

# THE YANKEE PLANNER



American Planning Association  
Northern New England Chapter  
Making Great Communities Happen

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## Rites of Spring: Regulation of Vernal Pools

By Helen L. Edmonds, Esq. - Pierce Atwood LLP

The increasing regulation of so called “vernal pools” (sometimes referred to as “seasonal pools”) has become one of the hottest of the hot topics in land use regulation over the past few years. While vernal pools may be defined based on a number of characteristics, in general they can be described as temporary bodies of water that occur in shallow depressions, having no inlet or outlet and no viable populations of predatory fish. They typically fill during



the spring and/or fall, and may dry out during the summer. Vernal pools may provide breeding habitat for wood frogs, spotted salamanders, blue-spotted salamanders and fairy shrimp, as well as habitat for other plant and animal species.

In the wet states of New England, vernal pools are prevalent -- perhaps even more prevalent than many practitioners imagined when the issue first began to gain notoriety several years ago. Some estimates place the number of vernal pools in southern Maine, for example, at 70-140 per town. It is not un-

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## APA Forms Young Planners Task Force

By Megan Cummings, AICP, Chair - Young Planners Group

In between the students and the upper-management professionals, there's a cross-section of APA members who are relatively new to full-time planning work. They are the leaders of tomorrow, and they are often from different generations than the leaders of today. In the summer of 2007, APA President Bob Hunter commissioned a geographically diverse taskforce of 15 planners in their 20s and early 30s to serve as the Young Planners Group. The YPG is an advisory group to the APA Board with an eye and an ear toward issues of importance to young planners. After several conference calls, we developed a report to APA's Board of Directors <[planning.org/features/2008/newprofessionals.htm](http://planning.org/features/2008/newprofessionals.htm)> that identifies needs, strategies, and other things vital to the future of APA and the next generation of leaders. We also hosted

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### Special points of interest:

- NNECAPA has one openings on the Executive Committee: NH Legislative Liaison. If interested contact Peg Elmer at: [PELMER@vermontlaw.edu](mailto:PELMER@vermontlaw.edu)

## President's Message

*By Peg Elmer - NNECAPA President*

Thank you for giving me the opportunity to learn what it means to be President of an APA Chapter. I'm just returned from the fall meeting in Washington D.C., which APA also uses to arm us with information and then send us to speak to our Congressional staff. I'm getting an inside view of APA and hopefully able to make more of its services work for us in northern New England. They bring together all the Chapter Presidents twice each year. This one was a "summit on infrastructure" – a very timely topic on the connections between climate change and smart growth, and the need to use some of the next economic stimulus package to re-invest in our communities – but to do it right this time...to encourage smart growth.

Those of you who know me well know I enjoy delving into the topics of transportation and wastewater treatment, so I was in my element...so to speak. They focused on transportation and water, and didn't sink to wastewater on the national level. GREEN-TEA (anti-oxidants for the planet) was joked about as the next surface transportation bill.

The financial presenters spoke about the creation of a National Infrastructure Bank – so think of the \$700 billion rescue package just passed...and what if that had been aimed to community infrastructure. The estimated national need for this purpose is just about \$700 billion, although transportation engineers tend to push that up to \$1.6 trillion (and how different that could be if they pulled back on the widening, straightening...).

Europe has evidently already figured out the community investment angle with Great Britain moving from propping up mortgages to infrastructure spending. We were told there's \$30 trillion in global pension funds looking for a place to invest that would be safer than where it's been. Imagine if the U.S. could act creatively and attract some of that investment here to create jobs to grow smart.

IF you're talking with your congressional delegation and staff, talk about investing SMART through community planning – make the connection between infrastructure (adapted to climate change realities – rather than investing in the same structures that have just crippled us financially) and economic development in the next economic stimulus package to build healthy communities.

APA is planning to hold regional meetings on the issue...maybe we should hold a northern New England infrastructure summit around that – to feed them state level details. They're starting out west – nothing is scheduled east yet.

On the APA world: I passed along our CM grumbles as a newbie. The old grumblers (like Wisconsin) had given up, so it was left to Hawaii and NNECAPA. The folks in charge are quite pleased with the response as CM has kicked in. The numbers of new AICP members are climbing faster than expected. The attendees at a number of regional conferences were way up (Southern New England by 64% with 450 attendees).

