

FALMOUTH
PUBLIC ACCESS STUDY
1987

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FINAL REPORT

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Prepared by

THE GREATER PORTLAND COUNCIL OF GOVERNMENTS
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I. INTRODUCTION

A. STUDY PURPOSE AND ORGANIZATION

The purpose of this study was to investigate and recommend options for improving and expanding public access to Falmouth's coastal and estuary areas, and to its rivers and inland open spaces.

The emphasis of the study was on access to the coast and the Presumpscot Estuary. Although access to all the areas listed above is important, Falmouth's coastline remains its most unique and valuable natural resource. Environmental constraints and private ownership patterns significantly reduce opportunities for public access. But the few opportunities that remain deserve thorough investigation. The difficulty of securing additional access to the coast is itself a reason for careful consideration and creative strategies.

This study report includes separate sections covering access to the coast, access to the Presumpscot Estuary, and access to rivers and land areas. Each of these sections includes a brief description of the constraints and opportunities for access, followed by specific recommendations for improving public access in the particular area.

The report also includes an Executive Summary, followed by a section that details some general recommendations for implementing public access proposals. A final section of the report summarize techniques available to the community for obtaining additional public access. Most of these are termed in this report as "property conveyances and access arrangements" and include such mechanisms as outright land purchase, conservation easements and land leasing.

B. ASSESSING ACCESS NEED

This study assumed the premise that additional public in Falmouth is necessary or at least desirable. An indepth assessment of public access needs was not made. Most of the available recreational need models were deemed too broad to provide an accurate assessment of access needs; specific methologies for determining public access need were not located, nor were they developed.

A 1981 GPCOG Outdoor Recreation Report, using National Recreation and Parks Association suggested standards, rated Falmouth as surpassing thresholds for most recreational facilities, including swimming, picnic areas, jogging and bicycle paths, cross-country skiing trails and nature study areas. To meet the NRPA standard requiring one swimming pool or beach for 15,000 people, however, the report cited the small, unofficial beach at Mackworth Island.

In its analysis, the GPCOG report did cite an apparent lack of swimming areas in Falmouth due to heavy single-family development on the coast and Highland Lake. The report recommended that the few remaining parcels in these areas be developed as public access, that swimming areas be created on the coast, the Presumpscot or Highland Lake, and that land along the Presumpscot, Piscataqua and East Branch of Piscataqua rivers be used for water-related recreation such as hiking, nature study and access for small boating. The report also cited a regional need for more coastal access in the area between Portland and Freeport.

Although certain public access needs appear obvious, a more accurate assessment of need is required for the town to develop priorities and provide solid justification for particular access policies. This study recommends that Falmouth conduct a formal public survey of access and recreational needs in the community. The results of this survey will identify specific needs and permit the town gauge local support for particular access options.

C. GROWING DEMAND FOR RECREATION

Even without objective models, it is clear that recreational, and specifically, public access, needs are growing in Falmouth and most other towns in Southern Maine. Some of this rising demand is a result of increasing populations. Falmouth's population, for instance, is expected to undergo a 25 percent increase between 1985 and 1995 (7,276 to 9,123).

Perhaps more significant than rising population is the well-documented increase in recreational demands of the average citizen. These increases are a result both of more leisure time and of more active lifestyles,

especially among the 20-39 year-old "baby-boomers." There also are signs of increasing recreational use by those over 65, especially for more passive activities such as walking and hiking.

This increasing demand for recreation has occurred without a concurrent expansion in the amount of available public access to water and open space areas. In fact, the trend -- both regionally and statewide -- has been for reduced levels of public access as rural areas are developed, as more landowners post their property and as more land and water resources are protected due their environmental fragility.

D. TYPES OF ACCESS

Public access can take a number of forms: boat launch ramps, docks and piers, beaches, scenic overlooks, parks, walkways, bikeways and trails for hiking, nature study, snowmobiling and cross-country skiing. In concentrating on access to water areas, this report focused on access involving active recreation such as boating, swimming and clamming, and more passive recreation such as walking, hiking, birding, and scenic viewing.

Primary to this study are the proposals for public walkways. The concept behind public walkways is to integrate access points to coastal and other open space areas with designated routes that allow pedestrians and bicyclists to travel safely from one point to another.

Although the proposed walkways use, wherever possible, existing access and public ways, in some cases land ownership patterns and environmental factors pose significant barriers to making linkages. A number of these barriers are identified. But the emphasis is on general schemes and alignments that are coherent and expansive. While the actual realization of a successful walkway system requires assembling many individual segments, without an overall plan for what links are needed, there can be little or no coordinated movement toward reaching this objective.

Most of the recommendations involving boating involve access for canoes and small non-motorized boats. There are several reasons for this focus. First, access for larger boats in Falmouth was deemed considerably better than for other recreational activities. The town now allows boats to be moored along most of its coastline. Boat launching facilities are available

at the Town Landing, and Handy Boat provides boat launching and storage services for a fee. (And Portland Country Club provides boat access to members). All three boat-oriented facilities are located within 3/4 mile of each other along one of the few coastal stretches in Falmouth that has the topography, water depth and shoreline composition favorable for larger boats access. Finally, larger boat access was considered undesirable to a number of waterbodies due to these area's environmental sensitivity or greater potential for more passive recreational pursuits.

E. METHODOLOGY

The study methodology consisted of first developing an acceptable outline that delineated the scope and organization of the study. The actual study process consisted of collecting information, analyzing it and making appropriate recommendations.

Information collection consisted of three main components: interviews and meetings with relevant individuals and groups, site visits, and analysis of existing maps, data and literature. Site visits included a boat tour of Falmouth's coastal and estuarine shoreline, and investigation of the Presumpscot River corridor via canoe. Information gathering also included a survey of existing public access points and of publicly owned land.

Analysis was geared toward examining opportunities and limitations for improving public access and making appropriate recommendations with emphasis on coastal access and linkages between access points. This report is the main work product of the study. Besides the following analysis, the report includes a map of existing and potential public access areas, an inventory of existing public access locations, parcel surveys and a list of goals and policies for the town pertaining to public access.

EXECUTIVE SUMMARY

GENERAL RECOMMENDATIONS

1. Conduct formal survey of citizens on public access needs and support for access options.
2. Establish close working relationship with other local groups interested in this issue: Town Council, Planning Board, Falmouth Conservation Trust, Conservation Commission, Recreation Department, Conservation Commission, Planning Board, Comprehensive Plan Committee, Maine Audubon and other local groups, and assign specific tasks.
3. Pursue full options for property conveyances and other arrangements that promote public access as summarized in Section VI.
4. Zone additional water frontage areas as Resource Protection.
5. Consider strengthening language and provisions pertaining to Open Space in Comprehensive Plan and in subdivision and zoning ordinances.
6. Assess environmental impact of particular walkway and public access schemes, and devise methods of stabilizing erosion-prone and other environmentally sensitive areas fronting the Casco Bay, the Presumpscot Estuary and rivers.
7. Develop and maintain adequate funding sources to finance public-land acquisition and access improvements.

ACCESS TO COAST

1. Enhance public access at Town Landing.
 - a. Continue to implement selected improvements recommended in 1980 Thomas Churchill Company report, "Falmouth Parcel Study."
 - b. Consider increasing boat mooring fees for non-Falmouth residents.
 - c. Pursue property conveyances and access arrangements with owners of adjacent beach areas to secure uncontested public use and to obtain additional land area for facility expansion.
 - d. Add a float(s) to the pier to reduce dock congestion and to provide deeper water for dockings by larger boats.
 - e. Consider improvements to boat ramp area.

2. Maintain good communication/relationship with State on Mackworth Island public access.

3. Assert and improve public right-of-way on Mussel Cove as clammer access.

- a. Assemble necessary legal documentation.
- b. Negotiate settlement with owner of adjacent parcel.
- c. Make minor improvements to the area.
 - Widen last 50 yards of Old Mill Road; obtain right seaside "unbuildable" lots if necessary.
 - Install sign to designate clammer access.
 - Install bicycle rack and trash receptacle.
 - Clear and thin vegetation within immediate path to water and arrange periodic maintenance.

4. Develop scenic overlooks at termini of dead-end public streets.

- a. Investigate feasibility on Casco Terrace, East Ramsdell Road and Amerescoggin Road.
- b. Consider improving proposed streets extensions on Underwood Road and Edgewater Street.

5. Pursue concept of a Casco Bay Waterfront Park.

- a. Forward general concept for a waterfront park to be used for passive recreation and overlook (similar to Fort Williams in Cape Elizabeth).
- b. Gain support of local boards/groups and individuals for idea, including Council, Planning Board, Conservation Trust, Recreation Director, Conservation Commission, Comprehensive Plan Committee and Maine Audubon.
- c. If support strong, contact property owners of large and/or vacant parcels. (See Appendix 2 and 3.)
- d. Pursue property conveyances/access arrangements with landowners.

6. Implement Shoreline Drive-Mackworth Island walkway/bikeway plan proposed in this report.

- a. Contact adjacent property owners to obtain input/concerns.
- b. Develop formal signage/markings/map for route.

- c. Obtain additional access to increase scope of walkway, especially over lots at end of Bayside Drive (Map U-1, Lots 103 and 107) and between the Mackworth Island causeway and Shoreline Drive. (Map U-1, Lot 102A)
- e. Integrate erosion-control measures and other environmental concerns into design of walkway segments on or near floodplain, high water mark or other sensitive areas. (See General Recommendation 6.)
- d. Develop public parking on the site of park planned as part of Route 1 realignment at interesection with Route 88. (See Section III: C.

ACCESS TO PRESUMPCOT ESTUARY

1. Work with Maine Audubon Society to enhance and expand public access on the estuary.

- a. Discuss possibility of developing canoe launch and other improvements on Audubon land.
- b. Consider offering Audubon use of adjacent town-owned parcel and improved parking on Old Route 1.
- c. Gain Audubon support for public walkway plan below.

2. Implement Churchill report recommendations for improvements to site of sewage treatment facility on Clearwater Drive.

- a. Integrate erosion-control measures and other environmental concerns into design of footpaths and catwalks on or near floodplain and marsh areas. (See General Recommendation 6.)

3. Consider scenic overlooks at termini of dead-end public streets.

- a. Investigate feasibility on Hartford Avenue, Kelly Road and proposed road extension off Sunset Avenue.

