



Maine Association of
Conservation Commissions

Rural Brunswick Smart Growth Project

Brunswick, Maine

Home Rules, Home Tools: Locally Led Conservation Achievements

What does the often cited, but difficult to define, comprehensive plan goal of “maintaining rural character” look like on the ground? How can a town address the continued fragmentation of working woodlots and forest habitats when local review authority typically considers projects one parcel at a time? Can we effectively implement habitat connectivity protections through the limited framework of local land-use ordinances?

These were the challenges facing the Town of Brunswick in 2003 that ultimately resulted in the Rural Brunswick Smart Growth project.

The Challenge

Brunswick’s goal – as expressed in the 1993 Comprehensive Plan and reinforced in Brunswick’s award-winning 2002 Brunswick Parks, Recreation and Open Space Plan – was to create a network of wildlife habitat blocks with connecting corridors as an approach to maintaining functional wildlife habitat and rural community character as the town continues to experience rural growth pressures.

To accomplish this goal, the following objectives needed to be addressed:

1. Raise the awareness among the public, town officials, real estate developers and rural landowners of the impacts that habitat fragmentation can have both ecologically and economically.
2. Work with private landowners who are interested in conserving the habitat value of their property on a voluntary basis.
3. Protect the landowners’ economic interests by providing them with creative land use options that can minimize development impacts.
4. Permanently preserve key areas of habitat through outright purchase or conservation easements.

5. Ensure that any development that occurs within priority habitat blocks or connecting corridors is carried out in a manner that minimizes unnecessary fragmentation.

Brunswick’s first step was to pull together the Rural Brunswick Smart Growth Steering Committee designed to be representative of the town’s diverse rural stakeholders. This committee included owners of large rural parcels, farmers, developers, realtors, hunters, land trust board members, as well as town committee members, and elected officials.

The ultimate vision of the Rural Brunswick Smart Growth Steering Committee was to draft a plan that would serve as a conservation blueprint for the community. This blueprint would redefine the town’s approach to open-space conservation and rural-character preservation by promoting a focused, strategic approach to preserving its ecological infrastructure. By encouraging development to mesh with a specific defined network of habitat blocks and connecting corridors, Brunswick could more effectively and efficiently respond to future growth pressures and preserve habitat and rural character.

The Process

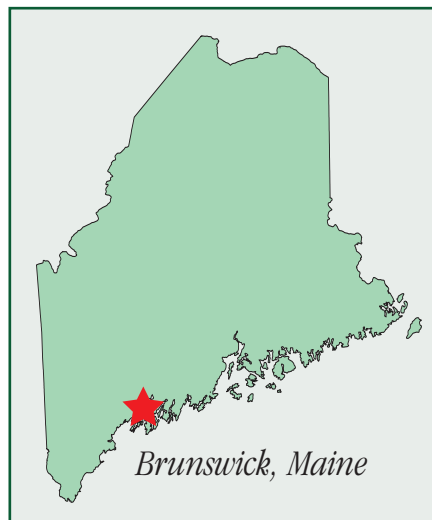
In order to develop effective strategies, the committee’s first step was to best define the resource of concern. The committee reviewed maps from Beginning with Habitat as a starting point. The committee then used recent aerial photographs and custom habitat assessments completed as part of the 2002 open-space plan to refine BwH block depictions. Finally, the committee engaged consulting ecologists to identify priority linkages between habitat blocks based on forest cover type, frequency of road crossings and density of existing development.

This data review and field assessment process produced a network of blocks and corridors that reflected current landscape conditions and could serve as the basis for determining what



tools would be most appropriate to accomplish the Rural Brunswick Smart Growth goals. It was quickly determined that multiple approaches – regulatory, incentive based and voluntary protections – would be necessary.

As regulatory proposals are typically controversial, the steering committee committed most of its efforts to developing a strong scientific basis for ordinance change, and created a transparent process through which stakeholder concerns could be solicited and addressed. To this end, the committee held several facilitated focus-group sessions to better understand the market forces driving rural development. Sessions included a meeting with local real estate brokers and developers to discuss open-space subdivision designs and permit procedures,



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buyer motivations for living in rural zones, and buyer preferences for development type. Three different groups of rural homebuyers were convened to discuss motivations behind their choices to live in traditional subdivisions, open-space subdivisions, or homes built outside of the subdivision review process.