They are making more opportunities available to study online for CM, including a 6 credit course by the Center for Disease Control and APA's Tuesday podcasts. Look for those on their website. They've increased travel scholarship funds for folks to get to the national conference, and Minneapolis should be excellent. If you have no travel budget and want to go, seek out the scholarship funding.

Finally, congratulations to both Burlington and Portland for winning APA's America's Great Places awards. This is a continuing program to highlight great planning, so think about our other great places to nominate for great streets, great neighborhoods, great public spaces – especially in New Hampshire because you're due!

Thank you for all your good work!

# Congratulations to Burlington, VT and Portland, ME

By Sandrine Thibault, AICP  
NNECAPA Public Information Officer

## APA Designates Burlington's Church Street Marketplace and Portland's Commercial Street as Great Places in America

This past October, the American Planning Association (APA) designated two New England streets as Great Places in America. In fact, Burlington's Church Street Marketplace was designated one of 10 Great Public Spaces for 2008 and Portland's Commercial Street one of 10 Great Streets. APA Great Places exemplify exceptional character and highlight the role planners and planning play in creating communities of lasting value.

### Burlington Church Street Marketplace

Some 200 outdoor pedestrian malls have been built in the U.S. since the late 1960s, yet only 30 or so remain in operation. One that not only has navigated the economic ups and downs of the past 27 years, but is considered the premier shopping and dining destination throughout Vermont, is Church Street Marketplace in Burlington.

The product of an inclusive and careful planning and design process, Church Street Marketplace is one of APA's 2008 Great Public Spaces in America not only for the historic buildings, thriving retail trade, and carefully maintained streets and walkways, but also strong community support. Each year some 3 million visitors shop, eat, meet and greet, mark milestones, or just pass the time of day on Church Street.



Church Street Marketplace is part of a proposed National Register Historic District, with Victorian and Art Deco structures, and modern infill buildings. Building heights are restricted to preserve the appearance of historic structures while zoning promotes ground-floor retail and upper-story office and residential uses.

Fountains, public art, and locally quarried boulders enhance the streetscape. Street vendors and entertainers keep the atmosphere lively. In warm months, outdoor cafes are the perfect spot for people watching or conversing with friends. The Magic Hat Mardi Gras Parade kicks things off in February, followed in June by the city's Discover Jazz Festival. On the day after Thanksgiving, Santa pays a visit from the North Pole; later that evening, more than 10,000 gather to watch the illumination of more than 200,000 white lights along the four-block-long Marketplace.

What I love about the Marketplace," says Tim Halvorson, former chair of the Church Street Marketplace District Commission, "is that it reflects the unpredictability of life itself."

Views from the Marketplace are magnificent thanks to the downtown's grid pattern, first recorded in Ammi Burnham Young's 1830 "Plan of the Village of Burlington, Vermont." The most notable is the 1816 First

Unitarian Universalist Society church with its clock tower steeple. Spring and fall sunsets align with the cross streets, adding dramatic displays of color and light to impressive views of Lake Champlain and the Adirondack Mountains.

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## NNECAPA Planners Exchange Program

*By Lee Krohn, AICP - Planning Director, Town of Manchester, VT*

Have you ever wanted to try something a bit different, gain some new experiences, and trade places with a planner somewhere else? Some programs, like the Countryside Exchange, have provided opportunities for professional exchange on an international level. While wonderful experiences, I'm sure, these are not always practical, affordable, or achievable. Seeking something a bit more workable, I once proposed to APA that we set up an exchange within the USA. This idea was received favorably, but went nowhere.

Still seeking to create new learning opportunities for us all, we focused our sights more narrowly still. Out of that came a Chapter Presidents' Council grant to research existing professional exchanges, survey our membership, and help create a structure for a professional exchange program within our NNECAPA region -- something simple, achievable, and affordable; something that we might actually be able to do, given family responsibilities and our typically small office staffs.

Kate Harvey of the Consensus Building Institute did a great job on this project, and created a helpful structure for us to consider in creating our own planners exchange program. From here, it's up to us! If you are interested in learning more, the reports will be posted on the NNECAPA website; I can also send them to anyone directly. I'm also willing to continue on with this project from here, and help get this exchange up and running. Please let me know if you're interested in participating!

