

**Future Open Space Preservation Committee**  
**Monthly meeting of September 26<sup>th</sup>, 2012 (draft)**

Present: Jessica, Caitlin, Carol, Bo, Chris F (7:20), D. Bauman, Craig, Wayne, John G. Maureen O'Meara

Absent: Frank Governali

Public Comment: None Present

Review of August Minutes: Added '*Respectfully Submitted*' and Chapter Titles.

Review of Chapter 6: Open Space Preservation Process  
Maureen provided overview read through of chapter and introduced Conservation Commission members present to comment on implementation of recommendations.

The general sense of the Conservation Commission (CC) is that they are agreeable to taking on responsibility though they would like to develop their own process for doing so. The suggestion of adding another community member to the committee also seemed to be favorably viewed.

*John Greene* expressed some concern about developing an alternate approach.

*Dick Bauman* (CC and FOSP member) indicated that there was no great divergence re evaluation criteria, just sensitivity to modifying the process to their structure.

*Jessica Sullivan* asked about CC concern, would they be asked to seek out parcels as they do currently, or respond to properties that are brought to them?

*Maureen O'Meara*: CC is already working with landowners with oversight from staff.

*Carol Jordan* this takes CC well beyond trails

*Bo Norris* thought that the identification and evaluation recommendations were fine along the lines of CC's wishes

*John Greene* raised the issue of a 'list' of properties, discussion suggested some way of acknowledging that FOSP passed on the idea of a list and CC may do the same. Changing the language to 'may' have a list rather than shall?

*Jessica Sullivan* Move to strike the sentence "The periodic review shall conclude with a list of areas or parcels for future consideration for preservation." From the Proposed Open Space Evaluation and Preservation Program section number 6.

**Motion** Passed: 7 Yes and 2 abstaining votes

*John Greene* **2nd Motion:** Recommendation related to CC being empowered to conduct Open Space program to include support of the inclusion of one or more additional members should be amended to state 2 or more members-to keep numbers odd.

Passed Unanimously

## **Review of Chapters**

### **Chapter 4: Public workshop**

Review of Chapter provided by Maureen O'Meara.

Forum held march 7, presentation materials, public comment and meeting notes (will be attached to final report).

Chapter modified to spell out Cape Farm Alliance and Cape Elizabeth Land Trust and to add language to final sentence prior to the recommendation.

## **Chapter 5: Open Space Rural Area Definition**

Review of Chapter provided by Maureen O'Meara.

Committee recommended not including the resource materials related to other open space definitions and use by other municipalities in the final report, as previously reviewed by this committee.

*Dick Bauman* noted that the issue of active vs passive recreation is not defined, nor consistent with terminology used for open space criteria/evaluation.

*John Greene* commented that he feels-- as well --that active recreation feels more like sports.

Committee feels that the definition should have parity with open space. Maureen will wordsmith this and committee members are asked to forward recommendations.

## **Chapter 7: Range of Tools**

Review of Chapter provided by Maureen O'Meara.

Zoning Related Issues

*Chris Franklin* suggested addition of language reinforcing the continuance of existing restrictive zoning as a tool,

Recommendation edited to reflect change.

Clustering-- reviewed

Open Space Zoning--reviewed

Transfer of Development Rights: Discussion of recommendation in Comp Plan for agricultural bonus not discussed

*Chris Franklin* suggested that a review of TDR sending areas be undertaken to ensure they align with and reinforce established criteria.

Might the planning board want to review sending areas?

**Motion:** The planning board should be tasked with reviewing the TDR sending areas map to align it with Open Space Criteria

**Motion passed unanimously**

Maureen will prepare a list of other tools 'considered' but not followed.

The fee purchase of lands and easements, the acceptance of easement and land donations should continue to be utilized for land that meet open space criteria.

Tax acquired parcels should also continue to be able to serve open space acquisitions.

## **Chapter 8: Financial Resources:**

Review of Chapter provided by Maureen O'Meara.

Committee recommendation to add the spreadsheet associated with PEVA

*Dick Bauman* asked if the limitations of defining farms be explained further to alleviate confusion.

Pennies for Open Space: The committee recommended that we not consider this option.

Bond Issue: should be retained with the addition of language to “fund open space acquisition”

Local Option Real Estate Transfer Tax: The committee recommends support of the concept should state law change, but realize that currently this strategy is not an option.

## **Other Topics**

RE: Growth Area:

*Chris Franklin stated that he is still struggling with the concept that areas we do not want to see developed are being kept within the growth area.*

Rationale discussed for this recommendation centered on the fact that within the growth area is where these lands receive the best chance of being protected. In the absence of an area that discourages development, promoting the use of open space zoning gives these lands the best opportunity to be at least partially protected.

RE: The benefits of having another public forum.

*Dick Bauman: What do we get from it? Or is it just window dressing?*

Discussion affirmed that there was perceived to be limited demand for another public forum.

**Motion: Due to the time of year, and limited Public opportunity to review the report should not include another public forum.**

Motion passed unanimously

**Motion to Adjourn: Craig Cooper 2<sup>nd</sup>, Carol Jordan**

FOSP next meetings will be: OCT 24, NOV 28, DEC 12

Respectfully Submitted,

Chris Franklin