

MINUTES OF THE COMPREHENSIVE PLAN COMMITTEE

June 7, 2018

7:00 p.m. Town Hall

Present: Tim Thompson, Chair
Peter Curry
Elizabeth Goodspeed
Kevin Guimond
Victoria Volent

Absent: Susana Measelle Hubbs, Penny Jordan, Sara Lennon, Harvey Rosenfeld

Also present: Maureen O'Meara, Town Planner

Call Meeting to Order

Mr. Thompson called the meeting to order and called for public comment.

Public Comment

Becky Fernald of Mitchell Road wants to speak about the open space that is preserved as a part of a development. She said there is a lot of controversy that could be avoided if residents could be given input early in the process (before the first public hearing). She would like the Conservation Committee and CELT to weigh in during the very beginning stages. As for preserving farmland, we need to look at the type of farmland being preserved. A need to look at the definition of farmland when we see the type to be preserved. She wants the Comprehensive Plan to be more clear, more specific on this.

Nate Perry of the Fisherman's Alliance said they are mostly lobstermen, but there are a few others. He does aquaculture. He said they want to fully support the Harbor Committee's report. He pointed out the goals that they feel are especially important: Goal 1, recommendation 3: Goal 2, recommendation 4: and Goal 3, recommendation 6.

There were no other comments, so the comment period was closed.

Approval of minutes: May 17, 2018

The minutes of the May 17, 2018 meeting were approved without change, 5-0.

Conversation with the Harbors Committee

Jim Casey, Chair of the Harbor Committee named the members of the Committee and many others who have assisted them. The last report was done in 1988. He then outlined the charges that were given by the Town Council:

- Review the town's coastal waters and Harbor Ordinance and recommend any changes;
- Meet with State officials to determine options for boat access to Kettle Cove and Crescent Beach and develop a long range plan for access;
- Update maps used by the Harbor Master showing potential locations for moorings;
- Inventory public water access;
- Assist the Comprehensive Plan Committee with the Marine Resources section of the plan.

They conducted a survey and it generated over 500 responses. The responses were very thoughtful and considered. The residents are very engaged and involved. The committee recommended that the town should be doing an update every 10 years instead of 30 years. There is a lot of pressure on these resources.

Steve Harding, Town Engineer, said the first goal is the issues surrounding Kettle Cove. He showed a map of the area. The first set of goals is to support commercial fishing in Cape Elizabeth. Congestion is a big problem on the boat ramp. They would like to move the parking into Crescent Beach. They also want the WETeam parking to be reserved only for them. They want an easement for this area. Recommendation 2 is to move the Crescent Beach boat launch [for noncommercial water access] to the north. (The current launch area gets washed out when it rains.) The State is supportive of that move, but they have no money to do it. The Town would have to fund it. The State would give an easement. Goal 3 is to maintain the collaboration with the police. The Harbormaster is shared with Scarborough. It is now a professional position.

They want a master plan for this area. They want documentation of the agreements between the State and the Town. They looked at sea level rise. The mooring mapping is not really accurate. They want this process revisited every 10 years. Finally, they want to keep the Shoreland Zoning intact.

Mr. Guimond asked about moorings on the Spurwink River.

Mr. Harding said he would need to ask that of the Harbormaster.

Mr. Curry noted the competition for parking at Kettle Cove and asked if they were asking for designated parking spaces for fishermen.

Jim Casey said the parking spaces are controlled by the State, and they do not want to change them to commercial spaces. The launch area is dedicated to commercial fishing.

Nate Perry said they are just asking for an easement to protect the area for the commercial boats and WETeam.

There was further discussion about the boat launches, with input from Nate Perry and Jim Casey.

Ms. Volent wanted to present key findings: 88% of survey respondents said proximity to the ocean...

Mr. Guimond proposed a key finding: Commercial fishing continues to be a vital part of the Cape Elizabeth heritage as well as our commitment to the future of it.

There was a discussion of whether there was a big increase in the number of permits for pleasure boats.

Mr. Harding said there was a drop because of the recession and the number have rebounded in the past few years. He said the number of those permits is accurate because they are kept by the police department.