## 2008 NNECAPA Awards Winners

NNECAPA congratulates the winners of the 2008 awards presented in Woodstock, Vermont on September 4<sup>th</sup>:

### **Plan of the Year**

2008 Rutland Regional Plan, Rutland Regional Planning Commission, Rutland, Vermont

### **Project of the Year**

Milford Community Facilities Planning Process, Milford, New Hampshire

### **Professional Planner of the Year**

Kathleen Fuller, Augusta, Maine

### **Citizen Planner of the Year**

Nancy Malcolm, Middlebury, Vermont

# State Grapevines

## **MAINE** by *Rebecca Schaffner*

**Stacy Benjamin** has recently formed the consulting business Maine Collaborative Planning after resigning in July as the Director of the Land Use Team at the State Planning Office. She formerly worked for the Department of Environmental Protection, and got her start in planning as the Planning Assistant for the Town of Bethel. Stacy has also been involved in MDOT's Mid-coast Gateway 1 project.

**Liz Hertz** transitioned from a Senior Planner with the Maine Coastal program to the Director of the Land Use Team at the State Planning Office. She helped launch the state's Beginning with Habitat program while serving the Maine Coastal program.

**David Versel** has joined Economic Stewardship, Inc., a small consulting firm based in Sturgeon Bay, WI, that specializes in cultural/community/natural/human resource-based economic and tourism development planning. David has set up an east coast office for the firm at Island Point in Saco, Maine, from where he will manage projects all over the country.

The Town of Waldoboro has hired **Patrick Wright** as its first Planning and Development Director. Prior to his appointment he worked at the State Planning Office where he was involved in evaluating the implementation of comprehensive plans.

**Keith P. Luke** has been hired as Westbrook's new Director of Economic & Community Development. Keith has served as the Director of Economic Development for the Town of Windham for the past five years and prior to that served as the Executive Director of Topsham Development, Inc..

The City of Augusta has hired its first full-time Assistant Planner in a decade. **Susan Redmond**, a Tufts University graduate with background in environmental issues and former DEP employee in the Land and Water division.

**James P. Francomano** has been hired as the first City Planner for the City of Presque Isle. Previously he was a Senior Planner and CDBG Project Manager for the Berkshire Regional Planning Commission in Western Massachusetts, and he worked two years for a private development company as a Land Development Manager.

**Cindy Pellet**, the Eastern Maine Development Council's GIS specialist has left her position to spend more time with her children. Over the past several years Cindy has been assisting eastern and mid-coast communities on comprehensive plan mapping.

**David Willauer** left Greater Portland Council of Governments (GPCOG) in August. He has accepted a job in Raleigh, North Carolina with a consulting firm focused on emergency management planning. David has worked for GPCOG for 15 years; 8 as the Transportation & Land Use Planning Director.

**Rosemary Kulow** has joined GPCOG. She is currently serving as a planner and working on a variety of projects and will transition into the Director of Cooperative Service and Human Resources later in the fiscal year. Prior to her position with GPCOG she served as the Town of New Gloucester's Manager, and a Transportation Planning Specialist with the MDOT.

**New Hampshire's Grapevine on page 13...**

## VT Legislative Update

*By Sharon Murray, VT Legislative Liaison*

The “Vermont Neighborhoods Program” (VNP) (Act 176), an adjunct to Vermont’s downtown and growth centers programs, was the most significant piece of planning-related legislation to come out of the 2008 legislative session. We’re still trying to figure out what it means.

Originally proposed by the Douglas administration in 2007 as an “affordable housing bill” without much to do with affordable housing, the first neighborhood bill died a quick death in the legislature. VPA then participated in an ad hoc committee – consisting of regional planners, housing advocates, homebuilders, conservationists, business interests, and smart growers – to resurrect the bill in a more palatable form that defined neighborhoods with minimum density and design standards, in relation to state-designated growth, downtown and village centers, with real incentives for affordable and mixed income housing. Surprisingly, there was much we agreed on that made it into the drafting process. As a result, legislation introduced in 2008 received broad based support, but nevertheless took a torturous path through several committees and, in the eleventh hour, was hung with other housing initiatives that almost killed the bill.

Credit for its passage goes to Greg Brown, who chaired the ad hoc committee, Mike Munson, who represented VPA on the committee, Fred Dunnington and, Brian Shupe, then working for Smart Growth Vermont, who did the hard work of shepherding the bill through the legislature.

