consistent with both the Island's vision and its natural resources and does not require any buffers or other special development considerations. While the cottages built near the steamer dock in the first wave of the conversion from a farming community to a seasonal vacation community are located relatively close together, the density in the remainder of the Shoreland District is largely rural.

- Resource Protection District

The Resource Protection District, which covers most of the central portion of the Island, has been largely set aside by landowners and is subject to restrictions on building as a recharge area for the Island's aquifer. The Resource Protection District also preserves the rural character of the Island and provides natural recreational open space for Islanders, wildlife habitat and cord wood for heating. As of right uses in the Resource Protection District included open space use, agriculture and gardening, timber and cordwood harvesting and storage, recreational camping and municipal public recreation uses. Conditional uses include ancillary structures that do not adversely impact wetlands and water quality and municipal uses approved at the annual meeting. Such uses are consistent with the community's intention to maintain the Resource Protection District as the principal recharge area for the Island's aquifer.

H. Policies

In order to further the State's goal of encouraging orderly growth and development in appropriate areas of each community and region, while protecting the State's rural character, making efficient use of public services and preventing development sprawl; and encourage and promote affordable decent housing opportunities for all residents, the Bustins Island community's policies are:

- (1) To coordinate the Bustins Island community's land use strategies with other local and regional land use planning efforts.
- (2) To support the locations, types, scales, and intensities of land uses the Bustins Island community desires as stated in its vision.
- (3) To support the level of financial commitment necessary to provide needed infrastructure in existing or future growth areas, if any.
- (4) To establish efficient permitting procedures, especially in existing or future growth areas, if any.
- (5) To protect critical rural and critical waterfront areas, if any, from the impacts of development.

I. Strategies and Implementation Ideas

In order to further the Island's policies stated above, the Bustins Island community has adopted and will endeavor to accomplish the following strategies and implementation ideas below as coordinated by the Planning Board or the Board of Overseers, as applicable, in consultation with appropriate Island committees:

- (1) ONGOING: Board of Overseers to assign responsibility for implementing the Future Land Use Plan to the appropriate committee, board or municipal official. In most cases this will be the Planning Board.
- (2) ONGOING: Using the descriptions provided in the Future Land Use Plan narrative, the Board of Overseers and the Planning Board jointly are to maintain, enact or amend local ordinances as appropriate to:
 - a. Clearly define the desired scale, intensity and location of future development;
 - b. Establish or maintain fair and efficient permitting procedures, and explore streamlining permitting procedures in growth areas, if any;
 - c. Clearly define protective measures for critical natural resources and, where applicable, important natural resources; and
 - d. Clearly define protective measures for any proposed critical rural areas and/or critical waterfront areas, if proposed.
- (3) ONGOING: The Board of Overseers is to include in the Capital Investment Plan anticipated municipal capital investments needed to support proposed land uses.
- (4) ONGOING: The Board of Overseers and the Planning Board jointly are to provide the Code Enforcement Officer with the tools, training, and support necessary to enforce land use regulations, and ensure that the Code Enforcement Officer is certified in accordance with 30-A M.R.S.A. §4451.
- (5) ONGOING: The Board of Overseers and Planning Board jointly are to track new development in the community by type and location.
- (6) ONGOING: Planning Board to periodically (at least every five years) evaluate implementation of the plan in accordance with Section 2.7 of the Rule.
- (7) BY OCT. 2015: Planning Board to consider land use plans and zoning that protect the Island's fresh water supply, reduce coastal erosion and enhance natural features and resources by actively pursuing the addition of parcels to the Resource Reserve District guided by the results of the 2004 MACTEC ground water modeling study.
- (8) BY OCT. 2015: Planning Board to consider production of a map suitable for the plotting of wells, septic systems and other geographic, natural and social features with locations of buildings, wells and septic systems, energy sources and elevations.
- (9) BY OCT. 2018: Planning Board to consider the development of a digitized repository for the significant library of data on Bustins social and natural features, including maps, reports, well

surveys, historical housing surveys and so on to inform land use planning.

