

TOWN OF CAPE ELIZABETH
MINUTES OF THE COMPREHENSIVE PLANNING COMMITTEE

August 24, 2006
Room

7:00 P.M. Jordan Conference

Members present: Barbara Schenkel, Chair

Julia Beckett

Robert Dodd

David Griffin

Jay Chatmas

Anne Swift-Kayatta

Elaine Moloney

John Herrick

Mary Ann Lynch

Also present was Maureen O’Meara, Town Planner.

Mrs. Schenkel called the meeting to order. The minutes of the July 27, 2006 meeting were amended and unanimously approved.

Build-out Analysis Authorization

Ms. O’Meara is requesting permission from the Committee to hire a consultant to provide a professional analysis of where future building can be located. She wants to spend \$2500 to hire GIS (Geographic Information Systems) consultant, Judy Colby-George to prepare a developable lands analysis and maps. Ms. O’Meara is proposing an exercise for the Committee’s September 29th meeting similar to a build out analysis used in Maryland. The purpose of the exercise is to allow the Committee members to place Lego blocks in the locations where they think development should occur over the next 15 years, and how dense that development should be. Ms. O’Meara feels that the Committee will get a much more professional analysis if they hire a consultant than if Ms. O’Meara provides the maps. She said the committee will need to balance significant trade-offs to plan for anticipated growth.

Mr. Herrick wanted to know if this was really the purview of the Planning Board. Mrs. Schenkel said that the Planning Board follows the guidelines set out in the Comprehensive Plan, so it is the job of this Committee to set the parameters for the Planning Board.

Ms. Lynch said it is either sprawl out or sprawl up. She feels we must identify areas for growth. It is not possible to exclude growth.

Mrs. Schenkel noted that there are not many spectators who come to observe the meetings, with the exception of John Greene who comes to every meeting. She would like to invite the public to come for the Lego Exercise.

Mrs. Swift-Kayatta liked the idea of having the public involved, but was concerned that it would make the process unwieldy. She estimated that the town will likely experience

300 new residences (30 per year for 10 years) and the state does require that the town identify growth areas.

Ms. Lynch suggested copying the maps and putting them in the library for the public to access them if they want to try the same exercise.

It was suggested that the Committee could do the exercise first and then re-do it with attendees at a public forum.

Ms. Lynch wants to invite large landowners to the meeting to see if any of them have any plans to develop their land in the next ten years.

Mr. Dodd suggested inviting the Planning Board, Zoning Board of Appeals, the Town Council and the Conservation Commission to participate in the exercise. He wants them because they have expertise in the areas that need to be addressed. It was pointed out that each of those boards is represented on this Committee already.

Mrs. Swift-Kayatta wants to do the process with just this Committee and see how it goes. Then, depending on what they learn, to see how to bring the process to a larger audience.

When the time table for this work was questioned, Ms. O'Meara said she planned the September 7 meeting to do the groundwork and September 28 to do the exercise. If the Committee decides to hire Ms. Colby-George, then she will have plenty of time to finish her analysis by the September 28 date.

It was agreed that the exercise would be done by the Committee only on September 28, 2006.

It was unanimously agreed to spend \$2500 to hire Judy Colby-George to do all the mapping and analysis of the project, both before and after the Lego exercise.

Committee Member Status Reports

A brief discussion of the Committee member's reports to the groups they represent and to other groups in Town was held. Ms. O'Meara suggested that each committee member try to provide a status report on the comp plan to their representative group sometime in the next 2 months. It was decided that Jay Chatmas would give an update to the Zoning Board, Bob Dodd would keep the Cape Courier staff informed and Frank Strout will be keeping the Cape Elizabeth Land Trust up to date. Elaine Moloney will give a status report to the School Board, Anne Swift-Kayatta to the Town Council and Dave Griffin will report to the Planning Board. Since Julia Beckett is not a representative of a specific board, she will talk to community groups such as the Boy Scouts, and her neighborhood.

Public Facilities

Mrs. Swift-Kayatta led off the discussion of the draft report by questioning the figures in the table on page three. Ms. O'Meara assured her that the numbers will be updated when they become available. She also questioned the percentage of refuse being recycled. Is it really 60%? Ms O'Meara said she had asked Public Works Director, Bob Malley, and she was told it was not just 60%, but 63%. It was also clarified that the recycling referred to is of all the residents, not just the municipal buildings. It was suggested to strike the words: "generated by the Town" from the report. On Page nine of the draft, Mrs. Swift-Kayatta suggested the information be presented in a table format. On page ten, the amount of library space that may be required in the future was questioned. Mrs. Swift-Kayatta wants to amend the sentence to read: the Thomas Memorial Library may require up to an additional 8000 square feet of space by 2020. She also suggested deleting the estimated cost of a new roof on the Adult library.

There was a brief discussion about Fort Williams and the fact that the proposal to charge a parking fee will be voted on at the next election in November. It was agreed that no mention of the fee will be included in the comp plan.

Ms. Lynch noted on page fifteen that the electrical infrastructure in Cape Elizabeth is older than other typical suburban communities. She suggested that we make it part of the Plan to replace electric lines with underground lines. Mr. Herrick agreed and said he would like them replaced especially in scenic areas. Several people did not want the word scenic to be used since it is a subjective term. Ms. Lynch suggested that the Town work with CMP to get the wires underground. It was noted that new developments are now being built with underground wiring. Mrs. Swift-Kayatta was concerned that the Town would have to pay for the underground utilities to be installed. Ms. Lynch will draft an addition to the paragraph on page fifteen.

