

TOWN OF CAPE ELIZABETH  
MINUTES OF THE COMPREHENSIVE PLAN COMMITTEE

February 16, 2006

7:00 p.m. Jordan Conference Room

Members present:	Barbara Schenkel, Chair	Mary Ann Lynch
	Marybeth Richardson	David Griffin
	Barbara Schenkel	Frank Strout
	Skip Murray	John Herrick
	Jay Chatmas	

Also present was Maureen O’Meara, Town Planner.

Mrs. Schenkel called the meeting to order. She asked for a motion for the January 26, 2006 minutes.

Mrs. Lynch made a motion to accept as written.

Mr. Murray seconded the motion. 8 in favor, 0 opposed (Mr. Chatmas arrived late).

POPULATION

Mrs. Schenkel suggested submitting changes on the demographic section and the data for future sections to Ms. O’Meara for corrections as opposed to going through page by page. This would allow the committee time to focus on policy issues rather than data review.

Mr. Griffin made a motion for all changes be submitted to staff to make changes.

Mr. Murray seconded the motion. 9 in favor, 0 opposed.

Ms. O’Meara noted that originally the population numbers were projected to the year 2015. Since the Plan will probably not be adopted until 2007, and projections need to be 10 years out, GPCOG projected to the year 2020.

Mrs. Lynch asked if there was a goal for population.

Ms. O’Meara stated that population goals generally only were proposed for areas that were in jeopardy of losing a considerable portion of their population, such as islands. This did not apply to Cape Elizabeth.

ECONOMY

There was concern that agriculture was not included in the Economy segment. Ms. O’Meara stated it would be included in the agriculture section of the Comprehensive Plan.

Mrs. Schenkel submitted changes to the data to Ms. O'Meara for revision. She asked for substantive discussion.

Ms. O'Meara stated that some job categories couldn't be addressed by GPCOG because they were pre-defined categories established by the U. S. Census. Numbers were fixed that did not add up correctly.

She gave an overview of the Business Districts in the Town. She noted that the committee may want to consider if the business district boundaries should be reviewed and perhaps expanded. The Town Manager questions the need to keep a lot next to the Inn by the Sea, owned by the Sprague's, as part of the Business BB district. Ms. O'Meara noted that two areas of town have businesses but are in residential zoning districts, specifically the Maxwell Farm Market/ Spurwink Medical Building area and the Veterinarian/dentist office on Ocean House Rd.

Ms. O'Meara discussed the residential districts in the Town. The RA District has a minimum lot size of 80,000 sq. ft., which makes it the lowest density district. The RB district has a minimum lot size of 15,000 sq. ft. and is primarily cluster development. The RC district has the highest density with minimum lot size of 20,000. Most current development uses Open Space Zoning, which allows smaller lots with designated open space.

There was discussion concerning landscaping in the Town Center, with specific focus on the appearance of the Pond Cove Shopping Center and incorporating that as a goal. The Committee declined to make a recommendation for the shopping center because the overall appearance issues extended beyond land use controls to private management of private property.

Ms. O'Meara stated that some commercial areas can be attractive, and compatible with abutting residential neighborhoods as neighborhood business districts. The current BA District should be updated to a neighborhood business district purpose. The committee should consider increasing the density of residential units allowed in the upper floors of commercial buildings in this district, which could be more compatible with abutting residential uses.

Mr. Dodd agrees with business incorporating second floors and the neighborhood business district concept.

Discussion ensued concerning design standards and was agreed that it should be incorporated. The committee endorsed increasing the density of residential multifamily units allowed in neighborhood business districts and agreed that the BA District should be looked at for reconfiguration as a neighborhood business district.

Ms. Lynch believes the wetland setbacks should be looked at in the Business B district served by water and sewer. A particular business would like to add a second floor now but is unable to due to the current ordinance.

Mr. Murray stated, with his expertise, that 100' is setback enough without endangering wetlands.

There was discussion of allowing the 100' foot setback in the Business BB & BA Districts in areas that have sewer to increase business footprints, as well as implications, if any to wetlands. The committee seemed in agreement this would be beneficial to some businesses.