4. Investigate use of parcels on estuary that are cut-off by Route 295.

- a. Secure Maine Department of Transportation permission to access sites off 295.
- b. Consider developing scenic turnout on town-owned parcel (Map U-29, Parcel 17, Map U-1).
- c. Pursue land conveyances and access arrangements with owners of other cut-off parcels, including lot with informal skating pond.

- d. If no road access possible, consider canoe landing spot(s) and picnic area(s) on cut-off parcels.

5. Develop and implement Presumpscot Estuary Walkway plan described in this study.

- a. Involve Maine Audubon Society in development of plan and enlist assistance in its implementation.
- b. Contact adjacent property owners to obtain input/concerns.
- c. Pursue property conveyances and access arrangements with owners of lots at end of Providence Avenue.
- d. Integrate erosion-control measures and other environmental concerns into design of walkways segments on or near floodplain and marsh areas. (See General Recommendation 6.)
- e. Hire engineer/landscape architect to design walkway and contractor to construct it.
- f. Investigate opportunities for future extensions of Presumpscot Estuary walkway.
 - Contact other property owners along estuary's east shore and pursue property conveyances/access arrangements.
 - Assign local groups or boards responsibility for follow-up.

6. Develop and implement plan for connector between coastal and estuarine walkways as described in this study.

- a. Designate crosswalk location on Route 1 at Route 88 intersection or proposed intersection at Hartford Street.
- b. Install proper signage/demarcation.
- c. As part of public park planned near Route 88 intersection, integrate bicycle/pedestrian path separated from Route 1.
- d. Design park to serve as focal point for two-walkway scheme.
- d. Include small parking lot and bicycle racks at park.

ACCESS TO RIVERS AND INLAND AREAS

PRESUMPCOT RIVER

1. Improve access and amenities for canoe use.

- a. Secure and develop launch area(s) off Blackstrap Road and other obtainable parcels.
- b. Improve portage around Smelt Hill Dam.
- c. Develop series of canoe landing spots/picnic areas.

- d. Work with Maine Audubon to develop interpretive guide on river's ecology and history.

2. Pursue riverfront walkway concept.

- a. Forward idea of riverfront park, i.e. Westbrook's and Portland's Riverton Park, to be used for active and passive recreation.
- b. Gain support of local boards/groups and individuals for idea, including Council, Planning Board, Conservation Trust, Recreation Director, Conservation Commission and Maine Audubon.
- c. Contact owners of large riverfront parcels on interest in proposal.
- d. Pursue property conveyances and access arrangements with landowners.

3. Develop public walkway(s) along river.

- a. Coordinate with City of Portland on its plan for walkways on Portland sections of the Presumpscot.
- b. Contact property owners about interest in participating in plan.
- c. Pursue property conveyances and access arrangements, especially conservation easements and securing access during development reviews.
- d. Integrate erosion-control measures and other environmental concerns into design of walkways on or near stream banks. (See General Recommendation 6.)

MILLCREEK

1. Implement selected Churchill recommendations.

- a. Integrate erosion-control measures and other environmental concerns into design of trails and footbridges on or near stream banks. (See General Recommendation 6.)

2. Pursue property conveyances and access arrangements, especially on lot between Nature Conservancy and Falmouth Nature Preserve. (Map 13, Lot 5)

3. Strongly consider changing Shoreland Zoning along Mill Creek to Resource Protection.

PISCATAQUA RIVER

1. Improve access and recreational potential of town-owned frontage. (Map U-40, Lots 13 and 16; Map U-41, Lot 7)

2. Develop town-owned parcels on Mill Road as public park/overlook area.

3. Pursue property conveyances and access arrangements, especially securing access during development reviews.
4. Investigate other park/walkway options.

EAST BRANCH OF PISCATAQUA RIVER

1. Contact Falmouth Conservation Trust on possible public access and recreational improvements on property it owns fronting East Branch. (Map R-5, Lot 30A)
2. Develop canoe launch on Conservation Trust parcel or other suitable site.
3. Pursue property conveyances and access arrangements, especially securing access during development reviews.
4. Investigate other walkway/park options.

INLAND OPEN SPACES

1. Assess potential of existing town-owned parcels.
2. Identify other desirable inland sites/features to be acquired or to which access might be secured.
3. Pursue property conveyances and access arrangements, especially securing access during development reviews and considering land swaps involving existing town-owned parcels.
4. Develop comprehensive open space/greenbelt plan.
5. Utilize existing utility right-of-ways.
6. Develop East-West links across town.
7. Improve and expand bike routes.

II. GENERAL RECOMMENDATIONS

The following recommendations were developed to aid in the implementation of steps detailed in Sections III through V of this report and to promote general public access aims.

1. PUBLIC ACCESS SURVEY

Surveying the public allows the town to identify public access needs and test receptiveness of residents toward various policies and proposals. The lieu of reliable methodologies for accurately determining public access needs, a community survey is the best alternative to assess needs and to gain policy direction.

The survey itself can be developed to address a number of issues and concerns. Citizens can be asked to rate the importance of access to certain areas of the community or to show their level of support for various town actions. The town also may want to use the survey as an occasion to query residents about open space, natural resource protection and recreational needs. The town of Yarmouth's 1983 Open Space Survey effectively addresses a number of these issues.

2. WORK CLOSELY WITH OTHER LOCAL GROUPS

This report directs its recommendations to Falmouth or "the town." Although town officials and staff should be the initiators of these actions, delegation of responsibilities can and should be shared with a number of groups: the Council, the Planning Board, the Falmouth Conservation Trust, the Conservation Commission, the Recreation Department, the Comprehensive Plan Committee, Maine Audubon Society and others.

The Falmouth Conservation Trust, for example, may be the best group to contact individual land owners of large parcels about some of the property options described in the Section VI. Maine Audubon could be asked to develop educational brochures and advise the town on ecological impacts.

In each case there may be a group or groups best equipped to handle a certain task or project. But it is essential that the particular group know what its area of responsibility is. Once these tasks are assigned, the success of achieving the recommendations of this study will depend on adequate follow through.

3. PURSUE FULL RANGE OF PROPERTY OPTIONS

By the term "property conveyances and access arrangements," this report refers to various land transfers, restrictions, agreements and accommodations that can be used to promote public access: outright purchase, bargain sale, conservation easement, leasing, development incentives and others options as detailed in Section VI. Most of these alternatives entail voluntary consent by a landowner or developer. The objective for the town is to ensure that some town body or local group is methodically and thoroughly pursuing this range of options with landowners, potential property owners and developers.

4. RESOURCE PROTECTION EXPANSION

Access to the Casco Bay, to the Presumpscot Estuary and River, to other Rivers and to Highland Lake will mean little if these resources are polluted or overdeveloped. Only a small percentage of the land areas fronting Falmouth's waterbodies are zoned Resource Protection. Most are zoned Limited Residential-Recreation, a designation that allows single and multifamily dwellings, timber harvesting, mineral extraction and a plethora of other activities.

Rezoning some of these areas Resource Protection will do a number of things. First, it will give added protection to fragile areas that easily fit within the state's criteria for Resource Protection and which are inappropriate locations for uses allowed in the LRR zone. Coastal bluffs, estuary marsh areas, steep slopes along the Presumpscot and the Mill Creek flood plain are examples.

Second, it will encourage retention of vegetative cover along shoreland areas, reducing erosion and the flow of phosphorus, nitrates and other pollutants into adjacent waters. With pollution from direct discharges on the decrease, this type of non-point pollution is increasingly the cause of water quality problems, and its effects will accelerate with development.

Improved water quality is now providing an opportunity in Falmouth for a fuller use of a number of previously polluted waterbodies: it would be unfortunate if new water quality problems reversed this trend.

Third, it will ensure that an adequate "corridor" is retained between waterbodies and development activities. Many of the problems encountered in this study were related to buildings or developments constructed on or near the edge of adjacent water areas that essentially "cut off" possible links in public accessways. Some of these developments could have easily been set back from the water, preserving scenic views to and from the water and allowing the possibility of future access.

The town should perform an inventory of its water frontage, examine environmental conditions and current Shoreland Zoning protection for particularly stretches of frontage, and propose segments to be rezoned as Resource Protection.

5. PROVISIONS IN COMPREHENSIVE PLAN AND TOWN ORDINANCES

The 1981 Comprehensive Plan makes a number of direct and indirect references to public access. A policy under the Recreation and Open Space section calls for the town "to pursue a consistent, calculated and farsighted policy of land acquisition for public purposes," "to encourage the preservation of walkways and bicycle paths as planned features," and "to develop recreation areas adjacent to water bodies within the town and providing for public access."

As an implementation step under this section, the plan calls for the town "to undertake the development of a recreation area adjacent to the Presumpscot River and Presumpscot Estuary in anticipation of clean waters" and "to undertake efforts to acquire ocean frontage."

Directives such as these are important in giving town boards and staff direction and providing legal justification for actions the town may take to improve public access. In its update of the comprehensive plan, Falmouth should strongly reaffirm its commitment to public access, adopting goals and policies similar to those included in the previous plan and in Appendix 5 developed as part of this study.

Falmouth's zoning and subdivision ordinances presently do not contain language or provisions pertaining to public access. Incorporating specific public access criteria would give additional guidance on and justification for decisions and measures taken by town staff and boards. Section VI provides some specific suggestions on what and where such provisions should be included.

6. ENVIRONMENTAL IMPACT STUDY

Recommendation 4 is concerned with protecting water resources from the effects of overdevelopment. It would be shortsighted to take measures to restrict development on shorelines and then discover that public accessways were creating their own set of environmental problems.

Developing solutions to environmental constraints also is essential because they could allow access "links" to areas that otherwise could not be connected. Because developments, due to regulations and common-sense construction practices, usually are sited away from environmentally sensitive areas, these "unbuildable" locations often have potential as accessways.

Although environmental constraints were considered before proposing walkway alternatives and other access points, indepth engineering analysis on a site-by-site basis was not done. Before implementing steps so identified in the study, it is strongly suggested that a detailed environmental impact analysis be performed.

This study should have at least the following components:

- 1) Environmental assessment of the recommendations/proposals of this report, and those of the 1981 report done for the town by Thomas Churchill Company, that entail crossing or skirting marsh areas, floodplains, wetlands, river banks or erosion-prone areas. Also, preparation of engineering plans and cost estimates.
- 2) Examination of existing or potential erosion-prone areas and development of stabilization methods. Also, investigation of whether stabilization measures can be combined with walkway spans or supports.