Mr. Herrick questioned the use of the word "branding" on page ten, in the library report. Branding is a term used in advertising to mean branding your name into peoples' minds. It was agreed by the Committee to remove the reference from the first paragraph on page ten.

Mrs. Moloney wants the Thomas Memorial Library to be removed from the school "campus". She noted that the library is not part of the schools. She also wanted it clarified that the full-day kindergarten is not provided at this time. In reference to the Middle School, the addition of 7 classrooms was necessary to accommodate increased enrollment. In the last paragraph on page one in reference to the renovation of the High School, the renovation included the change of kindergarten space into high school space when the kindergarten was relocated into the new wing of the Pond Cove School.

There was a brief discussion of the final wording for the underground utilities. The final version shall read: Whenever aerial lines need to be replaced, encourage underground lines to be used as their replacement.

Ms. Lynch questioned whether the entire Town could be made to receive Wi-Fi. She doesn't know what that entails and would like to have more information. Mr. Chatmas noted that Wi-Fi would need poles with antennas and the Committee has just decided to urge installation of underground utilities.

Mr. Griffin wanted to know if the Capital Improvement Plan budget is funded annually. Mrs. Swift-Kayatta told him that large expenditures, such as a fire truck, are funded by putting away some money each year.

Mrs. Moloney wanted to add a reference to the schools in Goal 2. She felt the schools should also pursue partnerships with other municipalities. She was told that the Town is considered to include the schools as well as other municipal departments. It was agreed to change the word buildings to the word facilities.

Goal 1 was unanimously adopted.

Goal 2 was unanimously adopted with the addition of the phrase urging underground utilities.

Fiscal Capacity

Mrs. Swift-Kayatta questioned the figures used in charts on pages one and two. Ms. O'Meara told her that she will be updating those charts when the FY 2006 data is available. Mrs. Swift-Kayatta wanted it noted on the chart that Fiscal 2006 is actual spending. She questioned the use of such old dates in the example on page eight, and would like to use more current numbers. It was explained that the example was in there to illustrate a point, not necessarily to be current. It was agreed to make it clear that the illustration is an example from the past. Mrs. Swift-Kayatta also noted that the tables on pages six and seven do not agree on the assessment numbers. Ms. O'Meara said she would double check with the Tax Assessor, but the State's numbers and the Town's do not always agree.

Mr. Chatmas wondered what other revenue sources there are to account for the discrepancies in the totals on page three. There are miscellaneous specialized State and Federal funds which are sources of revenue. Regarding the chart depicting revenue sharing, the committee asked that the numbers backing up the chart be put back in the draft.

On page six, Mr. Chatmas suggested that a point chart or bar chart would be preferable to the line graph depicting annual tax rates because each year is a discrete value. After a discussion, it was agreed to leave the graph as it is, with the addition of an explanation for the drop. The revaluation of all the properties in Town accounts for what appears to be a drop in taxes. That will be noted on the chart.

Mrs. Moloney wanted the reference to personnel to be removed from the explanation on page two. It was decided to remove all the numbers of teachers, etc from the paragraph

explaining the School budget because this information has been more appropriately located in the Public Facilities chapter. She proposed adding implementation step 3 to goal 2. She proposed to encourage business that will increase the tax base while maintaining the rural character of the Town.

Ms. Lynch said the survey shows that the people of the town do not want more businesses.

Mrs. Moloney felt the Committee does not have to consider the survey as the end-all. We need to make goals for the Town which will benefit the Town. After a discussion about whether to add this step, it was unanimous to add implementation step 3. It will now read: Expand the tax base by appropriate commercial businesses that are compatible with the community character.

After the adoption of the implementation step, the inconsistency of this goal and the paragraph on page seven became apparent. Staff noted the tax base sentence was added after last month's meeting and now needs to be changed to be consistent with the implementation step. The second paragraph on page 7 should now include the sentence: In the past, Cape Elizabeth residents have chosen to shoulder a higher residential property tax burden rather than diversifying the tax base by allowing more commercial development. It was also noted that State funding changes may require a consideration of expanding the tax base.

Mr. Dodd requested that there be a change in the language of implementation step one of goal 2. He wants to make it clear that the user fees will be in place of increases in the property tax.

Ms. O'Meara pointed out that user fees do not cover the cost of supplying the service, but because a fee is charged, residents think they are paying for the service. They may question an increase in taxes when property taxes are subsidizing those "fee" services. For example, the fee to submit an application to the Planning Board is \$200, and according to Ms. O'Meara that often does not even cover the postage costs associated with a Planning Board review. A committee member noted Community Services pays for itself with fees. Ms. O'Meara suggested the committee consider a recommendation that fees be set to pay for a minimum of 75% of the cost of the service.

Some examples of user fees were discussed. They might include pay-per-bag trash fees, library card fees, use of fields or parking fees. Fee amounts should be established without a minimum. Committee members were concerned that minimum fee amounts would be too high and decided not to adopt the minimum fee recommendation.

Impact fees were discussed and defined by Ms. O'Meara as a one-time fee paid at the time a new residence is built. It covers such costs as open space, water line or sewer extensions, etc. User fees are different in that they are collected multiple times. They come into effect every time a particular service is utilized.

Goal 1 was unanimously approved.

Goal 2 was unanimously approved with three implementation steps, as discussed.

The Committee elected to postpone the Historical and Archeological section and the Regional Coordination section to September 7, 2006.

Citizen Comments

Mr. John Greene said he had no comments regarding tonight's meeting. He praised the work of the Committee.

The meeting was adjourned at 9:30 pm.

Respectfully submitted,
Hiromi Dolliver