

TOWN OF CAPE ELIZABETH  
MINUTES OF THE COMPREHENSIVE PLAN COMMITTEE

May 17, 2018

7:00 p.m. Town Hall

Present: Elizabeth Goodspeed, Acting Chair  
Peter Curry  
Kevin Guimond  
Penny Jordan  
Sara Lennon  
Victoria Volent

Absent: Timothy Thompson, Susana Measelle Hubbs, Harvey Rosenfeld

Also present: Maureen O'Meara, Town Planner

Call Meeting to Order

Ms. Goodspeed called the meeting to order and called for public comment.

Public Comment

Paul Seidman of 21 Oakview Drive is concerned about land preservation. A buffer strip is not considered open space. He would like to expand the land acquisition fund. The Town is not able to compete when large tracts come up for sale. On page 2 of the open space chapter he would like to remove the word only, from only 74%.

Jim Rowe of 127 Oakhurst Road is president of the Cape Elizabeth Historical Preservation Society. He said there is not a survey of possible archeology sites in town. There was an unearthing of human remains when constructing the Inn by the Sea. There was a horse and a human body buried on a Broad Cove property. It was a member of the Dyer family who had wished to be buried on his property.

He would like to find space for the Historical Society. He would like that to remain in the Comprehensive Plan. He would like preservation of the Goddard Mansion.

Mr. Guimond asked if the Thomas Memorial Library includes the old Spurwink School.

Mr. Rowe said it does not.

Mr. Guimond asked if the fire station at Fort Williams is a historical structure and whether they are interested in retaining the 2 antique fire trucks.

The public comment was closed.

#### Approval of minutes: May 3, 2018

The minutes of May 3, 2018 were approved, 5-0. (one still absent)

#### Public Participation

Judy Colby George said since we had a successful first forum, she wants to go with a similar plan for the next one. There are a lot more chapters this time, so she proposes to put different chapters on each table and people can choose where to go, and then they will switch tables. Each person will then be at two different discussions.

Ms. Jordan asked if you can force that every chapter will be addressed.

Ms. Colby George said if a chapter gets no participation, she will move its questions to a more popular area. There will be key pad polling which will address all the chapters. In response to a question from Ms. Goodspeed, she said they can separate out the teen voters in the key pad polling.

Mr. Curry would like audience opinion on what we are going to be tackling, particularly land use.

Ms. Colby George said they can have sticky notes for comments and ideas.

If the Committee has proposals for questions for the key pad polling, they can send them to Ms. O'Meara and she will send them to Judy. Last time, questions were reviewed by Tim Thompson and that will happen again. Committee members asked if they could review the questions in advance. The review would have to happen at a meeting, and no meeting is scheduled before the forum on June 6th. Any discussion of questions by email would constitute a meeting and should be avoided.

#### Agriculture and Forestry Resources Chapter

Ms. Jordan said the definition of farms is in the Ordinance. She read that definition.

She had drafted key findings. They are: Cape Elizabeth is ahead of many towns in working to help ensure farms in the town prosper.

A diversity of farms and product in cape Elizabeth is increasing.

Programs are in place to assist with tax burdens to help preserve farmland.

She then spoke about the chart on page 3 and asked about how to present the data on acreage. Should it be total acres, total tillable acres, or total acres in production of products, livestock or horses.

Ms. Volent said both numbers are interesting.

Ms. Lennon agreed that both numbers are interesting.

Mr. Guimond said the definition is key.

Ms. Jordan said the definition should not include a minimum acreage because of modern intensive agriculture methods. It's more about the money produced.

Mr. Curry said that the important thing is that the residents support farming to keep the character of the town.

It was agreed that they would keep the chart as it is and include a narrative that talks about how much of that land is actually being farmed.

Ms. Volent said she had drafted some key findings. She said her findings were focused on changes in the numbers. She also cited the survey to show how many residents support farming.

On page 1 of the draft the last bullet point was discussed and it was agreed that it needs more information. Ms. Jordan will get the additional wording of that item to Ms. O'Meara.

Also on page 1 the Committee wanted to change the wording of the last sentence to replace the word "recommitting" to read "maintaining its commitment" to local farming.

The committee voted 6-0 to accept the second draft of the Agriculture and Forestry chapter.

### Recreation and Open Space Chapter

Ms. Goodspeed said she wants to disclose that she is the president of the Cape Elizabeth Land Trus. She feels she can represent the town as a

comprehensive plan committee member. The committee voted 5-0 that she did not have a conflict and can participate.

Ms O'Meara outlined the chapter and what the Town has been doing to promote open space. She said the committee has asked about Fort Williams and this is the place to address this topic. She said that this committee should take a long view on the park because there are already groups who have the management of the park as their responsibility. She added that the committee was unhappy about the overboard discharge and Fort Williams is one of the areas of overboard discharge, so do you want to say anything about bringing public sewer to the park?

