

# FAQ – FIRST ROUND

Created by the Town of Bar Harbor Planning Department  
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## Q1: Will removing the minimum area per family requirement in the growth areas change the look and feel of my neighborhood?

**A:** The look and feel of residential neighborhoods is unlikely to change significantly solely as a result of this change. However, the desired “character” of neighborhoods is subjective and may be viewed differently by different community members. This change allows for modest housing growth, which in some cases, will look different than what exists today. To increase housing supply, the Town must embrace change and accept that it may look a little different.

All other local requirements that shape visual character are not changing. They include height, maximum lot coverage, and allowed uses. Maximum lot coverage and allowed residential unit types, which are not changing, have the strongest impact on the physical appearance of new residential development. These factors affect scale and the amount of green space on a property. Table A shows some of the regulations affecting character that will remain.

Based on past development patterns, the expected result of this amendment, in most cases, would be detached accessory dwelling units, additions, or renovations to existing residential buildings. This development pattern is especially likely in already developed neighborhoods with small lots. Development patterns may look different on larger vacant lots. You can view some visuals of what this amendment could mean in your neighborhood by accessing the [Q&A presentation slides](#) (pages: 22-31; 45-50)

District	Maximum Lot Coverage	Allowed Residential Building Types			
		Single-Family (1 unit)	Two-Family (2 units)	Multifamily I (3-4 units)	Multifamily II (5+ units)
Bar Harbor Gateway	50%	Y	Y	Y	Y
Village Historic	25%	Y	Y	Y	N
Mount Desert Street Corridor	35%	Y	Y	Y	Y

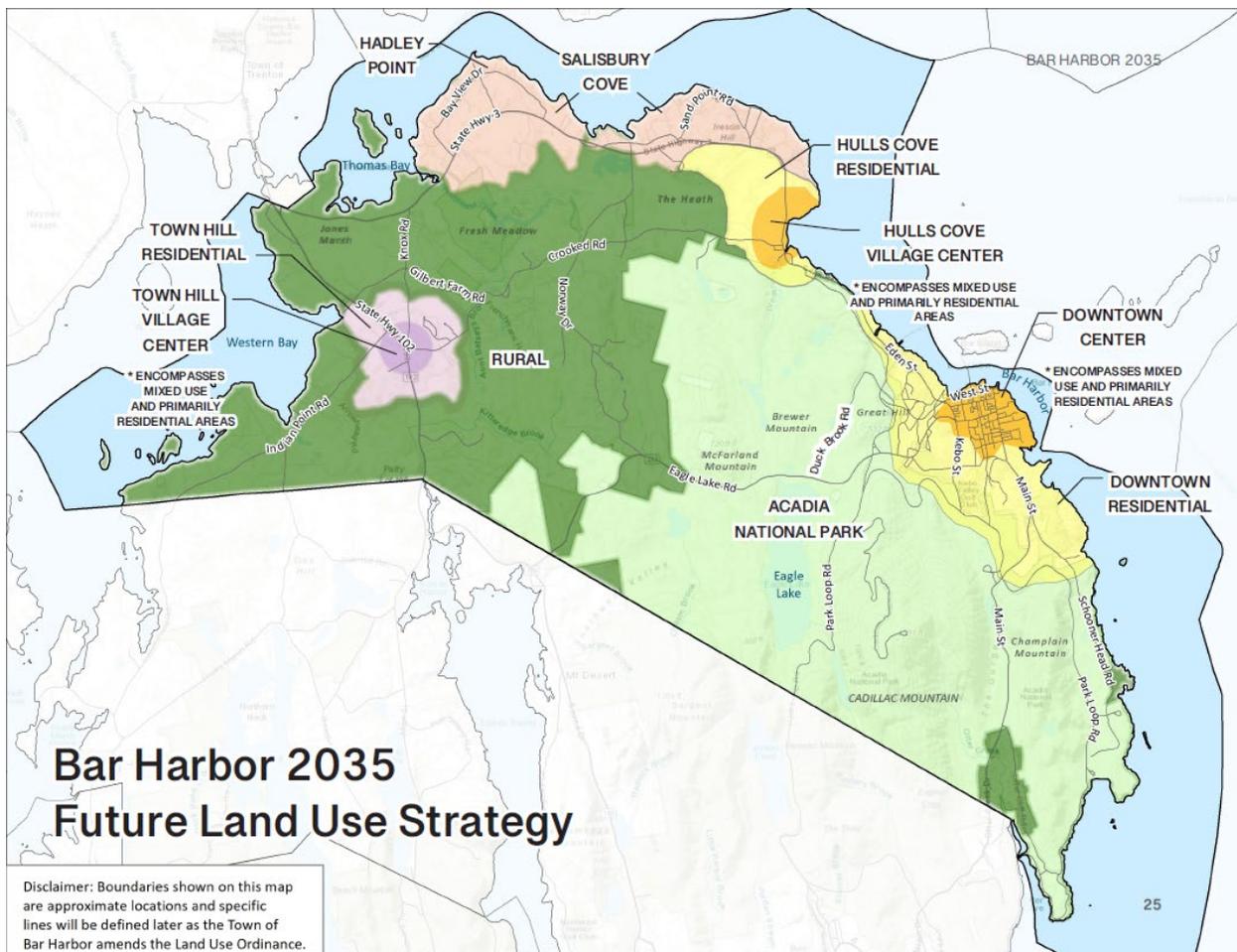
<b>Table A. Maximum Lot Coverage and Residential Building Type</b>					
<b>District</b>	<b>Maximum Lot Coverage</b>	<b>Allowed Residential Building Types</b>			
		<b>Single-Family (1 unit)</b>	<b>Two-Family (2 units)</b>	<b>Multifamily I (3-4 units)</b>	<b>Multifamily II (5+ units)</b>
Village Residential	25% w/o sewer 50% w/ sewer	Y	Y	Y	Y
Downtown Village I	100% exclusive of setbacks	Y	Y	Y	Y
Downtown Village II	75-90%	Y	Y	Y	Y
Downtown Residential	75%	Y	Y	Y	N
Hulls Cove Business	75%	Y	Y	Y	Y
Hulls Cove Residential Corridor	25%	Y	Y	Y	Y
Hulls Cove Rural	25%	Y	Y	N	N
Shoreland General Development I	20-50%	Y	Y	Y	Y
Shoreland General Dev II (Hulls Cove)	20-70%	Y	Y	Y	Y
Shoreland General Development III	25%	Y	Y	Y	Y
Educational Institution	25%	Y	N	N	N