3) Study of the impact proposed walkways will have on ecological processes and on animals and plant life in the water areas, with particular focus on possible impacts the Presumpscot Estuary walkway could have on waterfowl and the estuarine environment.

4) Identification of the permits and approvals needed from Maine Department of Environmental Protection, Inland Fisheries and Wildlife, U.S. Army Corps of Engineers and other agencies for proposed walkway construction, and erosion-stabilization activities. Also, identification of submissions these agencies will require and standards that will applied during reviews.

7. BUDGET FOR PUBLIC ACCESS

Despite the many opportunities available to preserve and improve access with little or no expenditure of funds, actually buying property remains an ironclad method of securing access. In its annual budget the town should allocate substantial monies for the purpose of land acquisition and public access improvements. By establishing and maintaining a public access fund, the town can be ready to make offers on important properties that come on the market or to entice potential sellers.

The town also should consider giving financial assistance to other groups pursuing public access-related activities in Falmouth. As previously mentioned, other local groups may be better suited and ultimately more effective at promoting certain public access strategies.

III. COASTAL ACCESS

A. CONSTRAINTS AND LIMITATIONS

Opportunities for improving and expanding public access to Falmouth's marine coast are limited by existing physical conditions and land- ownership patterns.

A large percentage of Falmouth's shoreline is composed of rock or marine mud, neither of which are conducive for swimming and other common recreational uses. Sandy beaches comprise less than 5 percent of Falmouth's marine coastal frontage.

Steep slopes and bluffs further restrict access to the ocean. Slopes over 30 percent predominate near the shoreline with steeper slopes typical on vegetated bluffs and rocky cliffs. At high tides, rising water levels usually leave little or no beach areas.

In many locations along Falmouth's coast, the topography and composition of the shoreline create sensitive environmental conditions. Severe erosion is occurring at a number of sites, and increased public access could exacerbate this problem. Mudflats also are extremely sensitive to human activities.

Even if Falmouth's marine coastline were less constrained, access to much of it would be cut off by a well-established pattern of private property ownership that often prevents even visual access to the ocean. Over 95 percent of Falmouth's approximately six miles of coastline is privately owned. Single-family residences account for most of this ownership.

The highest densities of residential development exist along the northerly section of the Foreside. Besides homes, three commercial-oriented establishments occupy ocean frontage: Handy Boat, the Portland Yacht Club and the Portland Country Club. Access to these areas is allowed to club members or to users for a fee.

B. OPPORTUNITIES AND POTENTIALS

Despite the limitations described above, a number of opportunities for access to the coast exist. Public access occurs now at the Town Landing, and its adjacent beaches are used informally, as is the beach on Mackworth Island. At least six public roads dead-end on the ocean front, and Bayside and Shoreline Drives hug the coastline, offering unobstructed views of Casco Bay. Contested right-of-ways exist on Waites Landing and Mussel Cove, and other historic accessways may exist.

Privately owned parcels that are vacant or relatively undeveloped also represent potential future access. Appendix 3 lists parcels over five acres that have ocean frontage. By pursuing some of the options described in Section VI, the town may be able to expand considerably the amount of public access to Falmouth's marine coast.

C. ACCESS IMPROVEMENT RECOMMENDATIONS

1. TOWN LANDING

As Falmouth's only official public access point to Casco Bay, the Town Landing receives a great deal of use. This .4-acres of mostly filled land must accommodate car parking and traffic, boat loading and unloading, bicycles and pedestrians. The public road leading down to Landing is steep with a limited right-of-way.

The town basically has three options to improve public access at the Town Landing: 1) acquire additional adjacent property and obtain beach rights, 2) limit the facility's use, and 3) maximize the capacity of the site without creating environmental or safety problems.

The town should continue to pursue aggressively property conveyances and other access arrangements with adjacent landowners and those who claim rights to the two beaches. If additional property can be obtained, the town should consider expanding the Landing's facilities. If public beach rights can be secured, the town should consider slight improvements and beach supervision.

The town already limits parking at the landing during the summer to Falmouth residents. A remaining option is to increase mooring fees to nonresidents. This would help reduce the number of people using the facility.

A 1980 Study by the Thomas Churchill Company made a series of recommendations aimed at improving the capacity and efficiency of the Landing. These included:

- 1) Reorienting the existing parking areas with precise parking bay lines painted on the pavement.
- 2) Covering the area not used for parking with a different surface to define it as a pedestrian area.
- 3) Constructing a restroom structure with a fresh-water shower and installing benches for sunbathing and viewing.
- 4) Adding additional amenities such as a public pay phone, bicycle rack and dingy ramp.
- 5) Reorienting parking on Town Landing road to a 60-percent angle.
- 6) Designating an area of beach during the summer to be supervised by a lifeguard. (Report does not mention beach rights issue.)

Churchill's cost estimate for these improvement was \$14,100. In 1987 these cost would be closer to \$18,300.

The town should continue to implement most of these recommendations, except for number 7 which appears unfeasible unless the road is widened. The need for items identified in recommendation 3 and 4 appear particularly pressing. The Falmouth Harbormaster suggests improving the boat ramp to facilitate take-outs and to improve safety, and additional floats to reduce congestion on the pier and provide deeper water for large-boat docking.

2. MACKWORTH ISLAND

Public access to Mackworth Island is only by permission of the State of Maine. The town should maintain good communication with Department of Education and Education and Cultural Services, which manages the Baxter School for the Deaf, and with other relevant state departments regarding future access to this area. There are a number of issues on which the town and state might cooperate: providing additional parking either on or off the island, improvements and possible supervision of the island's beach area for swimming and small-boat use, periodic land clean-ups by Falmouth residents and other users, and development of a guide to the island's trails and natural features.

3. CONTESTED ACCESS POINTS

With opportunities for public on Falmouth's marine coast limited, the town may wish to pursue reestablishing rights-of-way to areas that have been used historically as accessways. In the case of Waites Landing, this option probably is not feasible. No areas for public parking exist or appear obtainable, and the relatively high densities in the area already put considerable strain on the beach. If a public right-of-way to the beach were negotiated, the town should consider adding some bicycle racks and posting appropriate signs.

The right-of-way claim to Mussel Cove is perhaps stronger because of the area's recent regular use. But the site has its own set of problems. Although Old Mill Road is a public way, the road's narrowness and steep slope limit parking potential. The shore frontage itself is not particularly attractive. Except at high tide, the access is to mudflats and an indirect view of Casco Bay out Mussel Cove. If the town could assert a right-of-way, improvements should include widening the last 25 yards of Old Mill Road, adding a bicycle rack and trash receptacle, posting a clammer's access sign and thinning out some of the vegetation in the path leading down to the water. In order to accommodate road widening, the town may have to obtain access to one or more of the "unbuildable" parcels located on the ocean side of the Old Mill Road.

4. DEAD-END STREETS/SCENIC OVERLOOKS

The town should investigate the feasibility establishing public overlook areas at the ends of public streets that front the ocean. These points could provide limited scenic access to pedestrians, bicyclists and several cars. Improvements to these areas might include modest pavement widening and fencing to separate the overlooks from adjacent residential areas.

Casco Terrace, East Ramsdell Road and Amerescoggin Road appear to have the most potential as overlooks. Proposed street extensions to the shore for Underwood Road and Edgewater Street also merit investigation.

5. CASCO BAY WATERFRONT PARK

Although Falmouth has a number of park areas throughout the town, no public park exists on its marine coast. Residents of Falmouth must travel to other communities such as Portland, Cape Elizabeth or Freeport to enjoy visual access to Casco Bay in a park setting.

Presently no publicly owned coastal parcels exist on which to locate such a park. The town should first gauge support for a waterfront park in its public access survey and additional town meetings. Town council members, boards, staff and other local groups also should be consulted. If support is strong, the town should contact property owners of large or vacant oceanfront lots and pursue property conveyance and access arrangements with these owners. If privately owned shorefront parcels appear likely to become available, the town should move quickly to develop and make purchase offers.

6. SHORELINE DRIVE/MACKWORTH ISLAND WALKWAY

This walkway already is informally established as a bike route on a series of public roads and by the trail system on Mackworth Island. With no modifications to the existing pattern of land ownership and few additional improvements besides road striping and signage, the following route could be formally established: Traveling north from the Martin's Point Bridge, the bikeway/walkway would turn right on Andrews Avenue, continuing past Shoreline Drive to the Mackworth Island causway and to the island itself with its extensive trail system.

Returning from the island, the route would go back out Andrews Avenue, turn right on Route 1, go one block, turn right on Phillips Street, bearing right almost immediately onto Whitney Street, and follow it to Shoreline Drive. The route then would follow scenic Shoreline Drive north until its terminus at Hammond Road. Under the present land ownership situation, the route would turn left at Hammond Road and continue back out to Route 1.

The main shortcoming of this walkway scheme is its dependence on public roads, which limit its attractiveness to pedestrians. This route also suffers from the lack of a direct connection between the Mackworth Island causeway and Shoreline Drive.

By obtaining access over additional land parcels and overcoming a number of physical and environmental constraints, the coherence and amenities of this walkway could be improved considerably. Gaining access over the parcel that separates Bayside Drive from Shoreline Drive (U-1, Lot 103 and 127) would allow the walkway to exit Route 1 earlier and include additional ocean frontage along Bayside Drive. Obtaining permission or the right to cross the small unbuidable lot immediately north of the entrance to the Mackworth Island causeway (Map U-1, Lot 102-A) would create a direct walkway link to Shoreline Drive and avoid having to double back to Route 1. This link would have to be carefully designed because of erosion problems already existing at this location.

A final walkway option would be to negotiate access over a private parcel located at the end of Shoreline Drive and Hammond Street in order to link with a 400-yard strip of town-owned frontage that is passable at middle and low tides. After completing this beach segment, the walkway would turn inland at a marshy area where sewer pumping station is located, follow a short access road to Brown Street and follow that road 1,000 feet to its intersection with Route 1.

This last option would require considerable clearing and possible partial filling of the marshy area that leads to the beach from the pumping station.

Actual frontage along most of the Shoreline Drive/Mackworth Island Walkway is composed of small unbuidable lots that lie between the streets and the ocean. These areas are extremely sensitive to erosion; many already show signs of being undercut by wave action. Possible walkway links connecting Bayside and Shoreline Drive and Shoreline Drive with Brown Avenue would have to be designed extremely carefully so as not to excacerbate this problem. Study of these environmental constraints and development of stabilization measures should be based on the environmental impact study proposed in General Recommendation 6.

