

MEMORANDUM

TO: Cape Elizabeth Town Council
FROM: Future Open Space Preservation (FOSP) Committee
DATE: July 26, 2011
SUBJECT: FOSP Committee Status Report

The FOSP Committee held its first meeting on March 24, 2011, and has held a total of 5 full committee meetings. The committee has prepared a draft schedule of meetings and topics to be covered, which is attached. The committee has also created a subcommittee for the cost benefit analysis and that committee has met four times. Because of the breadth of work assigned to the committee, it intends to create additional subcommittees as needed. Subcommittees report back to the full committee.

Per the committee charge adopted by the Town Council, the committee has developed a working definition of open space. The definition was developed after reviewing 26 sample open space definitions. (See attached summary of definition elements). The committee is recommending a definition that is broad enough to encompass a range of open space types. At this time, the working draft open space definition is:

Open space: Land and water areas, whether public or private, maintained in an essentially undeveloped state for use as active or passive recreation areas, resource protection, agriculture, or preservation.

The committee also discussed a definition for rural areas as required by the committee charge. The committee reviewed 9 sample definitions. (See attached summary of definition elements.) Most rural definitions relate to federal programs for rural economic development, rural health, and the U.S. Census. These definitions include a numerical density calculation that is incompatible with Cape Elizabeth's "rural character." The committee questioned the need for a rural areas definition and is recommending to the Town Council that a rural areas definition not be established.

The committee is recommending that Planning Decisions be retained to conduct the Cost Benefit Study. This study is anticipated to be completed by the end of 2011, at which time the committee will begin to assemble the public opinion survey.

The committee is available to answer any questions regarding this status report.

**FOSP Meeting Schedule
with Workplan from Committee Charge**

July 13th

- (2) Cost Benefit Analysis
 - d. Review proposals/recommend consultant to Town Manager
- (5) Key Parcels
 - a. Review wildlife habitat/recreation/agriculture/scenic vistas/large lot maps
- (10) Status Report

August 17th

- (2) Cost Benefit Analysis
 - e. Meet with consultant/Review and approve analyses outline
- (5) Key Parcels
 - b. Draft and adopt criteria for key parcel designation (methodology for identification)
 - c. Identify and prioritize key parcels (including key access points/strips)

September 21st

- (2) Cost Benefit Analysis
- (7) Range of Tools
 - b. Review Open Space Zoning/ Impact Fee land use requirements
 - d. Review Town land acquisition fund, history of open space purchases (bonding/general fund taxation)
 - f. Review methods of public/private partnerships
 - e. Review zoning of key parcels

October 5th

(7) Range of Tools

- c. Receive presentation from Town Assessor on State Open space/tree growth/ag tax relief programs.
- g. Review any other approaches to open space preservation
- h. Evaluate any open space approaches in relation to private property rights

October 19th

(2) Cost Benefit Analysis

November 2nd

(5) Key Parcels

- d. Discuss with key parcel property owners

November 16th

(2) Cost Benefit Analysis

(7) Range of Tools

- a. Create tools folder online

December 14th

(2) Cost Benefit Analysis

- f. Review analysis results
- g. Publicize results

(4) Opinion Survey

- a. Assign subcommittee to work on survey
- b. Discuss questions that should be covered in survey
- c. Prepare RFP to obtain polling consultant

January 2012

- (4) Opinion Survey
 - d. Review proposals/conduct interviews
 - e. Select consultant

February 2012

- (4) Opinion Survey
 - f. Prepare survey questions

March 2012

- (4) Opinion Survey
 - f. Approve survey questions
- (6) Workshop
 - a. Select date and time for public workshop
 - b. Publicize workshop
- (9) Growth Areas Review

April 2012

- (4) Opinion Survey
 - h. Compile and review results
 - i. Publicize results
- (6) Workshop
 - c. Prepare agenda/presentation for workshop
- (9) Growth Areas review

May 2012 - Public Workshop

Presentations:

- Analysis Study

- Public Opinion Survey
- Key parcels
- Tools folder

June 2012

- (3) Definitions
 - b. Review workshop comments
- (6) Workshop
 - e. Produce/approve meeting minutes/post on website

July 2012

- (8) Financial resources
 - a. Estimate the cost to preserve key parcels
 - b. Review range of funding options

August 2012

- (8) Financial resources
 - c. Recommend funding approaches to preserve key parcels
 - d. including bonding

September 2012

- (7) Range of Tools
 - i. Formulate recommendations
- (11) Report
 - a. Prepare outline of final report

October 2012

- (11) Report
 - b. Review draft final report

November 2012

(11) Report

c. Vote to recommend report to Town Council no later than December 31, 2012.

December 2012

Flex meeting

Open Space Definitions elements							
#	ownership is referenced/ either public, private or other	Undeveloped or natural state/ no structures /unimproved	recreation	Conservation values of plants, wildlife habitat, water quality, sensitive natural areas	Value to public is mentioned	water supply protection	passive activities is mentioned
1	N	N	Y	Y	Y	Y	N
2	N	Y	Y	N	N	N	Y
3	N	N	Y	Y	N	N	N
4	N	N	Y	N	N	N	Y
5	N	Y	N	N	N	N	N
6	N	Y	Y	Y	N	Y	N
7	N	N	Y	N	N	N	N
8	Y	Y	N	N	N	N	N
9	Y	N	Y	N	N	Y	N
10	N	Y	Y	N	N	N	N
11	N	N	Y	N	N	N	Y
12	N	Y	N	N	N	N	N
13	N	Y	N	N	N	N	N
14	Y	Y	Y	N	N	N	N
15	Y	N	N	N	N	N	N
16	Y	N	N	N	N	N	N
17	Y	N	N	N	N	N	N
18	Y	Y	Y	N	N	N	N
19	Y	Y	N	N	N	N	N
20	Y	Y	Y	N	N	N	N
21	Y	N	N	N	N	N	N
22	Y	N	N	N	Y	N	N
23	Y	N	N	N	Y	N	N
24	Y	Y	Y	N	Y	N	N
25	Y	Y	Y	N	N	N	N
26	Y	Y	N	Y	N	N	N
%Y	58%	54%	54%	15%	15%	12%	12%

Rural Definition elements							
#	farming, forestry	Numerical density calculation	Sparsely populated	lower level or reduced public services/ infrastructure	Resource extraction	Reference outside urban or suburban area	Comprehensive Plan reference
1	Y	Y	N	N	Y	N	N
2	Y	N	N	N	Y	N	Y
3	Y	Y	Y	N	Y	Y	N
4	Y	N	Y	N	N	Y	N
5	Y	N	Y	Y	Y	Y	N
6	Y	Y	N	Y	N	N	Y
7	Y	N	N	Y	N	N	Y
8	Y	Y	Y	Y	N	N	N
9	Y	N	N	N	N	N	N
%Y	100%	44%	44%	44%	44%	33%	33%