**Q2: Will the changes to the minimum area per family impact our natural resources?**

**A:** This amendment would remove the minimum area per family dimensional requirement for lots in zoning districts served by public water and sewer and/or fall within a designated growth area, as defined by the Town’s adopted comprehensive plan. The Town’s designated growth areas are Downtown Center, Downtown Residential, Hulls Cove Village Center, and Hulls Cove Residential, which are shown on the following page. You can read more about

these areas in the Future Land Use Strategy of the Comprehensive Plan. The majority of the affected zoning districts in the growth areas have either complete or partial access to the public water and sewer system.

This amendment aims to encourage development in areas with public infrastructure, that are walkable, and that have access to amenities. The community identified Downtown and Halls Cove as the best areas for housing development, specifically infill and missing middle. One effective strategy to make these housing types possible and affordable is to require less land per housing unit. The Comprehensive Plan explicitly states to avoid sprawling development, which fragments habitats and stresses infrastructure. This land use strategy and approach is meant to increase our housing supply while protecting the natural areas that define Bar Harbor.



**Q3: Will the proposed minimum area per family amendment impact the Northeast Creek Watershed?**

**A:** The new state law, LD1829, requires municipalities to alter their density requirements and minimum lot sizes to be no more restrictive than the Department of Health and Human

Services (DHHS) subsurface wastewater rules. The DHHS rules are based on a variety of factors including the total number of bedrooms and soil suitability to ensure an adequate and well-functioning septic system. There is no blanket area per family requirement in these rules, as the required land area for two or more homes would be determined by several factors and therefore on a case by case basis. To implement the minimum requirement in LD1829, the minimum area per family is proposed to be removed from areas within growth areas that are not on public water and sewer. This amendment only addresses the density requirement as part of this law, not the minimum lot size. The Town has until July 2027 to fully implement the new state law, but decided to be proactive.

## Northeast Creek Watershed Maps

Two of the 14 affected zones are located within the upper edge of the Northeast Creek Watershed: Halls Cove Rural and Halls Cove Residential Corridor. Figures 1 and 2 provide visuals comparing the location of the Northeast Creek Watershed and the Halls Cove specific zoning districts.