IV. PRESUMPSCOT ESTUARY

A. CONSTRAINTS AND LIMITATIONS

Access to the Presumpscot Estuary generally is less constrained than access to the coast. Some significant environmental and private ownership barriers do exist, however.

Except at high tide, access to water areas is limited by extensive mudflats which at low tide leave only a narrow channel linking the Presumpscot River to Casco Bay. Large marsh areas also exist, especially along the estuary's eastern shore.

These marshes and mudflats are important wildlife habitats, especially for waterfowl. Mudflats also are now being recognized as vital components of the marine ecological system. The fragility of these areas often makes them poor sites for public accessways.

Slopes leading down to these mudflat and marsh areas often are steep and erosion-prone. Until recently, poor water quality further limited use of the estuary.

Land ownerships patterns along the estuary also reduce public access opportunities, although not as extensively as on the coast. Single-family homes predominate in the neighborhood just north of the Martin's Point Bridge. Two large multi-family project -- Foreside Common and Foreside Estates -- exist along the east side of the estuary. Access to much of the north and west shores of the estuary is cut-off by Interstate 295.

B. OPPORTUNITIES AND POTENTIALS

The Presumpscot estuary offers a number of existing and potential public access sites. The Maine Audubon Society's Gilsland Farm provides 70-acres of public access for passive recreational activities. The town of Falmouth's sewage treatment plant is located on a 17.5-acre site further up the estuary that has excellent access potential. And at least four public roads provide visual access to the estuary.

Improved water quality on the estuary in recent years also must be viewed as an opportunity. Water quality there now attains standards for contact recreation and fishing.

C. RECOMMENDATIONS FOR IMPROVING PUBLIC ACCESS

1. GILSLAND FARM

Maine Audubon's appears strongly committed to its policy of allowing public access to this extensive holding. Nevertheless, Falmouth should continue its close relationship with the Society and, where appropriate, undertake joint ventures. The town should check Audubon's interest in developing a canoe launch at an appropriate site on the

property. The town, in turn, might consider letting Audubon use an adjacent publicly owned parcel (Map R-2, Lot 7D), improving parking and traffic circulation on Old Route 1, or offering assistance in reducing erosion problems occurring along certain bluffs on the Gilsland Farm property.

2. IMPROVE CLEARWATER DRIVE SITE

The 1981 Churchill report recommended that the sewage treatment site be developed for hiking, clam digger access, picnicking and a possible small-boat launch. These proposals offer a comprehensive and well-balanced approach for improving access on this site. Specific improvements include:

- 1) Developing a 15-space public parking area off the existing treatment plant access road by obtaining a 20-foot easement on an adjacent parcel (Map R-2, lot 9).
- 2) Developing a trail system extending around the sewage treatment facility through wooded areas and across the salt marsh, with anchored foot-bridges constructed at water channels. Nature interpretative signs and small benches would be provided at locations along the trail. Trails would also provide access for clam digging.
- 3) Creating a picnic area on a wooded area of the site with 2-3 tables, a trash receptacle and a service road constructed to provide maintenance.
- 4) Providing a canoe landing at the edge of the site with a sign demarking the landing that is easily read from a boat on the estuary.

Before implementing some of these improvements, the town should first review the results of the environmentally impact study proposed in General Recommendation 6.

3. DEAD END STREETS/SCENIC OVERLOOKS

The town should consider developing as scenic overlooks a number of public roads that dead-end on the estuary. The most promising sites appear to be on Kelly Road and Hartford Avenue. A proposed road extending to the estuary off of Sunset Road also should be investigated. Improvements to these areas might include modest pavement widening and fencing to separate the overlooks from adjacent residential areas.

4. PARCELS OFF 295

The town should contact the Maine Department of Transportation regarding possible access to estuary frontage cut-off by Interstate 295. Potential exists to create a scenic overlook or rest stop on one or more of these parcels. Because of these parcels' location, the town probably could purchase property or easement to them at a relatively low cost. Access to the set of parcels south of the Presumpscot River bridge opening would allow better use of the informal skating pond located there.

If road access is not permitted, the town should consider the Churchill report recommendation of establishing a canoe stop/picnic area on a small town-owned parcel (Map U-29, Lot 17) or on another parcel that is obtained.

5. PRESUMPCOT ESTUARY WALKWAY

This proposed walkway would take advantage of existing public access on Gilsland Farm and of potential improvements to the town-owned site off Clearview Drive where the Falmouth sewage treatment facility is located.

A number of different walkway alignments exist depending on land ownership modifications, environmental conditions and funding considerations. The most ambitious plan would entail a route extending south from a trail system proposed for the Clearwater Drive site by the Churchill report, to run below the embankment of the Falmouth Estates. As mentioned previously, the construction of any walkways on or close to marsh and mudflats areas should be contingent on the findings of the environmental impact study proposed in General Recommendation 6.

A wooden catwalk structure would be required for some of this route to avoid disturbing the marsh and to skirt wet areas. Large stretches of this walkway, however, could utilize sections of well drained and vegetated land that stands above the marsh and floodplain. The walkway would continue in a southerly direction until reaching a pumping station and an above-ground sewer pipeline that crosses a large ravine where the salt marsh extends inland toward Route 1.

If a walkway skirting the marsh below the housing project site is not feasible, an alternative route could use the road system of Foreside Estates. An existing paved path leads from this roadway down an embankment to a pumping station and to the point on the north side of the ravine described above. Both of the options would require the town to negotiate with Foreside Estates on use or purchase of portions of its property.

On the opposite side of the ravine, two privately owned residences situated on higher ground that juts into the estuary effectively cut off a possible connection with Maine Audubon-owned property to the south. Unless access across these parcels can be obtained, the walkway must turn eastward to follow an established path along the northerly bank of the ravine, cross the marsh on a wooden catwalk at a narrower stretch closer to Route 1, and climb the ravine's southerly bank to connect with the end of Chester Avenue, which is a public dead-end road.

From Chester, the walkway could follow Providence Street and Old Route 1 to the Audubon Society entrance. A more direct route could be created by following an unimproved extension of Harding Avenue to Hartford Street, and then turning down Walcott Street which connects with Gilsland Farm and its well-developed trail system.

6. ESTUARY-COASTAL CONNECTION

With or without the complete development of these two walkways, it is essential to create a safe and well-marked connection between Gilsland Farm and Mackworth Island. This connection requires crossing U.S. Route 1 at some point south of the Route 1 commercial district. The crossing also is needed as part of alternate bike routes proposed in a 1987 GPCOG report. (See below.)

An opportunity exists for integrating this crossing into improvements proposed by a *Route 1 Corridor Traffic Study* (1986) done by T.Y. Lin International and Hunter-Ballew Associates. These plans call for considerable realignment of the Route 88 intersection to include a small public park off the southbound lane of Route 1, closing up the intersection with Old Route 1 and Providence Street, and creating a new intersection at Hartford and Route 1. (See also *Route One Study, Falmouth, Maine*, by Mitchell-Dewan Associates, Terrian Architects and Governmental Services, 1986.)

Under this plan the two best locations for a pedestrian/bike crossing would be adjacent to the proposed public park and islands separating Route 1 and Route 88, or at the new intersection at Hartford Avenue. Constructing a pedestrian overpass would provide the greatest degree of safety but incur substantial costs. If a traffic light were added to one of these intersections, an actuated phase could allow the controlled passage of pedestrians and bicycles.

The Route 1 Corridor Traffic Study recommends against installing a traffic signals at this time. Other options include installing a blinking yellow light or reducing speed limit in the area to improve the safety of this crossing. Clear demarcation of the crosswalk and appropriate road signage would be minimal measures taken to establish this crossing.

Once pedestrians or bicycles have crossed to the east side of Route 1, they would continue south on Route 1, turning left on one of the street options described under the Shoreline Drive walkway. Brown Street would provide safest, most direct access for pedestrians.

7. BIKE ROUTE PROPOSAL

Opportunities also exist to integrate the walkway proposals described above with recommendations from with a 1987 bike route analysis done by GPCOG. This study proposed alternatives for linking the existing Route 1 bike route between Martin's Point Bridge and Route 88 with municipal facilities located on Lunt and Depot roads. The objective was to avoid the congested business district of Route 1 north of Route 88 and to provide a safe and convenient alternative for bicycling between the two areas.

Heading north on Route 1 past Route 88, the first bike route option would turn left to cross one or two commercial properties and then merge with the roadway system of the Foreside Estates. The route then would intersect the public Clearwater Drive and

follow that road until turning left onto a path to be developed across town-owned property (Map U-52, Lot 5, location of ice rink) and join the bike route on Depot Road.

Option 2 would follow the same route as option 1 except that instead of using the Foreside Estate road system, a path would be developed across a Portland Water District right-of-way from Route 1 to Clearwater Drive.

The bike route study also recommends creating a crosswalk either at the Route 88 intersection or at the new intersection proposed for Hartford Street.

All of these walkway/bikeway proposals that follow Route 1 from the Martin's Point Bridge should share a common path on the route's easterly side (going with the northbound traffic) until a common crossing is made at one of the points described above. The proposed park area created by the realignment of Route 1 at Route 88 would create an attractive focal point for pedestrians and the opportunity for a separated path for bicycles and pedestrians.

The bike path alternatives also may become important if the walkway options proposed for the Presumpscot Estuary prove unfeasible. From the standpoint of pedestrian access, bikeway option 2 with its proposed path through a utility easement is preferable to use of Foreside Estate roadways. Both alternatives provide an additional pedestrian link from the Presumpscot Estuary walkway to the municipal facilities on Lunt and Depot roads.

V. ACCESS TO RIVERS AND INLAND AREAS

Falmouth has a number of inland waterbodies that have considerable potential for public access. For the purposes of this study, two water areas were examined in detail: the Presumpscot River and Mill Creek. The Piscataqua River and East Branch of the Piscataqua were examined in less detail but deserve more investigation in the near future. Highland Lake, because of its high density of residential development and general overuse, was deemed to have less potential for expanded public access and was not studied. Falmouth's inland open spaces also were surveyed briefly and general recommendations were developed for improving public access to these areas.

