

MINUTES OF THE COMPREHENSIVE PLAN COMMITTEE

October 23, 2017

7:00 p.m. Public Works Department

Present: Timothy Thompson, Chair
Peter Curry
Elizabeth Goodspeed
Kevin Guimond
Penelope A. Jordan
Sara W. Lennon
Susana Measelle Hubbs
Harvey Rosenfeld
Victoria Volent

Also present: Maureen O'Meara, Town Planner

Call Meeting to Order

Mr. Thompson called the meeting to order and asked for public comment.

Public Comment

No one was in the audience, so there was no public comment.

Approval of Minutes

The minutes of the September 25, 2017 were approved 5-0 (several members were late)

Conversation with: Robert Malley, Public Works Director

Mr. Malley has the care of the town's infrastructure. The roads, parks, grounds recycling trash, road maintenance and more are within his care. He talked about the improvements to Hill Way that are now underway. There has been an update of the recycling facility, and he has worked with the solid waste planning committee.

Mr. Curry asked if they share equipment with other towns.

Mr. Malley said they share information and some purchasing of supplies, such as salt, paving materials and signs, but there is no co-ownership of machinery. Co-ownership may be problematic as towns tend to need the equipment at the same time. He said they have a 5 year roadway improvement plan. He talked more about the Hill Way project and how each entity (Portland Water District, Gas Co. and MDOT) has a part in the timing of the work.

The town needs to keep up with sewer maintenance, and that very few areas are a problem. He then talked about the Elizabeth Park upgrade and what a large improvement that project made. The town infrastructure replacements results in investing in a neighborhood. He was asked about the sewer capacity for more development. He said that right now they have more capacity, but it would depend upon the type of development whether or not it might be a problem.

When the discussion turned to Fort Williams, it was agreed that there are problems that need to be solved. It would be good to have a rest room facility, but there is no water or sewer servicing the park. There is no water for fire purposes either.

He said all public open spaces are being challenged by increased popularity, increased travel etc. The cruise ships and buses are a burden on the park.

Mr. Malley said there is a new position being created, Fort Williams Park Manager. It will be a staff level position.

Staff Process Guidance

Ms. O'Meara said she is happy to receive emails from the Committee. She is receiving emails from people asking about things she thought were decided at the prior meeting. She recommends that there be more structure in the meetings. She is asking them to make motions and votes to be sure that there is a clear record. Ms. O'Meara is also asking for a decision on whether or not to draft goals at the end of each chapter. It has been discussed, but with no clear consensus of the committee.

Ms. Volent made a motion that goals be included at the end of each chapter.

Ms. Jordan seconded the motion.

Mr. Guimond said he would like to have the unfinished goals from the last Comprehensive Plan carried forward.

Ms. O'Meara said she has a chart of every goal in the 2007 plan and its status.

Ms. Lennon wants the goals and recommendations to be new. She would not want an automatic carryover of former goals. She would like to start the conversations with the goals, that is our most important job. She wants to look at the big picture. She agrees with having draft goals, but is Ms. O'Meara only going to include goals from the last plan.

Mr. Curry said the point of the Comprehensive Plan is to give an umbrella to the system we now have for ordinances. He said we need to keep things in the plan that we have been doing, because we are continuing to do them and we want to continue to do them.

Ms. Hubbs said it is important to discuss the goals first while they are still fresh, not at the end when they are too tired. She wants to propose a motion to discuss the goals at the beginning of the chapter review.

Ms. Volent repeated her motion to include draft goals at the end of each chapter. Those goals may include goals from the prior plan.

The committee voted 9-0 to pass the motion.

Ms. O'Meara said she has a chart of prior goals and where they are now. There was an agreement from the Committee that she will provide that chart to them. She also reminded the Committee that the State has requirements of what must be included in a Comprehensive Plan, and they have been charged by the Town Council to write such a plan. It is important to follow what the State requires.

Ms. Hubbs made a motion that they consider the goals first, before review of the data and analysis portion of the chapter. Ms. Lennon seconded the motion.

Several people said they wanted to review the chapter first.

Mr. Rosenfeld said they haven't had a public forum yet. We are presenting these goals as all done and not listening to the residents. Are we jumping ahead with setting goals?

Ms. Lennon wanted to change the wording and calling them draft goals, rather than goals and recommendations. She also wants to discuss the goals first before the chapter review.

Mr. Thompson called for a vote on the motion to consider the goals first. The motion failed, 3-6.

Economy Chapter second review

The committee began the discussion of the second review where they left off at the last meeting with a discussion of the goals. Ms. O'Meara stressed that goals and implementation steps must be measurable to meet the State standards. She also quoted the state requirements for the economy chapter.

On Page 19, recommendation 1, Ms. Volent made a motion to move anything about Fort Williams to the open space and recreation chapter. The vote was 9-0 in favor.

Recommendation 2. can be moved to the transportation chapter or be considered as part of tourism, which is in the economy chapter. Ms. O'Meara said she had included tourism in this chapter because almost all the growth in tourism is in the residential areas. They can make it goal 4. if they think it is that important. Ms. Jordan thinks it is that important and need its own goal.

Mr. Thompson wants all the goals reviewed and voted on at the end.

Ms. Volent recommended that recommendation 3 and recommendation 1 in Goal 3 are basically the same, and are included in the Town Center Master Plan.