Commercial fishing licenses were a topic that was joined by members of the audience, Nate Perry, Gary Cummings and Jim Casey. There is not a problem of mooring space for commercial vessels, and there is no limit on the number of those licenses. It was agreed that the number of commercial licenses is not an accurate count for several factors. One factor is the record keeping and another is that there may be multiple licenses for one boat, or one person.

Since the reliability of the data is mixed, it was agreed that they will not reference data in the key findings, but will refer to the fact that there is a conflict between the use of the launch area at Kettle Cove and the pleasure boat usage of that area.

The Committee voted 5-0 to accept the draft of the first reading of this chapter.

Recreation and Open Space Chapter (second draft)

Ms. Goodspeed said she had spent many hours researching how much land the Cape Elizabeth Land Trust (CELT) owns. It is 683 acres, but that is not all open to access by the public. The 580 acres is open to public access.

Ms. O'Meara and Ms. Goodspeed discussed how to present these numbers. Ms. O'Meara felt that the acreage presented in this context should be only land that is available for public access. Ms. Goodspeed agreed with this approach.

Ms. Goodspeed had a couple of corrections of acreage at the top of page 7. She also read a statement that was sent to her by the Fort Williams Foundation. It was proposed to replace the last paragraph on page 7 with what they are proposing. The Committee voted 5-0 to use that statement except for the mention of a 501c corporation.

Ms. O'Meara was uncomfortable that the foundation comments were sent to a committee member when they should be shared with all members of the committee to be consistent with FOIA requirements. Ms. Goodspeed said she would forward the comments to committee members.

Ms. Goodspeed said the Foundation had sent another proposed paragraph for page 8 and the Committee agreed to leave that language as it was in the draft.

The committee wanted a mention of the leasing of part of Crescent Beach and a statement that it was important to keep that beach permanently accessible to the public. Ms. O'Meara will add a graphic showing how much is owned by the State and how much owned by the Sprague Corporation.

Ms. O'Meara said she imported a graphic of the survey responses that show how among the responses, there is not a lot of support for municipal funding for the purchase of open space. People like the open space, but there is not a lot of support for spending taxpayer money to purchase more open space. The committee discussed this potential inconsistency as part of a discussion about recommending a bond to fund open space acquisition. Ms. O'Meara noted the FOSP committee survey had the same results.

Mrs. Lennon asked why the open space bond recommendation in the current comprehensive plan was not done? Ms. O'Meara said the Town Council felt that bonds and other financing methods would be utilized as each open space acquisition was considered. Mr. Guimond felt that

residents would support funding acquisition of a specific property, but be more reluctant to support an open-ended bond.

The Committee approved the second reading of the open space chapter, 5-0.

Historic and Archaeological Resources Chapter (second draft)

The only discussion was to formulate key findings.

Mr. Guimond suggested: We value the history of the town.

Ms. Volent suggested: Maintain the relationship with the Cape Elizabeth Historical Society

The Committee voted 5-0 to accept the second draft of the Historic and Archeological Resources Chapter.

Public Comment

Paul Seidman said one of the theories about why acquiring preserved land was not as high a priority was because of the wording of the survey question. It included the word facilities. We don't want to create facilities. One of the reasons not to focus on just having money for something specific is because the town is not a player if something comes up. They should have a proactive stance.

Nate Perry asked about the schedule for the reviews of the Marine Resources Chapter.

Ms. O'Meara noted that Mr. Perry is in aquaculture. There is nothing about aquaculture in our Marine Resources Chapter. Shouldn't we say more about that? In the future this could be a major commercial fishing element.

Mr. Perry was asked to provide more information on how the Town can support aquaculture and whether the shoreline here is conducive to such an enterprise.

Committee member items

There were no items.

The next meeting is scheduled for Thursday, July 5, 2018. Items on the agenda may include:

- Marine Resources Chapter
- Existing Land Use Chapter
- Future Land Use Chapter

The committee voted 5-0 to adjourn at 8:50 pm.

Respectfully submitted,

Hiroimi Dolliver
Minutes Secretary