A. THE PRESUMPSCOT

1. CONSTRAINTS/LIMITATIONS

Steep slopes are the main physical limitation to access on the Presumpscot river. Slopes are especially steep between the Smelt Hill Dam and the opening into the estuary, with significant outcrops of ledge. Thick vegetation on or near the river bank also limits access, although much of this vegetation performs the important function of stabilizing bank areas and reducing erosion. Tree falls and bank cave-ins are common; uncontrolled public access would in most cases worsen these erosion problems.

Another physical constraint is the dam at Presumpscot Falls located at Smelt Hill, which essentially divides the Presumpscot River in Falmouth into two separate segments. Boaters must make a difficult portage around these falls and the small hydroelectric facility that exists there.

Nearly all of the frontage on the river is privately owned. Most are single-family residences on large land parcels; a number are vacant. The town owns no property on the Presumpscot.

The low density of development on and general underuse of Presumpscot River over the years can be partially attributed to poor water quality. Until recently, water was characterized by low oxygen levels, odor and brown color and considered unsafe for contact recreation and fishing. Since the construction of the Westbrook and S.D. Warren treatment facilities, water quality has steadily improved, although occasional outfalls and flood conditions create temporary polluted conditions.

The improvement of the Presumpscot River as a water resource has made land fronting it more valuable. Future residential development of these parcels could further reduce public access opportunities along the river.

2. OPPORTUNITIES/POTENTIALS

With approximately seven miles of shore frontage in Falmouth (including both sides of the river), the Presumpscot River presents the town with considerable public access opportunities. As mentioned above, improved water quality has made access to this resource more desirable.

Although the town owns no property on the river, a number of large privately owned parcels exist that provide potential for future access. (Appendix 3 includes a listing of lots over 10 acres on the Presumpscot.) By obtaining easements to cross these properties or by acquiring land itself, the town could greatly expand public access to the river.

The State of Maine owns a number of parcels near the Turnpike and Turnpike spur that provide direct access to the river. One parcels off Blackstrap Road area has considerable potential as a canoe launch site.

3. IMPROVING AND EXPANDING ACCESS

Improving Canoe/Boat Access

By improving the Presumpscot as a route for canoes and other non-motorized boats the town can immediately tap into river's vast recreational potential. Traveling Falmouth via the Presumpscot offers the canoist a unique view of the town and relatively undisturbed natural environment.

An initial step is to designate and improve canoe launching sites. The Maine Turnpike Authority should be contacted regarding use of a parcel it owns at the intersection of Blackstrap Road and the Turnpike. The lot (Map R-5, Lot 88) has room for a few parked cars near a small outbuilding and provides a direct path down to the river. An easement for limited use of this property could be negotiated, allowing the town to make minor improvements such as a delineating a small parking area, removing overgrown vegetation and replanting to secure the river bank, and undertaking some slight grading. Other possible put-in/take out areas include the MTA lot on the other side of Blackstrap (Map R-5, Lot 88A), and two relatively large vacant commercially zoned lots also near the Blackstrap/Turnpike bridge (Map R-5, Lots 85 and 89).

As a second step, the town should focus on easing the portage around Smelt Hill Dam. Although the topography of river's south bank offers the better portage alternative, the existing small hydro-generating facility and its surrounding fencing make this portage extremely difficult. The town should contact the present owner of the facility to see if a more direct portage across the site is possible. An alternative would be to consider the feasibility of a portage around the steeper northern bank. To pursue this option, town would need to contact the property owner of the affected parcel (Map U-31, Lot 12).

After improving canoe put-ins and portage, the town should consider developing additional amenities for recreational use. One option is establishing a series of canoe rest-stops/picnic areas at appropriate points along the river. These sites might include picnic tables and benches, and contain plaques and displays containing facts about the river's ecology and history. Maine Audubon or other groups may be interested in developing an interpretative guide that could be used by river travelers.

Riverfront Park

Despite the lack of town-owned land on the Presumpscot, the town may wish to pursue the idea of developing a major park on the river. Such riverside parks already exist in Windham, Westbrook and Portland and provide the public with active and passive recreational opportunities and scenic views of the Presumpscot. With water quality improving, such a park also might provide the town with additional swimming facilities. A more detailed inspection of the Presumpscot is needed before actual sites for swimming can be recommended.

As with the Casco Bay Park proposal, the town should first assess interest in and support for this idea through the survey and public meetings. If support is substantial, the town should pursue property conveyances and access arrangements with owners of large lots along the river.

River Walkway

Perhaps the most ambitious option for the town is to develop a continuous Presumpscot River walkway. A defined path, historically used by hunters and hikers, already exists on segments of the river's south bank. This path runs mostly through lightly wooded areas on a stable bank that sits well above the floodplain. Stream and drainage swales occasionally break into this path and require periodic crossings.

Again, widespread support for this walkway idea is a prerequisite to committed action by the town. Communication with property owners along the river would be the next step. Encouraging owners to grant easements for access along the river may be the best option for the town in this case.

The city of Portland currently is considering walkways/access points along the Presumpscot, both at the area southwest of the Falmouth border near the Riverside golf course and within the small notch of land that interrupts Falmouth's otherwise continuous frontage on the river's southern bank. If Falmouth pursues the Presumpscot walkway concept, it should work closely with the city of Portland to coordinate and integrate these trail systems.

B. MILLCREEK

1. CONSTRAINTS/LIMITATIONS

Mill Creek's main physical constraint is its environmental sensitivity. The stream winds through marshy floodplain areas underlain by muddy, mucky soils. Uncontrolled access could cause considerable erosion and have undesirable effects on the area as a wildlife habitat. The stream crosses a number of privately owned parcels, including one that separates a town-owned property and a quasi-public area. Existing and future commercial development on Route 1 has the potential to restrict access further.

2. OPPORTUNITIES/POTENTIALS

Mill Creek provides an exquisite natural setting in close proximity to densely developed areas. The site should be preserved both for its environmental values, natural beauty and potential as an area for hiking, viewing and other low-impact recreational uses.

Public access to Mill Creek already exists from the State of Maine Nature Conservancy and the town nature preserve. By obtaining access to a number of privately owned properties, a continuous band of public access could be created along the stream.

3. RECOMMENDATIONS FOR IMPROVING PUBLIC ACCESS

The 1981 Thomas Churchill report recognized Mill Creek as an important site to be preserved and developed as a green space to be used for passive and active recreation.

The Churchill report makes the following specific recommendations for Mill Creek:

- 1) Town acquisition of of Lot 2B (Map U-13) to allow pedestrian circulation between the State of Maine Nature Conservancy and the town nature preserve.
- 2) Obtaining an easements on a number of adjacent parcels (Map U-15, Lots 1 and 1A) to allow access and provide buffering.
- 3) Implementing a number of tree management strategies for the area including thinning and weeding of existing tree growth.
- 4) Developing a driveway and parking area at the exising sewer easement off Foreside Road.
- 5) Developing a picnic area and a service road to this area.
- 6) Developing a trail system for pedestrians and hikers that includes footbridges and nature interpretative areas.
- 7) Creating a canoe launch site.

Estimated costs for making these improvements was \$11,510; 1987 costs would be closer to \$15,000. The town should continue to pursue these options, although actual development of walkways and footbridges should be made contingent on the findings of the environmental impact study proposed in General Recommendation 6. Churchill's recommendation 1 is especially crucial; efforts should be continue to reach an accommodation with the owner of this parcel.

The town also should seriously consider changing the Shoreland Zoning of most of Mill Creek to Resource Protection. Doing this would give the stream added protection against future residential and commercial developement and ensure that an adequate corridor is maintained on either side of the waterbody.

C. PISCATAQUA AND EAST BRANCH OF PISCATAQUA RIVERS

1. CONSTRAINTS/LIMITATIONS

Access to these two rivers is limited somewhat by steep banks, marshiness, overgrown vegetation and shallowness. Frontage along the rivers is mostly privately owned. Single-family homes on large lots predominate although a number of lots are vacant. Pressures to develop some of this prime land will continue to mount and opportunities to preserve or secure public access may be lost.

2. OPPORTUNITIES/POTENTIALS

These rivers are underutilized but have considerable potential for public access and recreational use. Falmouth has approximately 11 miles of frontage on the Piscataqua and about 6.5 on the East Branch of the Piscataqua. Both rivers have excellent water quality that is well above the standards for contact recreation and fishing.

Both of these rivers wind through relatively undeveloped land characterized by large lot sizes. As some of these large parcels are developed, the town during the project review process will have considerable opportunities to press for the dedication of public access points or walkway areas.

Although the recent Falmouth property tax revaluation may cause some landowners to consider subdividing their land, others may be more receptive to conservation easements, current use assessments and other conveyance options that reduce tax loads while keeping large parcels intact.

The town owns three parcels on the Piscataqua, all in the vicinity of the river's intersection with Falmouth Road (Map U-41, Lots 7,14 and 16). Shallow depths preclude canoe access but viewing, fishing and other recreational opportunities exist.

Town or State Roads that cross the Piscataqua include Mill Road, Leighton Road, the Gray Road, Falmouth Road and Hurricane Road. The Mill Road and Leighton Road crossing provide excellent access to the river.

Although the town does not own any significant parcels on the East Branch of the Piscataqua, the Falmouth Conservation Trust owns an attractive 47-acre lot northeast of the river's intersection with Falmouth Road. (Map R-5, Lot 30A.) The Trust may be amenable to a number of public access improvements at this site. Town or State Roads that cross the East Branch include Falmouth Road, Field Road and Woodville Road.

3. RECOMMENDATIONS FOR IMPROVING PUBLIC ACCESS

Riverfront parks and public walkways both are possibilities for these rivers: assessing the actual desirability of these projects will require public input from the survey and other hearings as well as additional study of these river areas.

The town should seriously consider the development of a public park area on the Piscataqua River off Mill Road. The two adjacent town owned parcels offer space for parking and park facilities (Map U-40, Lots 13 and 16). Two old mill buildings on adjacent privately owned lots have potential to be converted into a museum or nature center. In addition, long, narrow town parcel near the intersection of Falmouth and Winn Roads (Map U-41, Lot 7) provides a direct accessway to the river. Possible improvements to this site should be investigated.

The town should enhance opportunities for canoe access on the East Branch of the Piscataqua in areas where water depth is sufficient. Although the Falmouth Conservation Trust parcel is the most obvious location for possible recreational improvements, other sites should be investigated as well. Most of the road crossings over the river provide excellent access.