Ms. Lennon is not in favor of putting all such references under the Town Center Plan because she does not agree with many of the Town Center Plan's provisions, even though the Town Council approved the plan in 2014.

Ms. Jordan wants to add a recommendation about promoting agriculture and fisheries via agritourism.

Ms. O'Meara said there is an entire chapter devoted to agriculture and another devoted to marine resources, and those may be the best places for that suggestion.

Mr. Guimond spoke at length about his experience implementing technology for the users of the internet. He has agreed to work with Ms. O'Meara to draft a goal about increased access to technology, especially for the many people who now work from home. He wants it to be in the economy chapter rather than the infrastructure chapter.

Ms. Lennon wants there to be a small quaint village feel to the town and does not want to mandate, or encourage mixed use 3-story buildings in the town center.

Ms. Volent is in favor of mixed uses in the town center to provide the population to shop in or otherwise patronize the retail uses. She would like to mandate retail uses.

Ms. Jordan said there are not enough people to support a successful business in town.

Ms. O'Meara said in order to have a successful business you need to have income from the upper floors. It brings your customers into the area and

provides additional income in the form of rents. She also stressed that having rental units on the upper floors is not a requirement. It is permitted, not required.

Mr. Curry said he had been on the committee that put together the town center plan. They spent 2 years working on it and had a lot of input (most of it positive) and the Town Council adopted it unanimously.

Ms. O'Meara said that in order to make money in this town, you build residential property. The reason they have mandated the commercial uses on the first floor of town center buildings is to preserve the center of town for that purpose. If you fill the town center with residences, there will be pressure to allow more commercial development in other parts of town. The upper floor residential can then subsidize the first floor commercial.

There was a discussion of the wording about creating a village green.

The Committee felt that they did not want any expansion of business districts. They cited the Loomio responses as well as their own in saying the opinions are strongly against adding or expanding business district.

Ms. Volent proposed that in residential districts, in home businesses, day care , short term rentals ordinances should be reviewed for their intensity, rather than continued to be allowed as they are. The Committee was in favor of her proposal, 9-0.

Ms. Volent also would like to add the challenges presented by tourism, not just the opportunities. Ms. O'Meara will add that language in the tourism goal, which will be Goal 4.

Mr. Thompson moved that they approve the 2nd. draft of the Economy chapter. Mr. Guimond seconded , Ms. Volent had a couple of friendly amendments , seconded by Ms. Lennon, and accepted by Mr. Thompson and Mr. Guimond and it was approved, 9-0.

Housing Chapter first review

Mr. Guimond suggested that we support the current affordable housing system. Ms. Volent seconded Mr. Guimond's motion. There was a discussion about his suggestion, with a discussion about home ownership being more advantageous than rental properties. The Committee voted 8-0 (one abstain) to approve the motion.

On page 11 of the housing chapter there was a discussion about the housing projections. It was made clear that those projections are not a goal, but a

realistic plan for what might be the town's growth. The State requires that there be a plan for growth.

Mr. Curry requested a definition of the term cost-burdened, as it is used on page 6.

Ms. O'Meara said she would add a definition.

On pages 6 and 7, Ms. Goodspeed wants labels on the axes of the graphs and Ms. Volent wants the income graph showing 67 % are over \$75,000 broken down into more categories.

On page 12, Ms. Volent was concerned about the lack of specifics about the fair share for Cape Elizabeth. When she was told that the most recent numbers are from 2007, she decided to leave the paragraph as it was.

Ms. O'Meara distributed the results of the "mini survey" on condos. She noted that they got a very good response rate. People have lived in their condos for an average of 10 years. 39% of the condo owners moved from a home in Cape Elizabeth. Ms. O'Meara said that when people sell their home, it often becomes a home with children, so there are more children in the schools. Proximity to Portland was very important to 70% of condo owners.

In response to a question about how to encourage more people to sell their homes, Ms. O'Meara said it probably will take the development of more affordable condos.

When it came to the goals, recommendation 1 it was decided to change the word encourage to allow.

Ms. Lennon asked if you can take a large house and make it into apartments.

Ms. O'Meara said the house would need to have sufficient land to support that many dwelling units.

Ms. Volent talked about cooperative housing, and wondered if the town would allow it.

Ms. Lennon was asked to work with Ms. O'Meara to work on the possible changes to the Ordinance that would need to happen in order to break up an existing house into apartments, condos or co-op housing.

Ms. Volent mentioned infill.

Ms. O'Meara said she has research on that issue which she will bring to the next meeting.

Ms. Goodspeed asked about accessory dwelling units.

Ms. O'Meara said they are allowed in Cape Elizabeth, and they are limited to 600 sq. ft. in size.

Public Participation

Ms. O'Meara supplied the Committee with the meeting schedule and the schedule of the online forums. Next month will be the final review of the housing chapter and she can bring the transportation chapter to the next meeting if the Committee wants it.

She said that she has heard from Kelly Myers and he was very pleased to say he had 750 responses to the survey. The results of the survey will probably be ready for the December meeting.

Committee member items

None were presented.

Public Comment

Paul Seidman, 21 Oakview Dr - He said that Loomio says there are more than 40 people waiting to be approved. He also asked about tiny houses, and whether they would be occupied by people we say we want to be mindful of. It seems like they would be for young couples who are not having children.

Next Meeting will be Thursday, November 9, 2017.

The Public Forum was tentatively scheduled for Thursday, January 25, 2018.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Hiroimi Dolliver
Minutes Secretary