The VNP, from a purist’s perspective, is not so visionary as Maine’s “Great Neighborhoods Initiative,” but it does establish a limited state program that builds on past efforts to maintain Vermont’s historic settlement patterns, and to stimulate new

housing development within or contiguous to downtowns, villages and new town centers. Under this program, municipalities can request state designation for one or more new neighborhoods that meet state program requirements. New housing developments within these areas are then eligible for certain benefits, including relaxed Act 250 permitting requirements, exemptions from the land gains tax, and reduced permit fees. What are we still trying to figure out? For starters, what “contiguous” means, and how statutory minimum densities (four units per acre for single family) will be applied. Apparently these concepts are trickier in practice than we ever could have imagined. Act 176 also set up yet another study committee to address Act 250’s traffic, growth and rural development criteria, on which VPA is ably represented by Dean Pierce.

Looking forward, at the state level these are bleak days for Vermont planners. We’ve suffered through two administrations, spanning too many years, that have not viewed planning as legitimate function of state government. Our SPO is long gone. State plans, such as they are, are largely mandated by federal programs or, on an ad hoc basis, by the state legislature. Recent cuts have decimated the ranks of planners in state government, including planners at DHCA and VTrans. Given the current economic downturn and, as I write, the likelihood of another Douglas administration, we’re now sitting tight – trying in the upcoming year to hold onto whatever support’s still available from the legislature for local and regional planning. But we plan to be back, legislation in hand, when the timing is right. In the meantime we’ll be following the money, working on the little stuff, and supporting the good work that’s still happening throughout our larger planning community. Best wishes to our legislative colleagues in New Hampshire and Maine for the upcoming session.

# Professional Development Updates

By Ben Frost, AICP

NNECAPA Professional Development Officer

Much of this report is devoted to AICP Certification Maintenance. As we relate this information, however, please be assured that the Chapter's leadership is focused on providing good professional development opportunities to all planners, irrespective of AICP membership.

## ***Planning for Healthy Places with Health Impact Assessments***

This is a 'how to' guide for conducting health impact assessments (HIAs), developed by the American Planning Association and the National Association of County & City Health Officials, sponsored by the Centers for Disease Control and Prevention (CDC). This online course will explain the value of conducting an HIA and the steps involved in conducting an HIA. Throughout the course, examples of health impact assessments have been highlighted and discussed.

This course is available for free, thanks to a grant from the CDC. 6.0 CM credits. <http://professional.captus.com/Planning/hia/default.aspx>

## ***AICP May 2009 Exam***

- November 18, 2008** Online application window opens (may be slightly delayed because of the website redesign)
- January 13, 2009** Deadline to submit online application
- January 27, 2009** Deadline to submit verification documents
- May 11-25, 2009** Testing window

The APA Chapter Presidents Council Study Manual is being updated, but I still have some of the

2007-08 CDs available for purchase. Email me if you would like to purchase one (\$15).

## ***Certification Maintenance (CM) Update***

As you know AICP's CM requirements continue to be refined, as do the program and provider options. Over the upcoming year, the Chapter's leadership will work hard to provide training opportunities that are timely, substantive, inexpensive (or free!), and convenient. We are particularly interested in creating programs that focus on meeting the ethics and legal requirements, with programs that address issues that are pertinent to the Northern New England planning environment.

Visit AICP's new certification website at [www.planning.org/certification](http://www.planning.org/certification). Part of this includes a very useful CM Activities calendar and search function at [www.planning.org/cm/search](http://www.planning.org/cm/search), including the ability to browse by date, provider, or distance learning.

## ***Self-reported ≠ Self-study***

You are allowed to report up to 8 CM credits that are from activities not registered by a provider. The ability to claim these "self-reported" credits is scheduled to launch with the new online system. **Self-study** is a term that identifies distance education products, such as online courses, CD ROMs, etc. There is no limit to the number of CM credits a member may claim from these kinds of educational activities.

## ***National Planning Conference CM Credit Calculation***

All sessions at the National Planning Conference were registered for CM credit according to the time of training provided. An hour of training was registered for 1.0 CM credits, not 1.25 credits.

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usual for vernal pool delineations on large, linear projects to reveal literally hundreds of vernal pools of varying sizes and origins that must be evaluated and addressed as part of project permitting.

Vernal pools are regulated via a variety of state and federal mechanisms. While the northern New England states are not all regulating vernal pools in the same manner today, it is safe to assume that stricter permitting of vernal pool impacts is coming to a jurisdiction near you.