D. ACCESS TO INLAND OPEN SPACES

1. CONSTRAINTS AND LIMITATIONS

While the strong Maine tradition of private land ownership remains strong, attitudes regarding public access over private have changed markedly in recent years. Historically, Maine landowners tolerated or even welcomed the public's access to resources areas, scenic vista and open spaces on their property. Today the tendency is toward restricting access or prohibiting it altogether.

Despite being privately owned, much of Falmouth remains undeveloped; in 1987 vacant land alone accounted for nearly half of all acreage in the town. This doesn't even take into account large lots with one single-family home. And in rural areas like West Falmouth the ratio of undeveloped to developed land is much higher.

The town itself already owns a number of large undeveloped land parcels. The Town Forest, off Woodville Road, properties on Hadlock, Hurricane, Hardy and Blackstrap roads and backlots off Hadlock and Longwoods roads account for over 100 acres of land.

As the open space inventory in Appendix 1 indicates, Falmouth also has a well developed system of public parks and facilities that offer recreational opportunities and potential linkages between open space areas.

2. RECOMMENDATIONS FOR IMPROVING ACCESS

Property Survey and Open Space Assessment

Before considering the acquisition of additional open space, the town should inventory the land it already owns or has access to, and determine whether these properties should be developed as recreational areas. A listing of town-owned property is included in Appendix 1.

The town also should identify particularly unique or valuable physical features or natural resource areas in Falmouth that warrant preservation or deserve careful development as community assets. Such features might include significant hills or ridge areas, wetlands, smaller streams and ponds, unusual geological formations, sensitive or unique wildlife habitats, critical areas and scenic vistas. A number of these resources are already listed in the comprehensive plan data base. The value citizens place on particular features or resources can be assessed from the public access survey.

Once the importance of particular open spaces/physical features are well established, the town should begin taking steps to ensure their preservation or access to the public. Property conveyance and access arrangements can be pursued with landowners. In some cases, the town should consider swapping town-owned parcels for others it wishes to acquire. Timely sale of town owned parcels also can be used to increase and maintain the town's public access/open space fund.

Develop Greenbelt Plan

The issue of access to and the linkage between recreational land areas in Falmouth was given only preliminary analysis as part of this study. The map accompanying this study implies a considerable amount of potential for open space access and interconnections.

It is suggested that the Falmouth Comprehensive Plan Committee or an assigned subcommittee develop an open space plan for the town, focusing on developing one or more greenbelts that link open space, park and recreational areas. This plan should, wherever possible, complement and build on the recommendations of this public access study.

The committee or subcommittee should involve the Falmouth Conservation Trust, the Recreation Department, the Conservation Commission, Maine Audubon and other interested local groups in this planning process.

Even preliminary consideration of a greenbelt system for Falmouth uncovers one important finding: three major utility rights-of-way traverse the town, all in a north to south direction. These rights-of-way provide extensive linkages between rivers, proposed walkways and public lands. These pathways presently are used for cross-country skiing and snowmobiling.

Because of these existing north-south routes, the town in developing its greenbelt plan should concentrate on securing east-west linkages. The Piscataqua River and its associated floodplain has potential to serve as one of these corridors across the width of the town.

Improve and Expand Bike Routes.

Bike routes provide recreational opportunities, allow interconnections between parks and recreational areas and promote an option to the automobile. Falmouth already has an existing system of bike routes, and Section III and IV of this report proposed some alternate bike routes.

The public access map accompanying this report indicates additional bike routes proposed by the Falmouth Town Manager. One route follows Middle Road north from the existing bikeway on Lunt Road, turns west on Woods Road, south on Woodville Road and left on the Falmouth Road, following it west until the Maine Turnpike underpass. Another route turns south off the Falmouth Road onto the Leighton Road, intersecting with Brook Street and following it to the town line.

Besides adequate demarcation, this new route will require in many places road widening to accommodate a bike lane. During any reconstruction on Falmouth's secondary or connector roads, it is recommended that bicycle lanes be added. Falmouth also should press the Maine Department of Transportation to add bicycle lanes on Blackstrap and the Gray Road.

More bicycle routes should be added once the town's greenbelt plan is better formalized. One route with particular scenic potential is the triangular loop formed by upper Woodville Road, upper Winn Road and Field Road. This route travels through gently rolling agricultural land with expansive vistas and two river crossings.

VI. TECHNIQUES FOR PRESERVING AND SECURING PUBLIC ACCESS

A wide range of options exists for communities and conservation groups interested in preserving and expanding public access to the coast, estuaries, rivers, lakes and other natural resources areas. Below is a brief summary of some of these techniques. For a more detailed explanation of landowner options, see the state publication, *The Landowner's Option: A Guide to the Voluntary Protection of Land in Maine*, 1981.

PROPERTY CONVEYANCE AND ACCESS-ARRANGEMENT OPTIONS

Following are a series of techniques and procedures termed throughout this report as "property conveyance and access arrangements." These options generally involve modifications to land ownership rights, usually made voluntarily by the owner or developer. The modifications encouraged in this instance are geared toward encouraging owners of water frontage and other desirable properties to transfer their land to a governmental body or conservation agency, or toward preserving or securing public access to or over property.

It is the responsibility of the town or assigned group to contact the landowner and communicate the full range of options available. Some of these options can also be offered during project reviews to promote the preservation or improvement of public access in new projects.

DONATION

Donation is usually the first option that should be pursued with a landowner. People donate property for a number of reasons: because they want the land to be enjoyed by the public at large, because they think the town or a conservation group is better able to protect and manage the property in the long run, or because they seek relief from property taxes.

Although donors often act out of sheer generosity, donation is not without its financial compensations. In cases where the recipient of the gift is a government body or qualified charitable donation, the donor can claim an income tax deduction of a high percentage of the fair market value of the property.

A number of donation options are available that can give the landowner added flexibility. In a **donation by devise**, a landowner leaves the property as a gift in a will and retains full use and control of the property until his or her death. Although the landowner must continue paying property taxes during life, a donation by device removes the value of the property from consideration of the estate tax.

Landowners may also choose to make a **donation with reserved estate** -- donating the land immediately yet retaining use of all or part of the land during the lifetime of them or other designated persons. The gift would qualify as a charitable contribution and, if the property is passed directly to the town or designated landholding organization, no estate tax on the property is paid.

LAND ACQUISITION

The simplest, most direct way to ensure access to or over a piece of property is to buy it outright. Purchase usually removes most questions regarding access to or use of land. Major issues become maintenance, liability, physical improvements and the extent of access to be allowed.

Owners should be made aware of the different sale options available to them. Some of these options reduce the profit they can make on the transfer. But the reduced price allows the land to be purchased by a public agency or organization committed to preserving the property or allowing public access. And in many cases, these options include tax benefits that help compensate for financial losses.

Selling at fair market price -- at the fully appraised value -- is the most common type of land transfer. Liability for income tax on capital gains, however, can significantly reduce the overall profit from the sale.

In a **bargain sale**, land is sold at less than the fair market price. This lower price may make it possible for the land to be purchased by the town or a private group interested in its future use or conservation. The bargain seller gets partial compensation by paying less in capital gains and by being able to claim the difference between the bargain price and fair market value as a charitable contribution.

An **installment sale** involves an agreement between the property owner and the purchaser where the purchaser either pays for the land in annual installments or buys a portion of the land each year. This type of arrangement makes land purchase far easier for a town or other organization since the installments can be budgeted over time. In installment sales, the seller and the buyer must negotiate terms regarding the actual use of the land and liability for taxes during the course of the sale.

As with donation, sale of a property can take place with a reserved life estate -- in other words, an agreement where the owner or family members can continue to live on property sold to the town or a conservation agency.

TRANSFER WITH CONDITIONS

Some landowners may be hesitant to donate or sell property because of fears about how the property will be used in the future. Landowners may agree to the land transfer if a number of conditions are attached, such as the provision the land will not be developed or that public access to or over their property will be retained or permitted.

Before selling a property a landowner also may wish to grant a conservation easement regulating the future use of the property (see below). If granting this easement results in a reduction in the market value of the land, the landowner may deduct a portion of this loss as a charitable contribution for income tax purposes.

Deed restrictions are restrictive covenants placed in the deed at the time of property transfer. Although these restrictions can be similar to easements, they generally are less permanent and less enforceable. Reductions in value of property due to deed restrictions are not tax deductible.

Despite their limitations, deed restrictions can be used to preserve or enhance public access. Before conveying a property, a landowner can be encouraged to write into the deed provisions affirming the public right to cross or use a portion of the land. A better use of deed restrictions, perhaps, would be for the town or conservation agency to suggest possible deed restrictions in order to make an owner of a valuable frontage lot more amenable to a land transfer.

RESTRICTIONS

A transfer of title is not always necessary secure public access to or over a property. In some cases the town or conservation group can convince a property owner to grant a **conservation easement** in which he or she voluntarily sets permanent conditions on the future use of the land. Although the owner can still use and even sell the land, the property remains subject to the terms of the easement.

The easement can be tailored to fit the landowner's particular situation and concerns. It could require that land be left as "forever wild" or allow limited residential development, farming or managed timber harvesting. The easement also could be limited to a portion of the property -- an accessway, for instance.

If a conservation easement is granted, it is the responsibility of the recipient to ensure that the present and future owners abide by the covenants set forth in the easement. Although the easement constitutes a "loss" of some of the rights of ownership to the land and may cause a reduction in the property's market value, some of this loss can be deducted as a charitable donation.

Another type of restriction is involved with **current use assessment**. Landowners whose land is used for tree growth, farming or open space may make a formal request for a reduced tax assessment based on their land's current use rather than its fair market price.

To be classified as open space, the land must fall into one or more of the following categories: 1) State wildlife and management areas, sanctuaries and preserves, 2) land that conserves scenic resources, 3) land that enhances public recreational opportunities, or 4) land that promotes game management or preserves wildlife. No acreage limitation exists.

Once the land is classified under the current use laws, its valuation for tax purposes cannot reflect its development potential. **Since factors such as shore frontage cannot be used in valuing classified land, current use assessment may be an especially interesting option to landowners with on or near the shore frontage who wish to reduce their tax load.**

LEASING

By securing a long-term lease from a landowner a governmental body or conservation agency can have exclusive use of the land for a given number of years, during which time public access to and over the land can be allowed. Certain restrictions on the use of the property may be incorporated into the lease; in many cases these conditions can be proposed to make the property owner more agreeable to the lease. And periodic rental payments may give the town or organization more funding flexibility.

