

Chapter 3

Land Use

Introduction

This chapter examines existing land use patterns in the Town of Acton as a means of understanding the character of its development. It also examines recent development trends in the Town and compares them with the land use objectives of the existing Comprehensive Plan.

Existing Land Use Patterns

Acton is a primarily rural town, with most of its 37.8 square miles of land (it also contains four square miles of water) comprised of undeveloped land. As of the 2000 Census, its population density was about 57 people per square mile. There is very little commercial development in Acton, as fewer than 200 people work within its boundaries. The existing commercial development in Acton is mostly in the Route 109 corridor, especially in the area between the Shapleigh town line and the Acton Fairgrounds.

Most existing residential development in Acton is located along the shores of its lakes and ponds, although there is significant residential development along the frontages of many rural roads. There are eight large lakes or ponds in Acton: Square Pond, Mousam Lake, Lower Mousam Lake, Great East Lake, Wilson Lake, Horn Pond, Balch Pond, and Loon Pond. According to Emergency/911 records, there are 1,918 housing units within the Town limits (the 2000 Census reports 1,910). Of the existing units, 1,083 (57 percent) are located within 250 feet of one of these eight large water bodies.

In the 1991 Comprehensive Plan, there were three growth areas identified. All three were located near the geographic center of Acton, with the largest being a triangular area around the intersection of Route 109 and Sanborn Road. The other two growth areas identified were smaller rectangular zones along the H Road and around the intersection of Route 109 and Garvin Road. At the present time, however, just 123 units are located in these three areas, or about six percent of all dwelling units in Acton. It should be pointed out that the actual implementation of these growth areas (via zoning changes) never occurred. Residents in the early 90's were not in favor of increasing density in the "village" area of Acton (or anywhere else).

Aside from units in the growth areas and along major water bodies, there are another 712 existing residential units in Acton, representing 37 percent of all units in the Town.

These units mainly front on the Town's rural roads, with the greatest numbers being located along Fox Ridge Road, Milton Mills Road, Acton Ridge Road.

The table to the right and the map on the following page

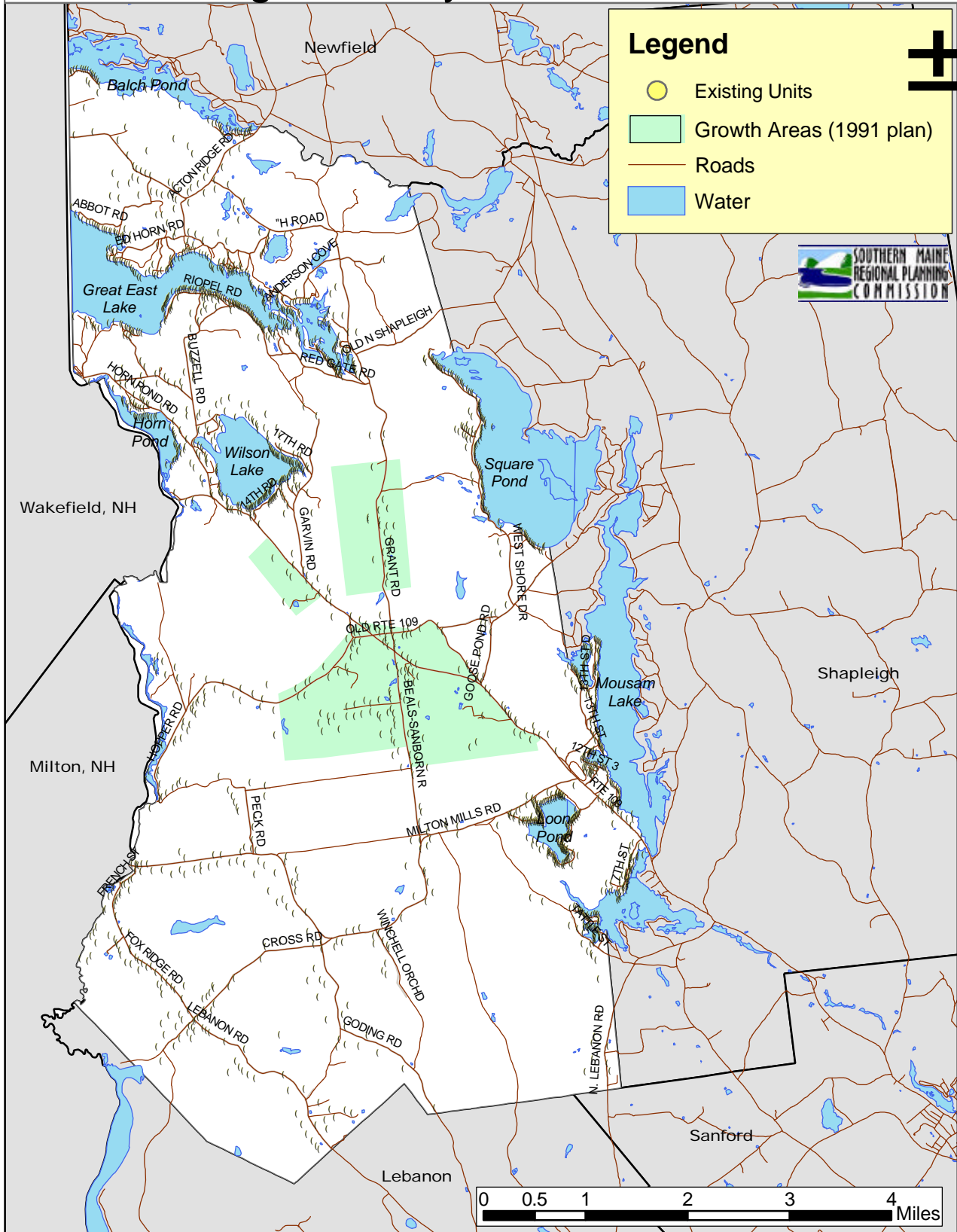
Existing Residential Units in Acton, 2002