In Maine, which thus far has probably gone the farthest in regulating vernal pools, certain naturally occurring vernal pools have been defined for the past two years as “significant wildlife habitat” pursuant to the Natural Resources Protection Act (NRPA). Under Maine’s Chapter 335 regulations, developers must identify and delineate vernal pool habitat, a job previously assigned by statute to the Maine Department of Inland Fisheries and Wildlife (IF&W). Under the old rules, IF&W was never adequately funded or staffed to carry out its mapping duties. Under the NRPA rule, the burden of delineating these habitats now falls upon developers, just as it does with respect to wetlands, although the Maine Department of Environmental Protection (MDEP) will assist smaller landowners by conducting field determinations.



Outside of requiring applicants to delineate vernal pools, the most important aspect of Maine’s rule involves the definition of “significant” vernal pool habitat. One of the key concerns under Maine’s rule is the time it takes to determine whether a particular project impacts significant vernal pool habitat. A pool qualifies as “significant” if it is either: (1) used by rare, threatened or endangered species; or (2) contains specified numbers of life forms or egg masses of particular species, including fairy shrimp, blue spotted salamanders, spotted salamanders and wood frogs. Determining whether there are adequate numbers of the indica-

tor species under the second prong of this test requires field work during a narrow window in April and May when these species are breeding. Because the indicator species may hatch at different times during the breeding season, IF&W is recommending – and MDEP is generally requiring – two separate field visits during the breeding season in order to conduct the species evaluation. In addition, pools that dry out by July 15 (in southern Maine) or July 31 (in northern Maine) may be deemed not significant, pursuant to a recent statutory amendment. As a result of the regulatory definition, many projects are delayed until spring or longer, because only then can developers determine conclusively what permits are required.

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(The alternative is to assume an identified pool is significant and seek a permit right away, requiring potentially expensive compensation or project modifications.) Vernal pool delineation has necessarily increased the cost of many developments in Maine.

In addition, Maine extends protection from the vernal pool itself to an area of critical terrestrial habitat surrounding the pool. Under NRPA, this area is defined as being within 250 feet of the pool's high water mark. Although not strictly a setback, construction activities that occur within or adjacent to the pool itself or within this band of terrestrial habitat are required to avoid, minimize, and compensate for any impacts. Maine's rule provides habitat management standards that must be followed to the greatest extent practicable, such as avoiding any disturbance of the vernal pool depression itself and maintaining at least 75% of the critical terrestrial habitat as unfragmented forest. MDEP has stated that these standards reflect the importance of the upland areas surrounding vernal pools to the species that use them. As an added complication, MDEP has implied an even greater buffer area – 500 feet – around vernal pools potentially impacted by projects receiving review under the Maine Site Location of Development Act, the comprehensive environmental impact statute applied to projects deemed to be of “state or regional significance.”

Like Maine, New Hampshire this year added specific definitions and vernal pool delineation requirements to its wetland regulations. The New Hampshire regulations do not currently establish specific criteria for assessing or limiting impacts to pools or their surrounding habitat, although general wetland impact avoidance and minimization principles are applied. See, e.g. Env-Wt §§ 101.99 (vernal pool definition), 301.01 (f) (delineation requirement), 302.04(a)(7)(f) (requiring assessment of “impacts” to vernal pools).



In Vermont, vernal pools are specifically regulated through the Act 250 development review process, which may involve requirements for protection methods on a case by case basis. The State's Significant Wetland Inventory maps are currently being updated based on National Wetlands Inventory and municipal mapping information, with the intent of depicting identified significant vernal pools. Meanwhile, a vernal pool work group has been established to focus on identification and protection methods. While specific buffering requirements for vernal pools have not been incorporated into the State's wetland rules at this point, Vermont's wetland delineation criteria include the presence of aquatic life as one of the wetland indicators, such that vernal pools are protected in the same manner as other wetlands.

Finally, the U.S. Army Corps of Engineers, when reviewing impacts to federal jurisdictional wetland resources under the Clean Water Act, considers and regulates impacts to vernal pools (including not only naturally occurring but also man-made depressions that support indicator species) as far as 750 feet away from the pool depression itself. Like MDEP, the Army Corps is regularly applying a standard requiring preservation of 75% of the adjacent upland habitat surrounding a vernal pool, but this policy is

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being applied (for example, through application of state-specific Programmatic General Permits) without any explicit basis in the Clean Water Act or its rules. The discovery of potential vernal pools within a federally regulated wetland can be tremendously significant to applicants in their planning and budgeting for development projects.