FIRST OPTION STATUS

First option status merely involves an agreement whereby a landowner gives the town or conservation agency the first chance to buy his or her property when or if it goes on the market. This arrangement allows "first dibs" on a properties with coastal frontage or some other valuable attribute.

The town or conservation group may also get the landowner to agree on a price at which the property will be offered, with provisions incorporated to account for inflation and changing market value.

OBTAINING ACCESS IN THE PROJECT REVIEW PROCESS

Considerable opportunities exist for protecting or improving public access during the review of new subdivisions and other projects. The Planning Board, for instance, can encourage a developer to consider restrictions, conditions or land conveyances in the proposed subdivision that will preserve or improve public access.

The State through the Subdivision Law and other legislation affirms the right of communities to preserve public access to the shoreline. State law is ambiguous on whether a community can exact public access or in-lieu payments from a developer proposing a project on or near a water area. Until a test case occurs, the safest tact is for a community to encourage and negotiate for improved public access.

As recommended in Section II, including in the Comprehensive Plan specific policies and recommendations on improving public access, is helpful in guiding town boards and backing up town public-access policies if they are challenged. Having a strong public purpose statement also allows the town to be ready to take more aggressive approaches if the state passes more definitive legislation or the courts uphold public access exactions.

Falmouth should consider adding language on public access to its subdivision and zoning ordinance. In the subdivision ordinance, general language promoting public access should be added to the Guidelines section and to the General Requirements

section. In the zoning ordinance, preservation of public access should be added as a criterion to the Site Plan Review Standards. The town also should consider adding public access definitions and minimum performance standards governing the design and scope of accessways.

Both in site plan and subdivision review, the town could require the submission of a separate public access component that describes the proposed project's impact on public access/recreational demand and supply, and includes a plan to preserve and improve public access.

The town also should consider adding into its zoning ordinance an incentive provision for public access. The provision, for example, would allow developers to increase the density of a proposed project or modify required setbacks if public access to or over the site is permitted. The provision also should include a set of performance standards governing the nature, scope, configuration and maintenance of public accessways.

With strong purpose statements regarding public access in the comprehensive plan, and general and specific access provisions in land-use ordinances, the Planning Board should be ready to work closely and aggressively with developers and landowners to preserve existing accessways and incorporate additional public access into project designs.

The planning board's position is strongest when negotiating with developers to preserve existing or historic access. The Maine Municipal Association suggests that access for 20 or more years would probably qualify as historic access with vested public rights. Even when pursuing less well-documented rights-of way, the planning board has a clear legislative mandate from the state to preserve and protect public access to coastal areas.

VII. APPENDICES

APPENDIX 1

I. INVENTORY OF EXISTING PUBLIC ACCESS AND OPEN SPACE AREAS

A. Inventory of public coastal access areas

1. Town-owned, public ROWs

a. Town Landing

- (1) Approx. .4 acres
- (2) Contains paved boat ramp and dock, pier
- (3) Most accessible, most used facility in town
- (4) Two parking lots: capacity 50 cars, 6 trailers
- (5) Mooring controlled by Harbor Master
- (6) Swimming unsafe b/c of boat traffic
- (7) Adjacent sandy beach privately owned -- informal swimming and sunbathing occurs

b. Waites Landing Road

- (1) Apparent right-of-way to beach just north of terminus
- (2) No parking, no sanitary facilities
- (3) Area association discourages use
- (4) Private land borders beach, catwalk to beach private

c. Mussel Cove, off Old Mill Road

- (1) 50-foot right-of-way to water
- (2) Access to mudflats, not deep water except high tide
- (3) No facilities, no parking
- (4) New private residence discourages use

2. State-owned

a. Mackworth Island

- (1) 8 acres.
- (2) Hiking trail, playground, Little League field, beach area
- (3) Site of Baxter School for the Deaf
- (4) School managed by Dept. of Education & Cultural Services

3. Private non-profit

a. Gilsland Farm

- (1) 70 acres
- (2) Nature center, walking trails, cross-country skiing, picnicing
- (3) HQ of Maine Audubon Society

B. Inventory of town-owned open space and recreational areas

1. Community Parks

a. Pine Grove Park.

- (1) 27 acres
- (2) Bike Trails, picnicing

b. Falmouth High School

- (1) 70 acres
- (2) Baseball, Little League, softball fields; soccer, multi-purpose fields; tennis courts

c. Plummer-Motz Complex

- (1) 27 acres
- (2) Playgrounds, soccer, Little League fields

d. Town Nature Preserve

- (1) 12 acres
- (2) Hiking Trail

e. State of Maine Nature Conservancy

2. Neighborhood Parks

a. Graves School

- (1) 7 acres
- (2) Playground area

b. Engine 2 Park

- (1) 1 acre

c. Lunt Road Park

- (1) 1 acre

d. Huston School

- (1) 4 acres
- (2) Skating, playground, Little League field

e. Twombly Skating Rink

- (1) 11 acres
- (2) Skating, basketball courts

3. Other town-owned parcels

a. Highland Lake Landing

- (1) Less than an acre
- (2) Dirt ramp, picnic table

b. Town Forest

- (1) 15 acres
- (2) Undeveloped

- c. Hadlock Road
 - (1) 32 acres
 - (2) Undeveloped
- d. Hurricane Road
 - (1) 28 acres
 - (2) Undeveloped
- e. Blackstrap Road
 - (1) 8.3 acres
 - (2) Undeveloped
- f. Hardy Road (Former dump)
 - (1) 18 acres
 - (2) Undeveloped

C. Inventory of other open space areas

- 1. Falmouth Conservation Trust
 - a. Ownes 48-acre parcel on Falmouth Road
- 2. Utility and other right-of-ways
 - a. Maine Central Power transmission lines
 - b. Maine Central Railroad tracks
 - c. Portland Water District
 - d. Other Town ROWs
- 3. Other State-owned land
 - a. MDOT properties near 295 and state-funded roads
 - b. Maine Turnpike Authority properties near Turnpike and Turnpike Spur
 - c. Maine Department of Recreation property on Highland Lake
- 4. Private recreational areas/Limited public access
 - a. American Legion Field
 - (1) 11 acres
 - (2) Baseball, Little League and softball field, tennis courts
 - b. Falmouth Rod and Gun Club
 - (1) 75 acres
 - c. Portland Country Club
 - (1) 70 acres
 - (2) Tennis courts, platform tennis courts, 18-hole golf course, driving range, cross-country skiing
 - d. Hurricane Ski Slope
 - e. Poplar Ridge Ski Slope
 - f. Hurricane Valley Stables
 - (1) 25 acres
 - (2) Riding trails, indoor and outdoor rings
 - g. Pegasus Stable
 - (1) 40 acres
 - h. Whispering Pines Stable
 - (1) 52 acres
 - (2) Riding trails

- i. Breazy Hill Stable
 - (1) 75 acres
 - (2) Riding trails
- j. Portland Yacht Club
 - (1) 5 acres
 - (2) Paved boat ramp, dock moorings
- k. Tennis of Maine
 - (1) 8 acres
 - (2) Tennis courts
- l. Handy Boat Service
 - (1) 2 acres
 - (2) Travel lifts, moorings, dock, boat storage

APPENDIX 2

FALMOUTH PARCEL SURVEY

Ocean Frontage

MAP U-1 (LOTS 102, 102A TO 102J, 103, 127, 128, 137, 139, 140, 140A, 161)
MAP U-2 (LOTS 1, 1A, 2, 3, 3A, 4, 5, 6, 7, 7A, 15, 34, 34A, 34A-1)
MAP U-3 (LOTS 3, 4, 5, 5A)
MAP R-2 (LOTS 1, 1D, 4)
MAP U-5 (LOTS 1, 2, 6, 7, 8, 9, 10, 12, 13)
MAP U-6 (LOTS 1, 1A, 1B, 1E, 3, 4, 6)
MAP U-8 (LOTS 1, 3, 3A, 3A-1),
MAP U-9 (LOTS 1, 2, 3, 3A, 22, 23, 24, 25, 26, 28, 29, 30, 32, 34, 35, 38)
MAP U-10 (LOTS 1, 2A, 2B, 3, 3A, 4)
MAP U-14 (LOTS 15, 20C, 20D, 22, 23, 24, 26, 27, 37, 39A, 39C, 40, 40B, 40C)
MAP U-16 (LOTS 44, 45, 49, 56, 57, 60A, 62, 63, 70, 71, 80A-1, 83, 85, 86A, 87, 88, 91-A)
MAP U-17 (LOTS 3, 3A, 39, 40, 52, 53B, 60A, 61, 62, 66) ALSO CHECK 63, 64, 65
MAP U-18 (LOTS 8, 9B, 10, 25, 29, 30, 34, 57, 58, 58A)

Presumpscot Estuary Frontage

MAP U-1 (LOTS 162, 163, 163A, 165, 177, 178, 179, 180, 181, 182, 183, 184,
185, 186, 187, 202, 215, 215B, 215C)
MAP R-2 (LOTS 6, 6A, 7, 7A, 7C, 7D) ALSO CHECK 7A & 7B
MAP U-4 (LOTS 33, 34, 35, 47, 48, 48A, 54) ALSO CHECK 3, 3A, 3B, 48, 49, 53
MAP U-51 (LOT 1) ALSO CHECK 1E, 2, 4, 5
MAP R-2 (LOTS 9A, 9B)
MAP U-29 (LOTS 12, 16, 17) ALSO CHECK 11, 13, 14, 14A, 14B, 15, 19

Presumpscot River Frontage

MAP U-29 (LOTS 20, 20A, 20B, 21, 25) ALSO CHECK PWD R/W
MAP U-30 (LOTS 5, 6, 7, 8) CHECK N.E. TEL. R/W
MAP U-31 (LOTS 8, 11, 12)
MAP U-32 (LOTS 13S, 13T, 13Y, 29, 29B, 31, 58, 58A, 58C, 58D, 58E)
MAP U-33 (LOTS 1-1, 2, 2A, 8) ALSO CHECK 3 & N.E. TEL. R/W
MAP R-4 (LOTS 2, 7, 8, 9, 9A, 11, 13, 18, 20, 7, 74, 80, 81A)
MAP R-5 (LOTS 4, 24, 24A, 24C, 43A, 47, 50, 51, 55A, 55B, 55E, 76, 76A, 76B,
85, 87, 88, 88A, 89)
MAP U-47 (LOTS 23, 25)
MAP U-48 (LOTS 16, 22, 23) CHECK CMP R/W
MAP U-50 (LOTS 2, 6A, 10, 11, 14)