Ms. Jordan noted that there are alternatives to sewers now for bathroom issues.

Ms. Lennon wants to be very high level with their recommendations. They should not get into the details.

Mr. Guimond thinks they should not tie the hands of future councils.

Ms. Volent said she does not want to get into issues like bathrooms.

Mr. Curry said we have the Park Advisory Committee, and we should keep our hands off.

Ms. Goodspeed provided the Central Park conservancy as an example of private funding bringing in 75% of Central Park operating costs. Fort Williams has 3 entities piecemealing it. Should there be an overarching group for Fort Williams so the town can get out of park management?

A lot of ideas about funding were floated and discarded.

Ms. Lennon said the Land Acquisition Fund is not adequate. She wants a goal to get back to increasing the pennies for open space each year.

There was a long discussion about the funding of land acquisition. It included bonding, the pennies for land acquisition, and other possible ideas. They want the Council to be able to act quickly when a parcel becomes available.

A committee member noted that the last comprehensive plan recommended a land bond and it wasn't done. Why not? Ms. O'Meara said that public opinion surveys show that residents love the open space, but there is not much support for increasing their taxes to pay for it. The town council has said that it will consider individual funding requests.

The town council has previously used bonds, general funds and existing accounts to fund open space purchases, and did not support a stand alone bond.

The committee has differing interpretation of the survey and how it manifests in the funding of land acquisitions.

Ms. O'Meara asked if she should draft language the will take into consideration the ideas that have been suggested. That idea was endorsed.

Ms. Goodspeed and Ms. O'Meara discussed the numbers that are used on the first page. There is overlap with the land owned by the town and what is owned by the Land Trust.

Ms. Goodspeed is concerned that not all of the land is preserved in perpetuity. Since much of the land is owned by the town, it would be possible for the council to decide to sell some or all of the land.

Mr. Guimond said he doesn't want to tie the hands of a future council.

Ms. Goodspeed would like another column that shows how much is permanently preserved. She wants that to be for public information. Mr. Curry said he does not think this level of detail is what this Comp Plan should be about. The committee voted 3-3 to include information on how much public open space land is protected with conservation restrictions, so the motion failed.

When discussing the first paragraph on page 2, Ms. Lennon wanted to make changes in the wording and take out a sentence or two.

Ms. O'Meara said this paragraph was taken right out of the 2017 Comprehensive Plan Public Opinion survey report that this Committee approved.

Ms. Lennon said this is misleading. Why is this in here?

Ms. O'Meara said she had heard Ms. Lennon, at an earlier meeting, when she had said she wanted the public opinion survey included, so she has tried to include more of the survey in each chapter.

The Committee agreed that they would like to remove the word only at the beginning of the 2nd and 3rd sentences.

There was a further discussion of this issue and no other changes to that paragraph were made.

A discussion about the gift shop at Fort Williams centered around what portion of their sales are put back into the park. It is a non-profit enterprise, so there is no profit to distribute, but a portion of revenue goes to the park to compensate for the shop's impact on the park.

On page 11, Ms. Lennon wants to remove the reference to the litigation about the paper streets.

Ms. Jordan wants it removed.

Mr. Curry said it is common knowledge, and it is a requirement to include any conflicts about the trails.

Mr. Guimond made a motion to remove that last sentence on page 11. The vote was 3-3, so the motion failed.

Ms. Volent said she had drafted key findings.

The Town and CELT have increased open space holdings by 240 acres or 22% since 2006.

#### Historic and Archaeological Resources Chapter

Ms. O'Meara asked if a subdivision history map should be in this chapter or the Land use chapter and the consensus was to put it in the Land use chapter. In the first paragraph, second sentence it was agreed to replace the word Indians with Native Americans. Ms. Goodspeed asked if we have the names of the native american tribes in Cape.

Ms. O'Meara outlined the chapter and the map. She asked if the Committee would like to recommend an archeological study.

The question is how will this be funded? It was agreed that they will support private funding and applying for grant money.

A discussion of the Goddard Mansion concluded with the decision to leave any reference to it out of the plan.

#### Committee member items

There were none.

## Public Comment

Paul Seidman asked if the FOSP definition of open space is in the chapter.

Ms. O'Meara said it is not in there, but she can put it in.

The next meeting is scheduled for **Thursday, June 7, 2018**. Items on the agenda may include:

- Discussion with the Harbor Committee
- Historic and Archaeological Resources Chapter
- Recreation and Open Space Chapter
- Marine Resources Chapter

The Committee adjourned at 9:50 pm.

Respectfully submitted,

Hiroimi Dolliver  
Minutes Secretary