Planners should be aware of the increasing regulation of vernal pools for at least two reasons. First, with respect to land use planning and economic development, municipalities may want to get a head start on inventorying pools and structuring their comprehensive plans and/or ordinances to direct development away from these areas, thus reducing the potential for conflicts. This may become easier over time as more habitats are delineated. A number of resources exist in all three of the northern New England states to assist in the identification and assessment of vernal pools. Second, with respect to permitting, local planners are often the first regulators that developers approach about their projects. Armed with knowledge about the potential impacts of vernal pool regulation, planners can help the permitting process flow more smoothly for all involved.

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## APA Forms Young Planners Task Force

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a session at the 2008 national conference in Las Vegas to present the findings of the report. The discussion following the presentation was lively, insightful, and inspiring.

Part of our charge is to identify ways to get young planners more involved in the profession both in leadership roles and among our local chapters and sections. There are many ways young planners can become more involved in their profession. Contact your chapter president and let them know you would be interested in organizing lunch 'n learns, helping at the state conference, updating the website, or serving on a committee. The YPGs also see a greater role for networking within our generation to discuss issues important to us such as career development, moving into management positions, and balancing careers and families.

We want to hear from you! If you are interested in helping to shape the future of the planning profession, if you want to be more involved, or if you want to be a part of a support group for young professionals like you, let us know. Some of our goals for the upcoming year include organizing a mentoring program, forming local and regional groups of young planners, and finding ways to be more active in national APA programming and policy decisions. Reyna Alorro is on the YPG and are within Region I - APA. Feel free to contact me ([plannermegan@hotmail.com](mailto:plannermegan@hotmail.com)) or Reyna Alorro ([alorror@hpd.nyc.gov](mailto:alorror@hpd.nyc.gov)) or your Chapter President and let us know if you are interested in becoming more involved. We can't wait to hear from you.

# Congratulations to Burlington, VT and Portland, ME

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The cross streets allow access for delivery vehicles, a component considered vital to a pedestrian mall's success. With 63 specialty stores, 13 national retailers, and 26 eating and drinking establishments, the Marketplace offers something for every shopper. Vacancies are rare given the mall's 97 percent occupancy rate. The Marketplace also hosts 20 food and retail cart vendors and issues permits to more than 200 street performers annually.

## Portland Commercial Street

Commercial Street in Portland, Maine, blurs the distinctions among working waterfront, downtown main street, and historic tourist district. It is a place where moored fishing boats, lobster pots and fishing gear, and crying seagulls mix with downtown office employees going to work, residents living in dockside condominiums, and tourists visiting restaurants and boutique shops. It's a dynamic yet precariously balanced amalgam crafted through years of debate and compromise.

One of APA's top 10 Great Streets in America for 2008, Commercial Street stands out for its unique character, strong sense of place, and mixture of uses involving marine and fishing industries, tourism, retail trade, commercial offices, and residential housing.

For more than 125 years the role Commercial Street played as the main thoroughfare for Portland, Maine's working waterfront was never questioned. The street was built on top of old piers, and fill was pushed into Casco Bay during the early 1850s to accommodate major railroad development and associated warehousing along the Fore River.



From the late 1970s through the mid-1980s, however, changes in the fishing and marine transportation industries made it increasingly uneconomical for the privately owned wharves and piers along the street to continue serving only maritime trades. New development included offices, condominiums, and other non-marine uses. By 1987, residents had seen enough and approved a five-year moratorium on non-marine development along the waterside of Commercial Street and its docks.

Delineating the border of Portland's shopping center, affectionately referred to as "the Old Port," the street boasts wide clay brick sidewalks, granite curbs, storefronts with upper-floor living quarters, and office buildings. There's also public art nearby, such as a steel globe armillary depicting nautical themes, and the private fish sculpture attached to an industrial building at the Portland Fish Pier.

The street's historic architecture from the late 19th and early 20th centuries was protected when the area was added to the National Register of Historic Places in 1974 and by a Historic Preservation Ordinance adopted by the city.

The privately owned and operated wharves that adjoin Commercial Street — more than a dozen altogether — are a source of much community pride, contributing to Portland's image as a self-reliant and viable seaport. The statewide debate about preserving the city's working waterfront that led to the 1987 moratorium, however, was only the start.

In the early 1990s formerly rival factions of pier owners, activists, city councilors, business own-

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## Congratulations to Burlington, VT and Portland, ME

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ers, and others joined together and formed the Waterfront Alliance. Through a collaborative effort, the alliance produced a policy document in 1992 that suggested a new zoning approach for the waterfront. The alliance then worked with city council, the mayor, and city staff to draft zoning that was adopted in 1994. It allows limited commercial uses on the piers and wharves so owners have a certain amount of financial stability at the same time the needs of the fishing and lobster industry and Portland's identity as a New England seaport are addressed.