	In Growth Areas	Within 250 Feet of Large Water Bodies*	Not In Growth Areas or Shore Areas	Total
Number	123	1,083	712	1,918
Percent	6.4%	56.5%	37.1%	

* Eight Large Water Bodies are: Mousam Lake, Lower Mousam Lake, Square Pond, Great East Lake, Wilson Lake, Horn Pond, Balch Pond, and Loon Pond.

Town of Acton Comprehensive Plan Update

Existing Inventory of Residential Units



summarize where existing residential development in Acton is located

Recent Development Trends

Since 1991, there have been a total of 286 residential building permits issued in the Town of Acton, an average of about 24 per year. This increment of new construction represents about 15 percent of all housing units in the Town. Among the permits issued since 1991, 33 were issued in one of the three designated growth areas from the 1991 plan, representing just 12 percent of new development. Another 64 units (22 percent) were built within 250 feet of one of Acton's eight large water bodies.

The remaining 189 units (66 percent) were outside of these two areas, with much of this activity scattered throughout the southern part of the Town. Even most waterfront development took place in the northern part of Acton, primarily around Wilson Lake, Balch Pond, and Great East Lake. These trends demonstrate how the more developed waterfront areas (Square Pond, Mousam Lake, and Lower Mousam Lake) have fewer lots on which to build, and new home development is moving elsewhere. In some respects these lake areas have been the town growth zones. Now, as they have been built out, growth is trending to other areas in town. It would appear to support the notion that the uniform two acre zoning provision for the community is leading to a dispersion of the housing units and population in Acton.

The bulk of new development has been on individual frontage lots, rather than in subdivisions, according to Acton's Code Enforcement Officer. With the exception of the Ridge, a 46-lot subdivision begun in the early 1990s, almost all new development in Acton since 1990 has either occurred on individual lots or in subdivisions of three to four lots. However, subdivision activity has begun to increase, and the CEO expects to receive several applications for new subdivisions in 2004. There are currently three new subdivision proposals totaling 40 new proposed subdivision lots in front of the Acton Planning Board. These are spread throughout the rural parts of town.

One notable land use issue that has recently arisen has been the sale of the former Lavalley Timber lands to a private individual. Much if not all of that land was in tree growth (an area totaling about 900 acres spread in both the northern and southern parts of town). The owner has already approached the Board with a 14 lot proposal for some of these lands and has stated he will likely come in with additional projects following the harvesting of these parcels. So while the town currently has about 3,800 acres in Tree Growth, that is likely to be reduced significantly over the coming years.

The town also has approximately 440 acres in the Farmland Program, mainly associated with the orchards which once thrived in Acton. These orchards, as with other orchards in Maine are suffering from competition abroad and within the US. The location of both Tree Growth and Farmland parcels can be seen on the Lands Not Readily Available for Development Map.

The table below summarizes where residential growth has taken place in Acton over the past decade.