Additionally, Brunswick's assessor was assigned the task of comparing resale values of comparable homes in Brunswick's rural districts built within traditional subdivisions, open-space subdivisions, and developments that did not trigger formal subdivision review.

Once this background research was completed, the committee drafted a series of recommendations for each of the three categories of protections (regulatory, voluntary assistance and acquisition) and held public forums to solicit additional public input.

The Results

The centerpiece of the Rural Brunswick Smart Growth project (and focus of this case study) is the Wildlife Habitat and Wildlife Corridor overlay districts included in Brunswick's Land Use ordinance. The overlay district approach was chosen as the best mechanism for regulating future development within the project focus areas, given the ability of overlay districts to be drawn around natural resource features without necessitating changes to allowed uses, densities and other underlying zone provisions.

Focus-group input revealed that no one approach to rural development fit everybody's tastes. Thus, the overlay districts drafted did not attempt to require a certain subdivision design type, but rather define limitations on the amount of land within the overlay, based on parcel coverage, that could be disturbed by development. Projects that were well within the set limitations receive a density bonus. Projects that exceeded the set limitations are required to mitigate for habitat disturbance by protecting acreage elsewhere in the overlay, or paying into an account that would allow the town to acquire the acreage on the developer's behalf. Prior to Town Council public hearings of the final ordinance, town staff met individually with 30 landowners to go over what development scenarios would result in what outcomes for their specific properties. In response to rural landowner concerns, provisions were built into

the overlay district that exempt clearing for agricultural purposes and one-time lot splits from the time of ordinance adoption that result in one acre or less of clearing in the blocks or corridors.

Aside from the regulatory component, the Rural Brunswick Smart Growth process resulted in nine other recommendations ranging from community education programs and habitat enhancement technical assistance to a targeted density transfer program and establishment of a habitat acquisition fund. A full copy of the committee report with recommendations can be found in the Beginning with Habitat on-line toolbox.

Success to Date

Since the adoption of the overlay districts in 2005, five major subdivisions have been reviewed and approved using Rural Brunswick Smart Growth provisions. As a result, 230 acres strategically located within the blocks have been permanently protected, while fragmentation has been limited to approximately 90 acres concentrated along block edges.

Additionally, having a publicly endorsed conservation blueprint has enabled the town to be successful in securing more than \$2 million in outside grant funds to protect 200-plus acres of rural land identified as strategically important for conservation within the Rural Brunswick Smart Growth blocks. The RBSG data also assisted a private landowner in justifying a tax credit for donating a 100-acre conservation easement to the town.

Lessons Learned During Process

1. Diverse steering committee representation is critical to identify issues early in the process.
2. Having a sound scientific method verified through field investigations, resulted in habitat maps that are of the accuracy necessary for ordinance use.
3. A balanced carrots and sticks approach to project review enable creative project design.
4. Rural development will continue, making sure impacts are minimized is often the most feasible outcome.
5. Target exemptions so as not to unnecessarily penalize rural resource industries .

6. There is no substitute for meeting one-on-one with landowners to identify potential issues and inequities.
7. Any successful approach to conservation requires multiple tools, regulation alone will not effectively conserve landscape functions.

Lessons Learned During Recent Implementation

1. The RBSG data is utilized to strategically guide the town's open space acquisition process.
2. The RBSG data is used by the local land trust in its strategic conservation planning efforts.
3. Non-regulatory recommendations have not yet been fully implemented. Change over in Conservation Commission membership has resulted in loss of institutional memory. Town Council directives to the Conservation Commission could help as could capitalization of a land acquisition fund.
4. It is difficult for the existing codes enforcement process to track cumulative habitat disturbance on single lots that are divided or developed over time. The current system for issuing building permits does not include an efficient method for tracking disturbance on single lots that are within RBSG overlays.
5. Landowners struggle to understand the table and calculations for determining RBSG mitigation requirements. While it may seem straightforward to some planners, it is proving to be less user-friendly to some others.

In order to address some of the more recent barriers to implementation, the Town of Brunswick will be improving the RBSG language as part of its recent comprehensive plan directed zoning ordinance review. In addition, the Town has recently instituted a new municipal-wide software system (MUNIS) that provides, among other services, a way to track all actions related to a particular property, which will hopefully be able to be used to keep track of cumulative RBSG disturbance.