"For a situation as complex as this [the] result is complicated and unloved rules, but it is the only thing we have found that has worked," said city planner Bill Needelman. "With development along Commercial Street, it's all a balancing act."

Besides pier and wharf development being financed privately, the city has implemented a tax increment financing program for infrastructure repairs, improvements, and outreach programs along the street and waterfront. Unfortunately, the fiscal demands of Portland's general fund have limited use of this tool.

Despite the controversy and public discussions about more recent changes, Commercial Street remains just as important to the city and its waterfront today as it was when first built more than 150 years ago.

## Professional Development Updates

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### *Partial CM Credit*

You are not allowed to claim partial credit for an activity. You can only log the number of credits that are registered by the provider. **Providers:** If your event is designed to offer the flexibility of attending a portion of the full event (e.g. attendees being able to attend one-day out of a two-day workshop, or half of a full day event), then we encourage you to register it for CM credit under the "multi-part event" option.

### *Carryover Credits*

During any reporting period, you may carry over a maximum of 16 credits, even if you do not need to start accruing CM credits until January 2010. These cannot include the required law and ethics credits.

If you have questions about certification maintenance or professional development generally, please email me at [bfrost@nhhfa.org](mailto:bfrost@nhhfa.org).

### **NEW HAMPSHIRE** *by* **Mikaela Engert**

**Eric Steltzer** was recently hired to fill the Energy Policy Analyst position. Most recently Eric had been working at the Rockingham Planning Commission in Exeter as a Regional Planner and developed a Regional Energy Master Plan to guide local community energy efforts. Eric received his Masters from University of New Hampshire and his Bachelors from Colorado State University. His studies have focused on renewable energy development, environmental policy, and natural resource management.

**Farzana Alamgir** was recently hired as a principal Planner with the Municipal and Regional Technical Assistance section of the office and to provide additional support for the State Data Center. Farzana has an undergraduate degree in Architecture, with a Masters in City and Regional Planning from Ohio State University. She recently moved from Columbus, Ohio, where her previous job was with DeJONG Inc., in Dublin, Ohio, a firm that provides educational facilities planning.

**Laura Richardson** will be using office space at OEP, though not a state employee. She will be the Project Director for StayWarmNH, the winter weatherization initiative that is keeping so many people busy right now. She comes from the renewable energy and energy efficiency world, and has tremendous skills. She is a former president of the NH Sustainable Energy Association.

**Mary Downes** has been hired as the new Energy Efficiency Specialist working with state agencies to meet the Governor's Executive Order committing to a reduction in state energy use of 10%. She also provides information to public and private entities regarding energy efficiency and related topics and is helping to organize Stay Warm NH, a public-private partnership to increase weatherization services and engage volunteers in

an effort to undertake basic winterization activities in the homes of our state's most vulnerable residents.

The OEP has completed a new technical bulletin for Small Wind Energy Systems. The bulletin, model ordinance and additional information regarding renewable energy is on the Small Wind Energy Systems webpage. <http://www.nh.gov/oep/resourcelibrary/swes/index.htm>

**VT grapevine on page 14...**

### **STAY WARM NH - Volunteers needed**

**Stay Warm NH is an initiative of Governor Lynch to increase available weatherization services to thousands of low-income New Hampshire homes.**

Stay Warm NH is coordinated by the Office of Energy and Planning, the Department of Health and Human Services, and the New Hampshire Charitable Foundation, and is supported by dozens of public and private agencies and companies throughout the state. For more information, visit [www.StayWarmNH.org](http://www.StayWarmNH.org).

Stay Warm NH is organizing three-person teams from major employers, small businesses, non-profit organizations, and community agencies to undertake basic winterizing measures in the homes of low income elderly, disabled and households with young children. Training and materials will be provided to teams in time for volunteer days scheduled for **Saturdays November 15 and 22, 2008**. More dates will be added if there are sufficient volunteers. To learn more or to sign up, visit [www.StayWarmNH.org](http://www.StayWarmNH.org).