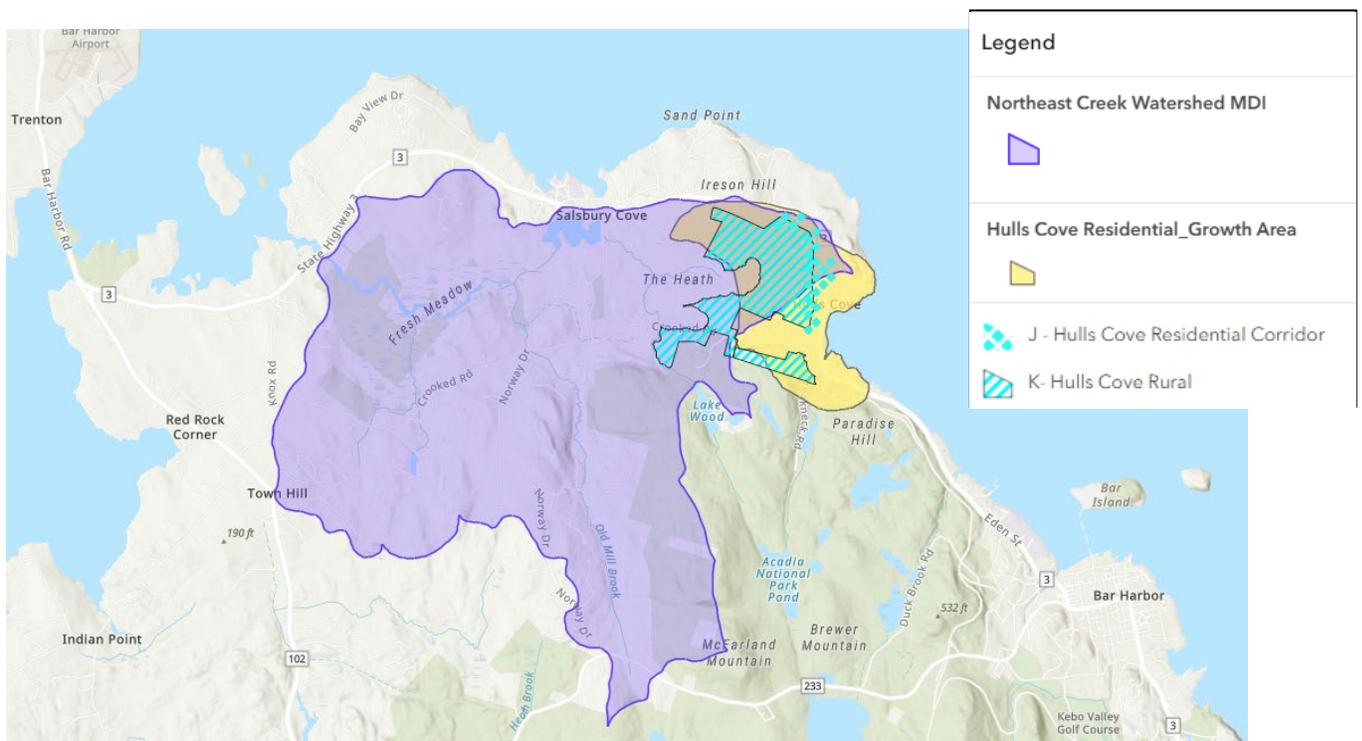


Figure 1. Map comparing the location of the Northeast Creek Watershed, two out of the 14 zoning districts affected by the minimum area per family amendment, and the Halls Cove Residential designated growth area

