

TOWN OF CAPE ELIZABETH  
MINUTES OF THE COMPREHENSIVE PLANNING COMMITTEE

July 27, 2006

7:00 P.M. Jordan Conference Room

Members present: Barbara Schenkel, Chair

Julia Beckett

Robert Dodd

David Griffin

Jay Chatmas

Anne Swift-Kayatta

Elaine Moloney

Skip Murray

Marybeth Richardson

Frank Strout

Also present was Maureen O'Meara, Town Planner.

Mrs. Schenkel called the meeting to order. The minutes of the June 29, 2006 meeting were amended and unanimously approved.

Correspondence

The receipt of correspondence was acknowledged, and no discussion was held at this time.

Agriculture and Forestry Resources

Mrs. Beckett questioned the acreage figures on page one of the Agriculture and Forestry report. She cited a letter from Chris Franklin of the Cape Elizabeth Land Trust which addressed the subject of acreage. Ms. O'Meara said the numbers in this current version are reflective of Mr. Franklin's figures. Ms. O'Meara also made it clear that the acreage figures in the 1993 Comprehensive Plan were not accurate. They included forestry acres, which are now separate. Even with those acres factored out of the 1993 report, farming acres have declined.

Mrs. Schenkel noted that Ms. O'Meara has done a good job of incorporating the suggestions made by the Committee and others into the reports.

Mrs. Beckett questioned the language on page four, which talks about farmers subsisting on meager incomes. She asked how that was verified. Ms. O'Meara said the evidence is anecdotal, from her talks with local farmers. The farmers tell her that they need to take other jobs in order to get by. She is made aware that they feel a financial strain, from what they tell her. Mr. Murray and Mr. Strout confirmed this and the committee agreed to leave it as stated.

Mrs. Swift-Kayatta objected to the description of Cape Elizabeth as a "premier" suburb on page one. She feels it carries a sense of snootiness. She wants that language taken out. After a brief discussion, the word desirable will be substituted for premier to describe the suburb.

Mr. Strout questioned whether there was a lack of options presented in the section on protecting farms. He felt there could be more tools in this section other than purchase of development rights. He suggested a possibility of developing one or two house lots on part of a farm, while saving the rest for agriculture.

Ms. O'Meara stated that the current plan has good ideas, but they are not working. She has put the emphasis on Implementation step one which involves farmers. She is hopeful that the farmers themselves will have ideas to help them save their farms. She also said that clustering of development is in here and that seems to be the main way to save open land.

Mr. Strout suggested limited development of farm land. Maybe one could sell a few lots and then put an easement on the rest of the land to prohibit further development. That possibility might also shelter some of the capital gain from the land sales. Easements could be used as another tool to protect farm land.

Ms. O'Meara said these tools are already available. The committee suggested that maybe a program of education about existing tools would be helpful. It was requested that a definition of "sending areas" be inserted into paragraph one on page five.

The Committee wants a definition of agriculture and agriculture related products to be included under implementation step 2. There are no restrictions on the hours that farming can be practiced. Only Maxwell's Farm Market on Spurwink Road has such a restriction, and that was a condition of Planning Board approval of that site.

Mr. Dodd questioned whether there were any priorities being set for the Committee's recommendations. Ms. O'Meara replied that there will be a chart drawn up at the end of the review and each member will be given dots to stick on the recommendations to prioritize each one. There will also be a chart with all recommendations and each will be assigned to a group or individual for implementation. The Committee will be the ones to decide the priorities and implementation assignments.

The draft report on Agriculture and Forestry was unanimously accepted as amended.

### Public Facilities

Ms. O'Meara began her review by saying that she had no map yet which shows each of the buildings. Another map was displayed and Ms. O'Meara used it to indicate where each facility was located. At a later date Ms. O'Meara will produce a map showing the location of all the facilities. Ms. O'Meara said she thinks there is too much included in this report, but she wants the Committee to see all the material and edit as they want it. According to Ms. O'Meara, the school section is very condensed, and the enrollment numbers are out of date. She said they need to have more current figures.