## VERMONT *by* Tara Bamford

### THE 2008 Annual Conference

VPA hosted the 2008 annual NNECAPA conference September 4 and 5th in beautiful Woodstock, Vermont at the Woodstock Inn. Over 150 participants spent the two days learning how to use new information technologies to engage more residents, particularly the younger generation, in planning projects. Dartmouth College's Barbara Knauff set the stage with some eye opening statistics about the "Digital Natives" which dispute the commonly held notion that the digital generation is moving away from "real" social lives. Technologies explored in break-out sessions included free blog and wiki tools, planning for "green" campuses, NH GRANIT Data Mapper and the Vermont Interactive Map Viewer, and Google Maps and SketchUp, The NNECAPA photo-sharing library on Flickr was also introduced.

The conference also highlighted several programs specifically targeted to engaging youth in community issues, including the KIDS Consortium, Leadership Champlain's PILOT, and Manchester Vermont's program for including students on local boards. Other angles on the youth theme included green-space planning as a means to engage community members of all ages, and immigration as a strategy for maintaining vibrant communities. A look was also taken at several topics of growing importance as we plan for the next generation, including reducing carbon emissions, community-building development design, small community sewage systems, sustainable agriculture, and transportation needs of the growing number of nondrivers.

Over lunch on Thursday Planning Commissioners Journal's Wayne Senville shared with us some of his experiences from his trip "Across America on US 50." Friday's keynote speaker Allison Fine, author of "Momentum: Igniting Social Change in

the Connected Age," emphasized the importance of the two-way communication between government and the public enabled by social media, and the expectations and opportunities provided by that participation. Some of her simple suggestions for planners included having discussions on YouTube, using Face Book and MySpace, and driving our planning committees to engage local youth by asking each member to bring a young person to a meeting.

Our challenge now is to make the extra effort to apply some of the ideas learned at the conference to engage youth in our efforts to plan for their futures, and to stay abreast of changes in social computing to be able to reach out to rather than bypass tomorrow's leaders. If each of us just makes one small change in how we do things...

### 2008 NNECAPA Ballot Tallies

In the year of all years for people to turn out to vote, we had a stunning 25% return rate on the ballots. All 3 measures (presidential succession, adding a voting public information officer to the Executive Committee, and setting chapter dues to be 25% of APA regular membership dues), passed by better than 80% with more than 100 members voting. Thank you to all who cast their ballots.

#### 1. Chapter Presidential Succession

Yes 99 - 87.6% - No 14 - 12.4%      No Vote 0

#### 2. Chapter Public Information Officer

Yes 102 - 90.3% - No 11 - 9.7%      No Vote 0

#### 3. Dues Structure

Yes 89 - 80.9% - No 21 - 19.1%      No Vote 3

## NNECAPA's Executive Committee

### President

[Peg Elmer, AICP](#)

### Vice-President/President-Elect

[Carl Eppich](#)

### Past-President

[Donna Larson, AICP](#)

### Secretary

[Nathan Miller](#)

### Treasurer

[Herbert Durfee](#)

### Professional Development Officer (PDO)

[Benjamin Frost, AICP](#)

### Assistant PDOs

[Anna Breinich, Maine](#)

[Lee Krohn, AICP, Vermont](#)

### ME State Director

[Rebecca Schaffner](#)

### NH State Director

Tim Thompson

### VT State Director

[Tara Bamford](#)

### NH Legislative Liaison

Vacant

### ME Legislative Liaison

[MacGregor Stocco](#)

### VT Legislative Liaison

[Sharon Murray, AICP](#)

### Chapter Historian

[David White, AICP](#)

### Public Information Officer

[Sandrine Thibault, AICP](#)

### Faculty Liaisons

[Mary Adamo Robertson](#)

[Steve Whitman, AICP](#)

### Student Liaison

[Katherine Garvey](#)

## Events Calendar

### APA's 2009 National Planning Conference

**Date:** April 25th, 2009

**Venue:** Mineapolis, MN

**Details:** [www.planning.org](http://www.planning.org)

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### SAVE THE DATE!

### NNECAPA's 2009 Annual Conference

**Date:** September 24-25, 2009

**Venue:** Belfast, ME

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Visit our Calendar frequently for additional professional development opportunities: [www.nnecapa.org/calendar](http://www.nnecapa.org/calendar)

**Are you working on an innovative project in your community?**

**Have you just finalized the creation or update on a plan you are proud of?**

Please share you successes with your peers and submit an article for the NEW Northern New England Community Highlight section of the Yankee Planner!

Contact NNECAPA PIO Sandrine Thibault ([sthibault@ci.burlington.vt.us](mailto:sthibault@ci.burlington.vt.us)) for information and publication deadlines.