Residential Building Permits in Acton, 1991-2002

Year	In Growth Areas	Within 250 Feet of Large Water Bodies*	Not In Growth Areas or Shore Areas	Total	Distribution		
					In Growth Areas	Near Water Bodies	Neither
1991	2	8	21	31	6.5%	25.8%	67.7%
1992	3	6	15	24	12.5%	25.0%	62.5%
1993	1	3	6	10	10.0%	30.0%	60.0%
1994	2	8	14	24	8.3%	33.3%	58.3%
1995	1	1	13	15	6.7%	6.7%	86.7%
1996	1	3	18	22	4.5%	13.6%	81.8%
1997	2	8	19	29	6.9%	27.6%	65.5%
1998	1	3	6	10	10.0%	30.0%	60.0%
1999	3	13	14	30	10.0%	43.3%	46.7%
2000	6	2	18	26	23.1%	7.7%	69.2%
2001	5	3	17	25	20.0%	12.0%	68.0%
2002	6	6	28	40	15.0%	15.0%	70.0%
Total	33	64	189	286	11.5%	22.4%	66.1%

* Eight Large Water Bodies are: Mousam Lake, Lower Mousam Lake, Square Pond, Great East Lake, Wilson Lake, Horn Pond, Balch Pond, and Loon Pond.

Source: Town of Acton; SMRPC

Analysis based on 1991 approved and unimplemented plan.

A critical component of land use is the developability of the town as far as soils, slopes, wetlands, critical natural areas, and what areas have been developed already. SMRPC conducted a Land Use Suitability Analysis to determine what area in town might be most suitable for low intensity growth areas and rural areas.

The map is shown following the map on recent building permit activity. The Chart below summarizes Acton's growth potential (with an explanation of how the data was derived):

Developable Lands Data

Development Constraints (includes hydric soils, steep slopes, conservation lands, wetlands, floodplains, shoreland areas, and areas with existing dwellings). For the purposes of this analysis any existing dwelling was buffered with a two acre ring and then deducted from the developable area).	15,000 acres
Developable Land (land remaining after all the above are mapped)	11,000 acres
Town of Acton acreage	26,000 acres (discrepancies result between the total acreage of the town here and from other data due to differences in town tax

	maps, USGS maps and water bodies).
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What this analysis shows (and what is graphically represented on the following Map is that the town has approximately 11,000 acres of growth potential. With a two-acre minimum lot size the town has the potential to add anywhere between 5,000 to 6,000 housing units if full build out were realized. As important potentially, is where any growth may go. Based on the land available for development (seen on the map) it might go into some of the more remote parts of town. The uniform nature of the towns zoning map and ordinance would seem to represent a threat to the towns rural areas, character, wildlife habitat and ultimately the finances of Acton as it attempts to provide services to a dispersed population. In the land use policy section the idea of directing growth to a center is looked at in more detail.

An analysis of how the land is constrained from development is shown in the following table. One area that Acton lags behind other communities (such as Waterboro and Shapleigh) is land constrained because of conservation holdings or easements.