J. Inapplicable Policies

Because Bustins Islands is an island and its land use strategies do not impact any of the surrounding communities, and because Bustins Island has neither critical rural areas nor critical waterfront areas, the following state-mandated policies are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

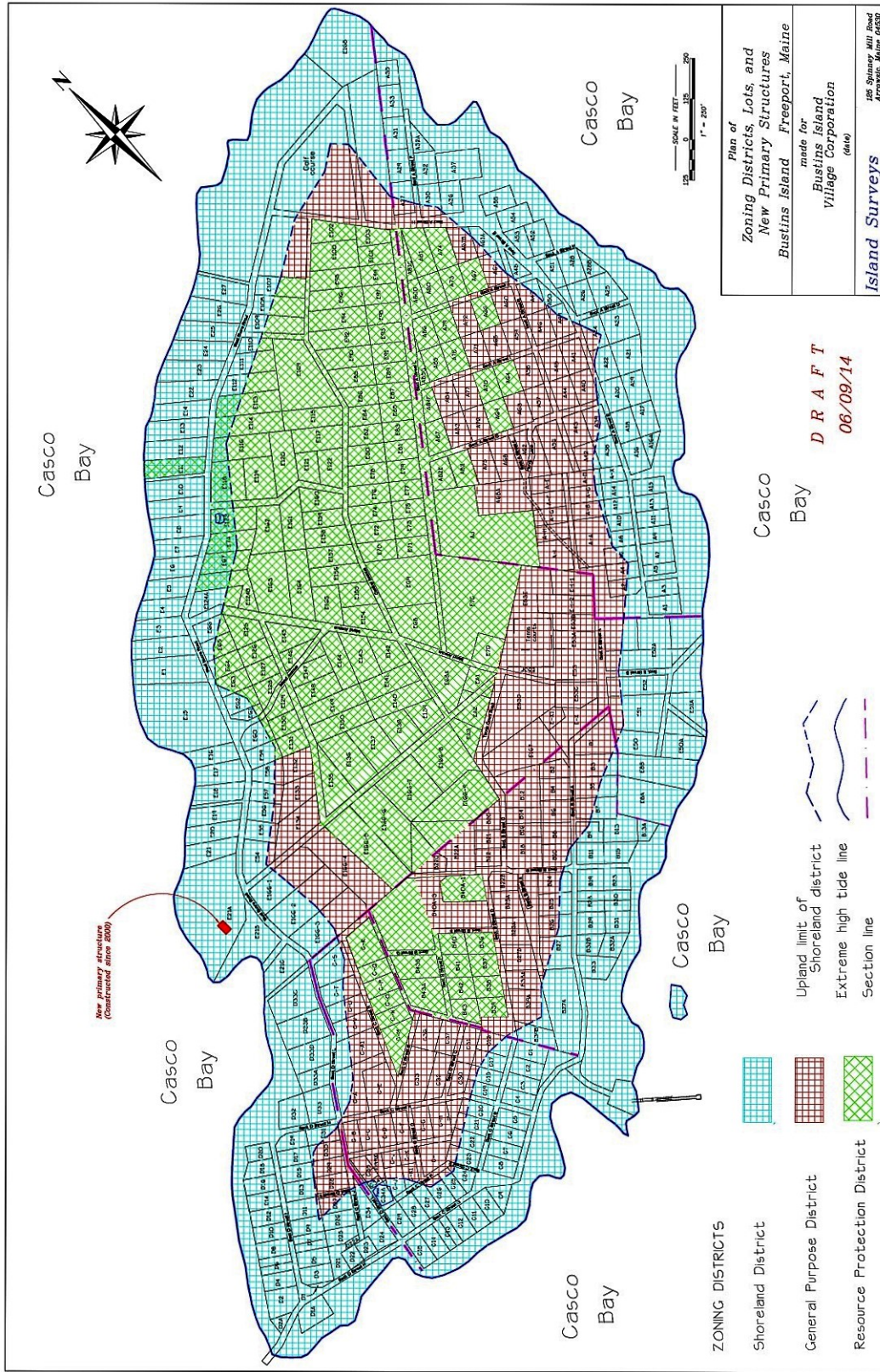
- (1) “To coordinate the Bustins Island community’s land use strategies with other local and regional land use planning efforts.”
- (2) “To protect critical rule and critical waterfront areas from the impacts of development.”