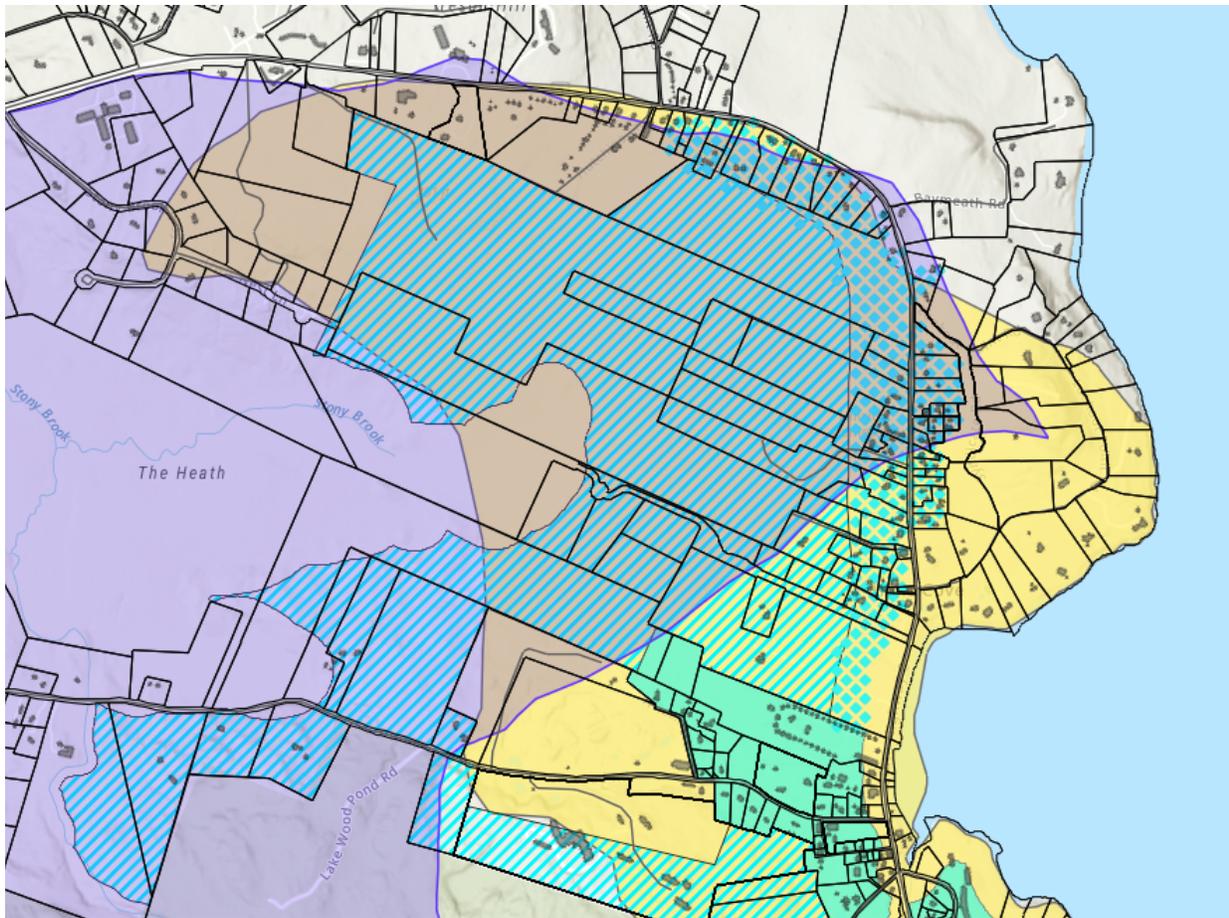
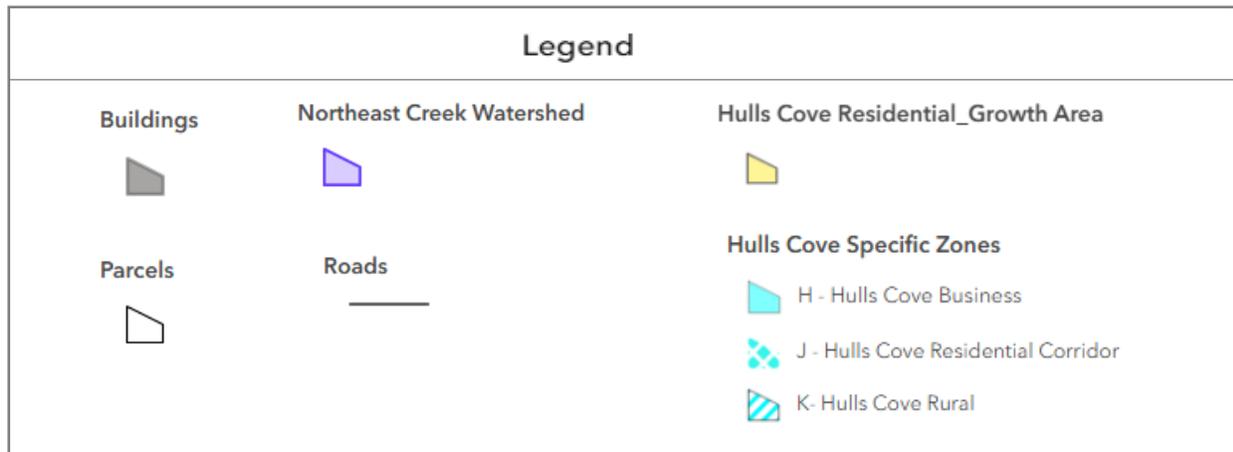


Figure 2. Zoomed-in location map of the Halls Cove-specific zones and upper portion of the Northeast Creek Watershed



## Information on the Water Sampling Effort in the Northeast Creek Watershed

In March of 2025, the Town of Bar Harbor contracted with [FB Environmental](#), a group of “highly qualified scientists... committed to protecting and restoring natural resources while supporting sustainable and equitable community development,” to help implement action items 6.5 and 6.5B in the adopted 2025 comprehensive plan.