The committee discussed creating a Business A District where the Spurwink Medical building and Maxwell's Farm Market were located. Overall, committee decided not to increase the number of business districts or to expand the existing business district boundaries.

Ms. O'Meara stated that the Town Manager had thrown out the idea to the committee to remove the lot next to the Inn by the Sea from the Business B district.

The group decided the lot should remain in the Business B district.

The committee discussed the importance of in-home business that are occurring more and more. There was issue concerning tradesman vehicles that are parked at home. Mr. Murray noted that he could see situations where trade vehicles parked in residential neighborhoods as part of in-home businesses could be disruptive. It was suggested that there could be a limit to the number of vehicles parked. The committee voted not to recommend that trades vehicles be limited.

## HOUSING

The Committee first discussed data under the Trends section.

Ms. O'Meara stated she would verify the household numbers and for house sales in 2004. She stated that Cape Elizabeth, in the regional context, is best at housing and recreation. While the survey showed everyone wants single-family housing, goals should be broader based for diversity and to allow younger people to live here.

Some members of the committee had issue with the concept of affordable housing. Their belief is people should work hard and save money so they may purchase a home in this town. There was the belief that affordable housing hurts the building contractors and that the owners of the affordable housing unit would not have incentive to improve their property, as they will not see a return on their investment.

Other members believed that affordable housing would enrich the community and address the needs of some of the current residents. A 55+ community in the center of Town, where folks could walk to the shops and medical facilities would also be beneficial. Ms. O'Meara cautioned that 1.5% of the town is commercial and that land needs to be conserved for commercial uses.

Mrs. Schenkel believes very strongly in the concept of affordable housing. Perhaps the requirements should be reviewed and the Council should look at new, innovative measures to secure affordable housing.

Mrs. Richardson believes in promoting diversity, and so people may live where they work, and provide for the aging population.

Mr. Dodd believes it critical to encourage affordable housing, as well as mother-in-law apartments over commercial buildings.

Mr. Murray stated that he has learned a considerable amount from a project he is working on. The other homeowners absorb the costs of affordable housing.

Mrs. Richardson asked where there currently is affordable housing.

Ms. O'Meara stated Whaleback Ridge Subdivision and Cross Hill Subdivision have a total of 6 homes. Several members were surprised that Cross Hill had affordable housing. Ms. O'Meara suggested that affordable housing should be considered part of the Town's infrastructure. This makes sense to create housing for the teachers, firefighters, and community service workers who currently cannot afford to live here. The Town does not contribute any money to subsidize affordable housing.

The committee voted 5-4 to recommend that the current affordable housing program be continued. Under Draft Goal #1 all 6 implementation steps were accepted by consensus.

The committee continued to discuss concerns with the cap on the equity earned on affordable housing. This cap limits equity growth so that when the affordable home is sold, another low or moderate-income family can buy the home. Committee members felt this restricted moderate-income buyers from benefiting from the increase in property values that others enjoy. The restriction would mean affordable homeowners have no incentive to maintain their homes. There was also concern that this increased the cost of market rate housing because developers passed this cost onto the rest of their development. A member of the committee asked for another vote. The committee voted 5-4 to delete the affordable housing program.

Ms. Richardson noted that the State Planning Office would not like this. She asked what other communities are doing to provide affordable housing. Ms. O'Meara responded that they are calling Cape Elizabeth to find out about our program.

Ms. Lynch said we need to be more creative. There are other ways to provide affordable housing. The committee can consider reduced lot sizes and increased density. Committee members were supportive of allowing additional residential units in commercial areas. Ms. O'Meara suggested that, regardless of lot size or density, market forces will make units in Cape Elizabeth unaffordable because the town is a desirable place to live. Equity

restrictions are needed to create affordable housing if the town will not be funding affordable housing or increasing its administrative burden.

Mr. Chatmas asked to continue the affordable housing discussion at the beginning of the next meeting.

The committee agreed to change the schedule to consider 1 new chapter at the next meeting, in addition to more discussion on Housing.

#### CITIZEN COMMENTS

Seth Sprague attended the meeting and stated that the Town had no affordable housing.

The meeting adjourned at 9:50 p.m.

Respectfully submitted,

Laurie Palanza  
Minutes Secretary