K. Inapplicable Strategies and Implementation Ideas

Because Bustins Islands is an island and its land use strategies do not impact any of the surrounding communities, and because all areas of the Island are within walking distance of the others, such that municipal capital investments are made in the areas that make the most functional sense without regard to whether they are located in growth areas or the rural Resource Protection District in the center of the Island, the following state-mandated strategies and implementation ideas are inapplicable to Bustins Island pursuant to Section 2.6 of the Rule:

- (1) “Meet with neighboring communities to coordinate land use designations and regulatory and non-regulatory strategies.”
- (2) “Direct a minimum of 75% of new municipal growth-related capital investments, if any, into designated growth areas, if any, identified in the existing Future Land Use Plan or any revisions thereto.”

L. Appendix

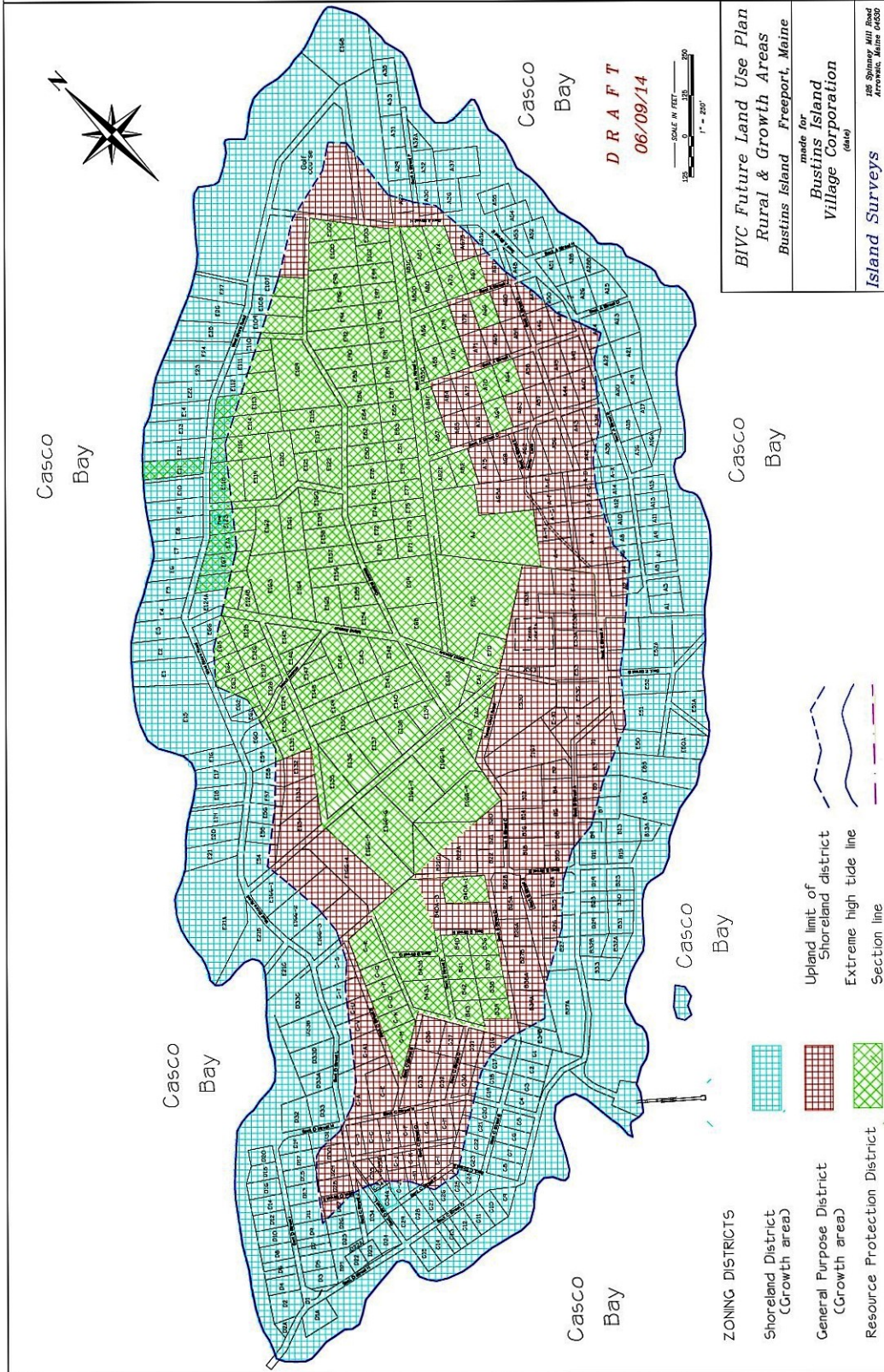


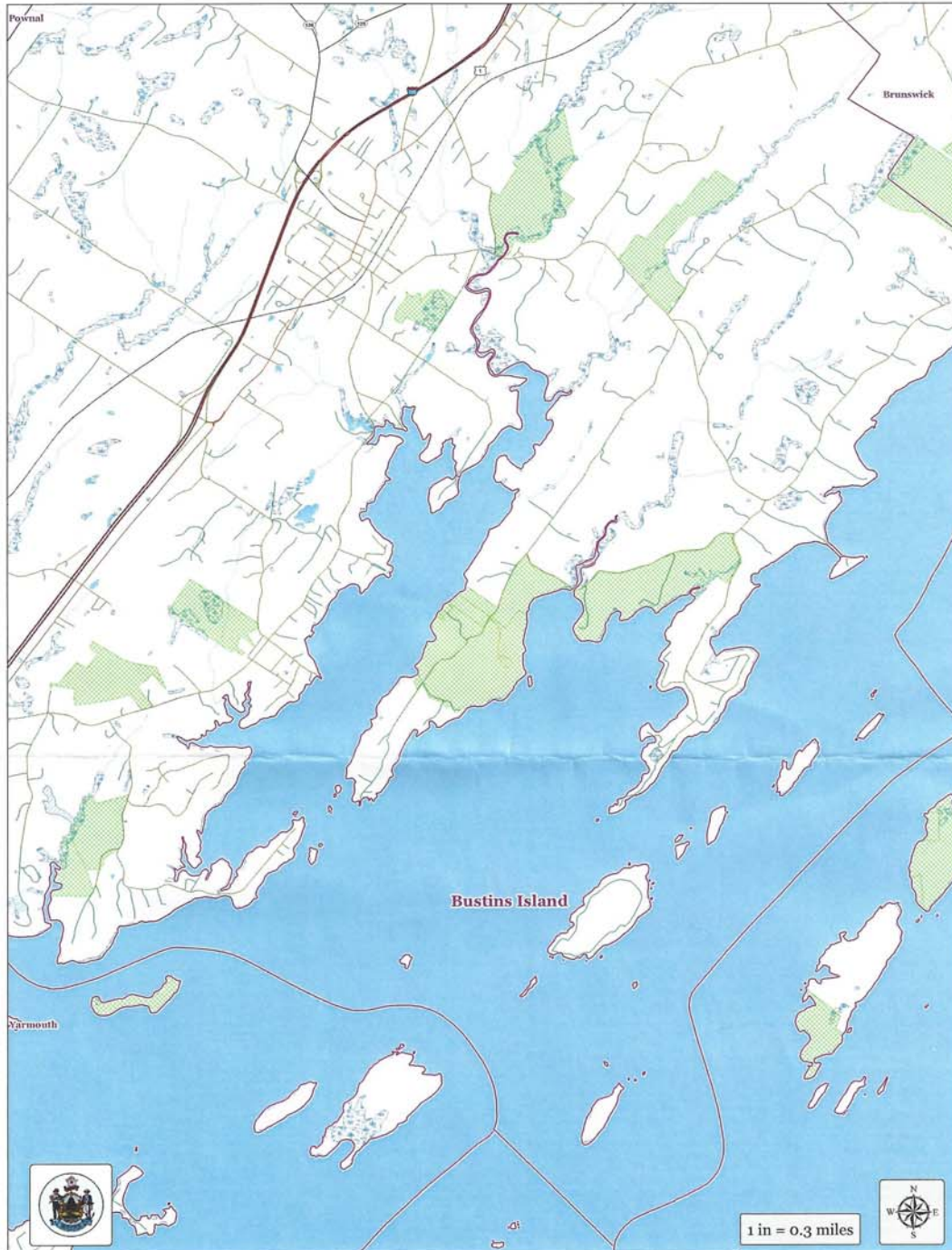
Plan of
 Zoning Districts, Lots, and
 New Primary Structures
 Bustins Island, Freeport, Maine
 made for
 Bustins Island
 Village Corporation
 (dtd)

