**Town of Cape Elizabeth**

**Review of Process for Updating the Greenbelt**

On January 6, 2014, the town council approved an update to the town greenbelt plan. The process which led to this 5-2 vote included fourteen meetings of the conservation commission, two public forums and special meetings with the Cape Farm Alliance and the trustees of Riverside Cemetery. The town council held six meetings, including two workshops, a site walk at Surfside Avenue and a public hearing on December 9, 2013.

Immediately following the greenbelt vote, the town council adopted goals for 2014 including a goal to review the process for updating the greenbelt plan. Councilors Caitlin Jordan and Jamie Wagner volunteered to lead the review of the process and to report back to the council.

Among the concerns which had been expressed regarding the process for updating the greenbelt were the following:

* All landowners with properties shown on a publicly available greenbelt map should have been notified prior to the publication of any draft map.
* When a draft map is published on the town web site, it gives the impression that the town has an ownership interest in the property or that the public has a right to traverse the property.
* The process was long and drawn out and it is difficult for citizens to attend many meetings over many months.
* It seems that the commission was not listening to the public as properties stayed on maps after citizens had argued for their removal from the draft maps.
* Some of the meetings were unruly and public discourse occasionally was not respectful in listening to all views.

The concerns which have been expressed were spoken by many and the lessons learned may be applied to future reviews not only of the greenbelt but on other contentious issues within the community.

The town should walk the extra mile in all instances to be sure that property owners know of proposals impacting their properties. The town already has robust procedures for notifying citizens of issues on the planning and zoning board agendas. The state has laws governing notifications for changes in zoning maps. The town makes active use of its website and of local media sources to publish information on town business. Despite all this, the town’s advisory boards have no guidelines for public notification procedures.

**We offer the following suggestions to enhance public knowledge of town proposals and municipal studies and to be respectful of private property:**

No private property should be shown on the town’s website as the focal area of a town proposal without advance knowledge to the property owner of the upcoming proposal.

Whenever possible, preliminary drafts of proposals should be in descriptive form rather than shown pictorially on maps when posted online. Maps proposing a public use of a private property should not be posted online until proposals are nearing their final stages. This relates to online postings and should not discourage committee members from using visual aids, including maps, for purposes of discussion, at their meetings.

The town should make greater use and encourage use of RSS feeds from the town website.

The town should work with an email service provider such as Constant Contact to permit citizens to opt into receiving general notices from the town.

**We offer the following suggestions to enhance public involvement and decision making as controversial issues are considered:**

When the town undertakes major studies or reviews issues that are seen as being potentially controversial, a clearly understood timeline for the study or review should be prepared by the reviewing advisory body or by the council. Any such timeline should seek opportunities for formal comment periods to ensure that all views are heard. Outside the formal comment period, written communication should be encouraged instead of multiple public comment forums so that the number of meetings that citizens feel they must attend may be reduced.

The use of social media such as Facebook is often used to impact views on local issues. The town has taken a position not to permit public comments on the town website. Yet, as social media has evolved, social media offers an opportunity to have an online presence where comments can be posted and read by others. The town should consider piloting a Facebook site devoted to a specific issue and provide postings to the site and a link from the regular town website. Any such Facebook site should not have any comment censored by the town, but the town could suspend links from its website if the commenting is libelous or not suitable for work environments.

The process of municipal review is often confusing, and as reviews extend over some time, new parties come to meetings part way through a review. Meeting leaders should take care to begin meetings to briefly outline the current status of any proposal on the timeline and what future steps are contemplated and when.

When the town council first has an issue before it that has been extensively reviewed at a committee level, the council should consider having a workshop presentation on the proposal prior to any formal review thus giving the presenting committee an opportunity to explain the process and the proposal.