- **Action 6.5:** Ensure Bar Harbor’s natural resources are protected through sound land use policy and regulations.
  - **Action 6.5B** - Manage nutrient loading and eutrophication in the Northeast Creek drainage in line with current science and studies, and adjust land use policies and regulations as applicable. Recognize available data that can inform this effort, any gaps in data that need to be addressed through new partnerships, and the need for ongoing management.

With the assistance of FB Environmental, the Town was awarded an EPA 604(b) Watershed Based Plan Grant to create a Watershed-Based Management Plan for the Northeast Creek Watershed. **This plan is expected by December 2027, including associated policy and action recommendations.**

FB Environmental analyzed the previous studies related to the Northeast Creek Watershed. They noted several takeaways and data gaps that limit the usability of previous data collection in understanding the current status of the watershed. Two years of data collection were included as part of the EPA 604(b) Watershed Based Plan Grant, which will provide the needed reliable data to create sound environmental policies and actions. **At least two years of data collection is needed to provide an accurate status of the watershed.** As stated in the MDI BioLab report<sup>1</sup>, “[t]o effectively monitor such a system that is constantly changing, frequent sampling over time is required to account for continual fluctuations. In this study, there were six sampling days over the course of 3 months (June 26 - September 25), and so many potential changes in water quality were not captured in the sampling.” FB Environmental has also stated that the “lack of consistent long-term data and recent data significantly limits the usability of intensive sampling efforts and reinforces the need for a long-term baseline monitoring program.”<sup>2</sup> For more information about the previous research in Northeast Creek, FB Environmental created a summary report which is available by clicking this [link](#).

The Town of Bar Harbor is developing a visual and interactive report to present and explain the first year of data collection results. It is expected to be publicly available in Spring 2026, following reviews by FB Environmental and Maine DEP to guarantee data analysis quality.

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<sup>1</sup> Oliver-Olsen, Caitlin. “Northeast Creek Report - E. coli Monitoring.” *MDI BioLab*, 2025.

<sup>2</sup> Goodrum, Mindee. “NORTHEAST CREEK EXISTING DATA | TECHNICAL MEMORANDUM.” *FB Environmental*, June 12, 2025.

**The Town strongly recommends for the public be cautious of reports that draw overarching conclusions from the first year of data collection. One year of data is not enough to make accurate gross assumptions about the current health of the Northeast Creek Watershed and doing so may lead to misleading or inaccurate conclusions.**

Additionally, the Town does not anticipate a significant amount of residential development in the Hulls Cove Area as a direct result of this amendment, due to the many other factors limiting housing development. However, the Town could take proactive measures if the community wants to be extra cautious in areas without public water and sewer prior to the implementation of the Watershed-based Management Plan.

### Potential Future Action Items

Below are some action items in the comprehensive plan's implementation plan, that may be modified depending on the results of the data collection:

- **Action 6.3C** - [M]andatory pump-outs via a pump-out ordinance and required septic inspections and performance standards implemented during property transfer above and beyond those required by the State in the coastal zone and along lakes. This could also include subsidies/assistance for septic maintenance.
- **Action 6.3D** - Rather than a blanket minimum lot size requirement, strengthen enforcement of new septic system placement (Article V Private Sewage Disposal, §165-18: §165-21) to focus on protecting sensitive areas, for example as defined in the 2007 Comprehensive Plan as:
  - Areas on or near dug wells
  - Recharge zones (the upper third of a watershed)
  - Areas in close proximity to older wells or deep excavations such as rock quarries
  - Areas of thin soils), soils with low recharge rates, and other areas where ground or surface water is vulnerable.
- **Action 6.3E** - Ensure local land use ordinances remain consistent with Maine Stormwater Management regulations (Title 38 M.R.S.A. §420-D and 06-096 CMR 500 and 502), Maine Department of Environmental Protection's allocations for allowable levels of phosphorus in surface waters, and the Maine Pollution Discharge Elimination System Stormwater Program.