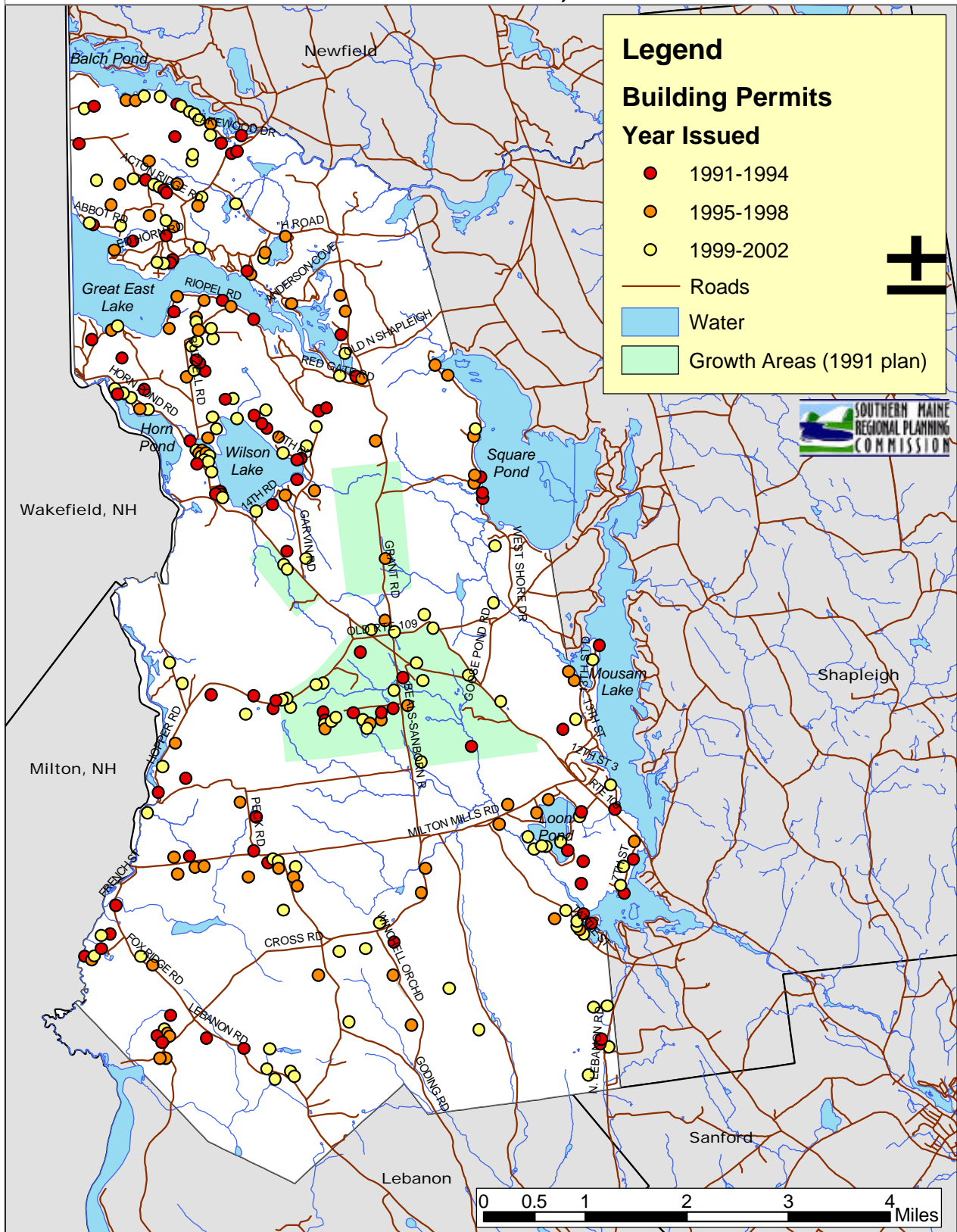
Breakdown of Constraints
(approximate amounts)

Public Lands	272 acres
Two acre buffer of residential dwellings	2,300 acres
Environmental Constraints	12,400

Commercial growth has been limited in the town with the exception of the gas/convenience complex near the Acton fairgrounds. This was in fact the only permitted commercial project in Acton in the past decade. Based on the small survey conducted by the Comprehensive Plan Committee there appears to be no real desire for large scale commercial and/or industrial growth. There does appear to be some support for small commercial ventures which support local residents (possibly places such a hardware stores, small markets, pharmacies and the like). Currently Acton allows commercial ventures throughout the town according to the provisions of a “floating commercial zone”. There is a concern that this provision, combined with relatively weak performance standards for commercial uses (such as for parking, landscaping, etc) leave the town and its rural character at risk.. Essentially, one can build a commercial (or industrial) structure nearly anywhere in Acton.

Town of Acton Comprehensive Plan Update

Residential Permits, 1991-2002



Build out map

Summary Discussion

The absence of an adopted growth plan for Acton makes an analysis of land use difficult. While some growth occurred near the so called “town center” it was very small as compared to the remainder of the town. Aside from the development around the lakesides, the town has grown in a somewhat random manner. It seems clear, that as the lake areas build out the next round of growth will likely occur elsewhere.

It is possible that based on recent activity this growth may take place in more rural parts of the town –where vast holdings of timberlands and fairly inexpensive land may contribute to growth in these areas. With affordable housing being an issue countywide (and in Acton), low cost rural lots become more desirable. This may result in small subdivisions arising in these areas – perhaps on town maintained gravel roads. It is clear that there is growing subdivision activity in the town – particularly as the growth from coastal areas proceeds inland.

Without water and sewer to focus growth the town needs to be creative as it seeks to guide growth. The towns existing growth cap, while providing a limit on overall growth does not guide growth. It also appears that as road frontage is built out more development may take place on back lands and off right of ways. This has implications for emergency services and future town road decisions.

The vast majority of town growth occurs outside the subdivision review process. This may change slightly in the coming years. However dealing with the cumulative impacts of lot by lot growth (rather than large scale subdivisions) is a much more difficult issue to resolve.

Commercial development in town is limited to an area round the Acton fairgrounds and along Rte. 109 at the Potting Shed. A couple of convenience stores have been developed near the lake areas. The idea behind the “floating” commercial and industrial area has not resulted in any new commercial/industrial development.

These issues will be discussed more fully in the Goals and Policies section for land use.