

Future Open Space Preservation Committee (FOSP)

Introduction

The Cape Elizabeth Town Council has decided that the Recreation and Open Space chapter recommendations of the Comprehensive Plan should be implemented before further implementation of the Land Use Chapter. In order to implement these recommendations using a public process that (1) is consistent with the Town Council Communication Strategy, (2) incorporates the Cape Farm Alliance and the Cape Elizabeth Land Trust and (3) respects private property rights, the Town Council is creating the Future Open Space Preservation Committee (FOSP).

Committee Charge

1. FOSP shall coordinate with the Cape Farm Alliance (CFA) and the Cape Elizabeth Land Trust (CELT) and solicit from them any information, inventories, etc. regarding future open space preservation priorities.

Draft Workplan:

- a. Presentation from CELT, CFA
- b. Provide FOSP with copies of inventories, maps, etc
- c. _____

2. FOSP shall supervise a professional, statistically relevant telephone survey of town residents identifying priorities for specific parcels for open space preservation and preferred methods of funding.

Draft Workplan:

- a. Prepared RFP to obtain polling consultant
- b. Review proposals/conduct interviews
- c. Select consultant
- d. Prepare survey questions
- e. Conduct telephone survey
- f. Compile and review results
- g. Publicize results
- f. _____

3. FOSP shall prepare for the Town Manager's approval a Request for Proposals (RFP) for a consultant to:

Conduct an analysis of the costs and benefits to the town budget of development versus retention of open space. The analysis should draw on state and national resources to conduct this study. The objective is to determine the cost and benefits to taxpayers of housing growth versus the preservation of undeveloped land.

FOSP shall then review and make recommendations regarding the consultant's report.

Draft Workplan:

- ___ a. Review sample analyses
 - ___ b. Prepare RFP and submit to Town Manager
 - ___ c. Review proposals/recommend consultant to Town Manager
 - ___ d. Meet with consultant/Review and approve analyses outline
 - ___ e. Review analyses results
 - ___ f. Publicize results
 - ___ g. _____
4. FOSP shall conduct a public workshop with the CFA and CELT focusing on actions that both protect open space and promote sustainable farming, without constraining farmers' opportunities and infringing on private property rights.

Draft Workplan:

- ___ a. Select date and time for public workshop
 - ___ b. Publicize workshop
 - ___ c. Prepare agenda/presentation for workshop
 - ___ d. Hold workshop
 - ___ e. Produce/approve meeting minutes/post on website
 - ___ f. _____
5. FOSP shall develop "rural areas" and "open space" definitions for the Town of Cape Elizabeth. The committee shall consider (1) state law, (2) farmers' flexibility in using land on a long term basis, (3) the impact on other significant land owners, and (4) residents' priority in protecting rural areas.

Draft Workplan:

- ___ a. Review state law/local land use ordinances
 - ___ b. Review workshop comments/public survey results
 - ___ c. Review sample definitions from a variety of sources
 - ___ d. Draft "rural areas" and "open space" definitions
 - ___ e. _____
 - ___ f. _____
6. FOSP shall identify specific key parcels of land in town that are of the highest priority. A comprehensive review of vacant lands in Cape Elizabeth should be undertaken to determine which areas exhibit the most important habitat features, recreational opportunities and whose preservation would help to ensure the town retains its rural character, including large undeveloped areas, agricultural uses of the land and scenic vistas.

Draft Workplan:

- ___ a. Review wildlife habitat/recreation/agriculture/scenic vistas/large lot maps
- ___ b. Draft and adopt criteria for key parcel designation
- ___ c. Identify and prioritize key parcels
- ___ d. Discuss with key parcel property owners
- ___ e. _____

7. FOSP shall develop a range of tools and approaches to preserve/protect/enhance critical parcels. These tools should be expansive and include innovative approaches that have been successfully employed nationwide, including zoning, outright land purchases, elimination of incentives for development in critical parcels, methods by which land can be purchases in private/public partnerships, and any other creative approaches other towns have taken. At the same time, all of the approaches that are considered and recommended have to avoid infringement on personal property rights.

Draft Workplan:

- ___ a. Review Open Space Zoning/ Impact Fee land use requirements
- ___ b. Receive presentation from Town Assessor on State Open space/tree growth/ag tax relief programs.
- ___ c. Review Town land acquisition fund, history of open space purchases (bonding/general fund taxation)
- ___ d. Review zoning of key parcels
- ___ e. Review methods of public/private partnerships
- ___ f. Review any other approaches to open space preservation
- ___ g. Evaluate any open space approaches in relation to private property rights
- ___ h. Formulate recommendations
- ___ i. _____

8. FOSP shall prepare, for Town Council discussion, an evaluation of the financial resources necessary to achieve the strategic conservation priorities identified. Financial resources may include, but are not limited to, funding by town taxpayers, individual donations (land or dollars), donations and grants through CELT as well as State and Federal conservation funding programs.

Draft Workplan:

- ___ a. Estimate the cost to preserve key parcels
- ___ b. Review range of funding options
- ___ c. Recommend funding approaches to preserve key parcels
- ___ d. _____

9. FOSP shall prepare a final report summarizing its work and submit it to the Town Council.

Draft Workplan:

- ___ a. Prepare outline of final report
- ___ b. Review draft final report
- ___ c. Vote to recommend report to Town Council no later than March 24, 2012.
- ___ d. _____