105 Sweeney Hill Road
 Freeport, Maine 04030

Casco Bay

D R A F T
 06/09/14

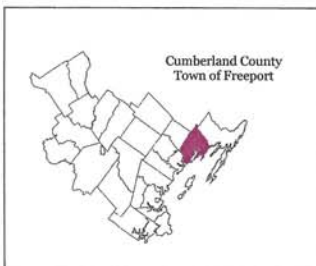




Bustins Island Town of Freeport Development Constraints

Source Data: USDA, MEGIS, Maine DACF
 Projection: UTM, NAD83, Zone 19, Meters
 Produced by: Municipal Planning
 Assistance Program, DACF
 May 2014

Legend	
	Municipal Border
	Conserved Lands
	Floodplain Soils
	Wetlands
	Waterbody
	River/Stream
	Interstate
	U.S. Routes
	State Routes
	E911 Roads
	Railroad



Bustins Island Aerial Photo

Aerial photo taken in 2011

Source Data: USDA, MEGIS, Maine DACF
Projection: UTM, NAD83, Zone 19, Meters
Produced by: Municipal Planning
Assistance Program, DACF
May 2014

Legend
~ Municipal Border

21. IMPLEMENTATION AND PERIODIC EVALUATION

The Bustins Island Planning Board will periodically review the Bustins Island Comprehensive Plan, and will formally report progress on key priorities and implementation of the ideas for consideration, by section, every three years at the B.I.V.C.'s annual meeting following anticipated adoption of the plan in 2014 (i.e., once between 2014 and 2017 and once between 2018 and 2020). As part of its report the Planning Board will evaluate the following:

- A. The degree to which future land use plan strategies have been implemented;
- B. The percentage of municipal growth-related capital investment in growth areas, if any;
- C. The location and amount of new development in relation to the community's designated growth areas, rural areas and transition areas (if applicable); and
- D. The amount of critical natural resource, critical rural and critical waterfront areas, if any, protected through acquisition, easements or other measures.

The Planning Board will also engage the Island's appropriate standing committees to take responsibility for and to assess and report progress on goals relevant to their charge.

Bustins Island's next Comprehensive Report will include – as this one does – a section assessing progress on priorities in detail, with accomplishments, emergent issues and remaining challenges.

For a detailed implementation schedule, see “Strategies and Implementation Ideas” at the end of each comprehensive plan category.