Mill Creek Frontage

MAP U-13 (LOTS 2,5)

MAP U-15 (LOTS 1, 1A,2,3)

East Piscataqua River Frontage

MAP R-3 (LOTS 3,15,15A,19,20,21,22,25,33C,66,74B,74C,75,80,82,85)

MAP R-5 (LOTS 24C,26,27,30,30A,33,34,38,39,40A,43)

MAP U-40 (LOT 5A)

Piscataqua River Frontage

MAP R-6 (LOTS 86,87,87A,90,90B,91)

MAP U-40 (LOT 1,5A,3T,8,11,13,14,16,17,18)

MAP U-41 (LOT 4,6,6A,6B,7,8,9)

MAP U-42 (LOT 1,7,8,9,10,28,29,30,31,32,33,34,35,37,37B,37C)

MAP U-43 (LOT 1,2,3,4,5)

MAP U-44 (LOT 1, 11)

Highland Lake Frontage

MAP HL-1 (LOTS 1-1, 5,6,7,8,10,11,12,13,14,14A,17,19,21,21A,22,22A)

MAP HL-2 (LOTS 1,2,3,4,5,6,7)

MAP HL-3 (LOTS 4A,9,10,11,12,13,14,15,16,17,17A,18,19,20,21,22,23,25,31,33)

MAP HL-4 (LOTS 1,2,3,4,5,6,7,8,9,10,11,14,16,17,18,20,21B,22,22A,23,24A,25)

MAP HL-5 (LOTS 7,8,9,10,11,12)

MAP HL-6 (LOTS 1,3,4,5,6,7,9,10,11,12,13,14,15,16,17,19,20,21,22,24,25,
26,27,28,29,30,31,32,33,34,35,36,37,38,49)

MAP HL-7 (LOTS 1,1A,1B,2,3,4,6,7,8,9,10,11,12,14)

APPENDIX 3

LARGE LOTS WITH FRONTAGE ON WATER AREAS

LOTS OVER 5 ACRES FRONTING THE COAST

ACREAGE	ADDRESS	OWNER	MAP	LOT	ZONE
142	11 FORESIDE RD.	PORTLAND C.C.	R-2	4	RC1
49	17 FORESIDE RD.	OTIS, V.	R-2	1	RC
25 »	143 FORESIDE RD.	PAYSON, C.S.	U-10	3	RA1
22.5 (VAC)	71 FORESIDE RD.	ROCKEFELLER, R.G.	U-8	1	RC
12.6	14 MENIKOE PT. LN.	PAYSON (NELSON?)	U-6	3	RC
10 »	BAYSIDE LANE	CONDOS	U-18	10	RA1
9.0	157 FORESIDE RD.	RANDALL, E.S.	U-10	1	RA1
8.8	48 THORNHURST PT.	PAYSON, E.	U-8	3A	RC
7.2	ELM DRIVE	HILDRETH, A.D.	U-6	1	RC
6.8	71 FORESIDE RD.	ROCKEFELLER, R.G.	U-8	1A	RC
6.7	40 THORNHURST PT.	ARMSTRONG, R.	U-6	3	RC
6.4	189 FORESIDE RD.	FSIDE RD REALTY TR.	U-14	37A	RA1
5.5	227 FORESIDE RD.	LORD	U-16	88	RA1
5.2	191 FORESIDE RD.	FRSID RD REALTY TR.	U-14	37	RA1
5.1 (VAC)	ELM DRIVE	PAYSON, M.	U-6	1B	RC

LOTS OVER 5 ACRES FRONTING THE PRESUMPCOT ESTUARY

ACREAGE	ADDRESS	OWNER	MAP	LOT	ZONE
47.1	OFF CLEARWATER DR.	FORESIDE ESTATE	U-51	1	RB2
30.8	ROUTE 1	FORESIDE COMMON	R-2	6	RA3
20 (VAC)	OFF ROUTE 1	CHAN KIN WAI	R-2	9A	RA3
16 (VAC)	E/S MIDDLE RD.	TIRRELL, RW	R-4	35B	RA4
14 (VAC)	127 MIDDLE RD.	MCINTOSH, J.	U-29	16	RA3
12 (VAC)	E/S MIDDLE RD.	ALEXANDER, G.G.	R-4	35C	RA4
7	E/S MIDDLE RD.	ALEXANDER, G.G.	R-4	33	RA4
5	E/S MIDDLE RD.	KNIGHT, R.P.	R-4	45B	RA4

LOTS OVER 10 ACRES FRONTING THE PRESUMPSCOT RIVER

<u>ACREAGE</u>	<u>ADDRESS</u>	<u>OWNER</u>	<u>MAP</u>	<u>LOT</u>	<u>ZONE</u>
48 (VAC)	28 ALLEN AVE. EXT.	ADAM, R.L.	R-4	74	RA4
41	63 GRAY RD.	WALKER, D.A.	R-5	43	COMM1
33 (VAC)	W/S FALMOUTH RD.	MOORE, R.L.	R-4	2	RB2
33 (VAC)	W/S FALMOUTH RD.	WHITNEY, E.B.	R-5	24	F&F3
33	49 PLEASANT RD.	CLEAVES, B.N	U-33	8	RA4
30.5	25A GRAY RD.	GOODALL, G.W. JR.	R-5	55B	RA5
30 (VAC)	E/S BLACKSTRAP RD.	MATHIEU, R.R.	R-5	85	COMM1
24.4	OFF B/S BROOK RD.	CHASE, F.W.	U-56	2	RB3
20	210 FALMOUTH RD.	LIGHTBODY, N.K.	R-4	7	RB2
18 (VAC)	N/S ALLEN AVE EXT.	REICHE, H.C.	R-4	81A	RA4
18	186 FALMOUTH RD.	STOCKLEY, A.H.	R-4	13	RB2
18 (VAC)	W/S ALLEN AVE. EXT.	MANNING, R.B.	R-4	76	RA4
16 (VAC)	W/S ALLEN AVE EXT.	MCCANN, V.	R-4	80	RA4
13.7	W/S GRAY RD.	HAMLIN SAND & GRAV.	R-5	47	COMM1
13.5	OFF E.S. BROOK RD.	DEV. OF AUSTIN, E.	U-56	11	RB3
12	W/S FALMOUTH RD.	DOIL, K.L.	R-4	20	RB2
11	196 FALMOUTH RD.	GURLEY, J.T.	R-4	11	RB2
11 (VAC)	E/S BLACKSTRAP RD.	HEIRS OF PRIDE, L.E.	R-5	89	COMM1
9.5	S/S BROOK RD.	BAKER, RA.	U-56	6A	RB3

APPENDIX 4

Falmouth Access Study: Literature Search

Falmouth Plans and Studies

- *Comprehensive Plan*. Town of Falmouth, Maine. 1981.
- *Falmouth Parcel Study*. Thomas Churchill Company. October 1980.
- *Route One Study, Falmouth, Maine*. Mitchell-DeWan Associates, Terrien Architects, Governmental Services, Inc. September 1986.
- *Route 1 Corridor Traffic Study*. T.Y. Lin/Hunter-Ballew Associates. March 1986.
- *Town of Falmouth Alternative Bike Route*. Study by Greater Portland Council of Governments. March 1987.

Regional Plans and Studies

- *Cumberland County Municipal Coastal Public Access Inventory (Draft)*. Greater Portland Council of Governments. May 1987.
- *Outdoor Recreation: Inventory and Analysis of Needs for Greater Portland*. Greater Portland Council of Governments. August 1981.
- *Open Space and Recreation Plan*. Greater Portland Council of Governments. June 1972.
- *The Presumpscot River Study*. Greater Portland Council of Governments. 1978.
- *Area Wide Water Quality Plan. Volume II*. Greater Portland Council of Governments. November 1977.
- *Planning Department Report: Presumpscot River Study and City of Portland Plans*. (Report #35-75) June 1975.
- *State of Maine 1986 Water Quality Assessment*. Maine Department of Environmental Protection.

Public Access/Open Space Plans and Studies for other Greater Portland Communities

- *Cumberland Coastal Access Study*. Wright-Pierce Engineers and Architects. September 1979.
- *Recreational Area/Open Space Study and Linkage Plan: South Portland, Maine*. Mitchell-DeWan Associates. 1979.
- *Spring Point Shoreway Study*. Mitchell-DeWan Associates. 1978.
- *Yarmouth Open Space Survey*. Yarmouth Long Range Planning Committee. 1985.

APPENDIX 5

Public Access and Open Space Goals and Policies

1. Maintain and expand public access to coastal areas.

- a. Upgrade existing coastal access facilities to maximize multiple uses, parking capabilities, and safety.
- b. Expand existing access to coastal areas by securing additional land, easements and public rights-of-way.
- c. Promote the development of a coastal walkway system.

2. Protect scenic view corridors to coastal and inland areas.

- a. Develop an on-going inventory of existing view corridors.
- b. Promote the long-term protection of scenic views by identifying and publicizing visual corridors throughout the community.
- c. Seek to preserve or enhance visual corridors wherever possible in the review of new projects.

3. Expand access to inland water areas.

- a. Pursue opportunities for developing public access/recreational areas on the Presumpscot River/Estuary.
- b. Improve public access and make physical improvements in Mill Creek area.
- c. Investigate expanded access/recreational opportunities for other inland waterbodies, including the East Branch of the Piscataqua River, the Piscataqua River and Highland Lake.

4. Promote linkages between parks, open spaces and public access ways.

- a. Promote linkages between the coastal walkway system and inland and river public access points.
- b. Promote "greenbelts" between inland open spaces.
- c. Foster land management and recreational approaches that treat Falmouth's open space and public accessways as an integrated whole.

5. Pursue a calculated policy of land and easement acquisition to protect and expand open space, public access and scenic views.

- a. Appropriate significant annual expenditures to an open space/public access fund.
- b. Implement the town's open space/public access program with a variety of approaches that include actively seeking first-option status and land and easement donations, in addition to outright purchase of land and conservation easements.
- c. Coordinate with and support the efforts of the Falmouth Land Trust and statewide organizations such as Maine Coast Heritage.
- d. Encourage private sector involvement in Falmouth's open space and public access program, including providing incentives for incorporation of access and open space in new developments.

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