A study of the sales of existing homes was done and the figures showed the impact of in-migration is significant. Cape Elizabeth has an aging population and when their homes are sold it is often to families with school-age children. Using the standard model of new homes built in a year and the birth rate does not accurately predict enrollment in this town. She said the numbers need to be re-done and new projections made. Since the study contained data for a 13-month period, it was requested that it be re-done to cover only 12 months.

Mrs. Moloney commented that in-migration is greater at the middle school level than at the elementary level. The State requires enrollment projections to be included in the Plan. Some of these data are the State's, not the School Department's. The State data are for the entire state, but do not necessarily work for a specific town. The State numbers say that school enrollment is declining, and Cape Elizabeth's enrollment is increasing. Projections based on new construction are easy, but do not reflect the reality of the Town. In-migration is a large factor which needs to be taken into account when making projections.

Mrs. Swift-Kayatta cautions that for any such figures, we need to spell out our assumptions. We should explain how we got to those projections.

Mr. Alan Hawkins, Superintendent of Schools said he will go back 5 years and look at the data. He will see if a new model can be produced which will be more accurate than in the past.

On the Police section, the Committee wished to add a comment dealing with the effect of regionalization on the Police Department.

The Fire Department report evoked a few comments from the Committee. They wished to stress that the firefighters were on-call, not permanent staff. As for the pay for the on-call firefighters, they wished it to be known that this is not a highly paid position. It is more a formality and no one is going to make a lot of money being an on-call firefighter for the Town of Cape Elizabeth. According to the Fire Chief's report, the day time on-call is adequate now, but at times it is difficult to find enough manpower.

Mrs. Swift-Kayatta noted that with an aging population in the Town, even without the Viking Nursing Facility, the town may need more rescue personnel. It was also noted that the police are the first responders, and all are trained EMT's. The WET team is a specialized team and is Cape Elizabeth's contribution to the region's need for various specialty focused teams.

The Library report was acknowledged to be too long and will need to be condensed. Few specific areas were suggested, so it will be left to Ms. O'Meara to edit that report and retain the conclusions.

Mrs. Moloney commented that for all the reports to be consistent there needs to be a report containing what repairs and renovations were done. This analysis would need to

be done for each of the school buildings as well as the municipal buildings. Also needed to be included was a list of which renovations and repairs were not done. She would include a review of what systems are done and not done. She will get a list of each building and what has been completed, and what are the projected needs for each building.

Mr. Hawkins also discussed the possible need for additional classrooms if the State mandates the expansion to a full-day Kindergarten. He expects the State to also require the addition of a Pre-Kindergarten program. Either, or both of those programs would require more classrooms to be added.

The report on Portland Head Light was explained by Mrs. Swift-Kayatta. She told the Committee that the Head Light is a separate entity from Fort Williams. It is financed by a fund which is not a part of the general fund. It is also a maintenance-heavy building. The gift shop is staffed by volunteers, and the hope is that they will continue to donate their time to that cause.

As a part of the Utilities section, the Water report drew very little discussion. It was noted that the 4" lines which are mentioned are all on the Sprague property.

In the Sewer section, the Committee requested the removal of the table of numbers on pages 15 and 16. They wanted to retain the graphs on page 17.

The question was raised as to why the Community Services building was not included in this report. It has already been included in the Recreation section. This was acceptable.

The Storm Water section needs more work.

Under the Electric section, it was noted that the infrastructure is not the most modern available.

Re. Goal 1: the name of the Cape Cottage Fire Station shall be used in order to keep the report consistent from one section to another.

Implementation Step 3 the goal is to develop an accurate model for projection of school enrollment. Need to develop a model and have it in the Comprehensive Plan, as it is a requirement of the State for it to be included.

Implementation step 5 drew comment from Mr. Griffin that he disagreed with the "green" designation for buildings. He says these concepts have been utilized for a long time already. Mrs. Richardson argued that the words "green construction" have a particular connotation and cover a broad range of building principles. It was agreed by the Committee to change the wording to *improve* energy efficiency and use *low-impact development* and alternative fuels for buildings and vehicles.

In discussing Goal 2, Mrs. Swift-Kayatta noted that the town needs to maintain service levels.

Mrs. Moloney discussed the “One-Town” concept which calls for the sharing between the municipal and school areas of the town. Web design, plowing, tech department, purchasing etc. are already being shared to create efficiencies and lower costs. Should we include this here or in the Regionalization section?

Mr. Dodd noted that we should encourage more private funding, such as private-public partnerships.

Implementation step 2 was moved to the Regionalization section.

A brief discussion of underground utilities was held, and the Committee agreed to eliminate it for now.

Mrs. Swift-Kayatta wants to pursue the possibility of finding a physician volunteer for Public Health Director. She is concerned that we have no policy for an Avian Flu outbreak. We have no plan in place and feels we need one. The School Department has a consultant physician. Dr. Jeff Safer receives an annual fee of \$1500 for consulting with the School Department. The School Department is also at work developing a plan in case of a flu epidemic. The committee agreed to explore the School Physician’s role to cover the town.

On Page 4 of the report there is the assertion that the Town recycles 60% of its refuse. The Committee wants that figure verified.

### Fiscal Capacity

Ms. O’Meara began her overview of this chapter by saying that, as it stands, this chapter is longer than required by the State. The chart on page 1 shows that 83% of town revenue is generated from property taxes.

On page 4, the Capital Improvement budget, needs to be accurate. These figures will need to be revised at the end of the report to reflect the costs of recommendations included in the Plan. Mrs. Swift-Kayatta requested a definition of capital improvement projects and a few examples could be included for clarity.

The subject of bonding was discussed. Mrs. Swift-Kayatta explained that bonding was only used for extraordinary expenses. She noted that Cape Elizabeth is very fiscally responsible and frugal. The Town pays as it goes and does not borrow on an ordinary basis.

There was a long discussion of the chart on the cost of educating a child as compared with the taxes generated by the average home in the Town. Ms. O’Meara cautioned that it was a very basic analysis, not a sophisticated look at the costs.

Mrs. Schenkel wants the charts, on the cost of development and the cost of school, removed from the report. She feels they are very confusing. In response to a question whether they are needed, the response from Ms. O'Meara was that they are not required. Mrs. Schenkel said they are interesting, but would like to only include a single paragraph that explains that education is a shared responsibility.

Mr. Strout felt the information was interesting. The Committee agreed to leave the information in.

Mrs. Moloney would like an explanation of full value tax rate added to page 5.

In the Goals section (Goal1) it was unanimously agreed to remove the implementation step 3 which dealt with sewers.

Goal 2, the Implementation step 2 was discussed. The comparison with other similar towns is difficult because most other communities have much more commercial property to add to their tax base. Mrs. Swift-Kayatta felt such comparison would be unproductive and requested that section be removed from the report. Other committee members felt the town could decide what it wanted for services without guidance from other communities. It was unanimously agreed to drop that implementation step.

The Implementation step 3 regarding TABOR will only be needed if the measure passes in the November election.

Mrs. Moloney suggested expanding clean businesses to help with property taxes. Several people cited the survey which says no expansion of businesses in the Town. The consensus was that the Committee has covered this topic in the section on the Economy.

There is little local support for business in the Town. There are several reasons, among them, location and population. That fact leaves the property tax as the source of almost all of the Town's revenue. If there is no increase in development, that limits revenue sources to property tax and user fees. Committee members stated that the town residents are willing to pay higher taxes rather than broaden the tax base with commercial development.

Ms. O'Meara will add an introductory paragraph on this subject to this section.

Regionalization is also a way to increase fiscal capacity.

The meeting was adjourned at 10:00 pm.

Respectfully submitted,  
Hiromi Dolliver