

CAPE ELIZABETH COMPREHENSIVE PLAN  
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**VISION**

The vision represented by this Comprehensive Plan is to preserve Cape Elizabeth as a highly desirable community in which to live by the following: maintaining excellent educational and municipal services; encouraging the preservation of working farms; expanding open spaces and accessible trails; continuing the current pattern and slow pace of development; cultivating the Town Center as a mixed use commercial area; supporting the high levels of citizen involvement in town activities; and balancing services and costs.

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**EXECUTIVE SUMMARY**

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The Comprehensive Plan Committee met 29 times, including 3 public forums. A statistically valid telephone survey was conducted to gauge resident opinions. Like any town engaging in a comprehensive plan process, the Cape Elizabeth Comprehensive Plan Committee incorporated into their deliberations a sense of the town’s assets, liabilities, challenges and opportunities. These general tenets guided the committee as it developed recommendations and are outlined as follows:

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Assets

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- Open space and physical beauty
- School system and municipal services
- Volunteerism and commitment to community
- Desirable residential community
- Sound financial footing

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Liabilities

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- Narrow tax base
- Expensive housing costs

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Challenges

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- Preserving open space
- Balancing service demands and costs
- Limiting increases in the property tax
- Respecting the rights of private property owners

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- 1 • Diversifying the housing stock
- 2 • Meeting the needs of an aging population

3  
4 Opportunities

- 5
- 6 • Diversify the tax base
- 7 • Broaden the range of housing options
- 8 • Partner with public and private entities
- 9

10 As the plan began to take shape, draft chapters and other documents were posted on  
11 the town website for review and summaries of the individual chapters were published  
12 in the local newspaper. Public comment was solicited and received at meetings, at  
13 public forums, in letters and in emails.

14  
15 The plan includes fourteen chapters, beginning with Demographics, which lays out a  
16 basis of information upon which subsequent chapters build, and culminating with Land  
17 Use. It includes goals in each chapter (except Demographics) and a total of 88  
18 implementation steps.

19  
20 Overall, the implementation steps continue the current direction of the town, but also  
21 confidently step forward into the 21st century with new vigor in carefully considered  
22 policies. This Comprehensive Plan renews its commitment to land use policies that  
23 protect natural resources and promote affordable housing, and to good government  
24 policies that provide quality educational and public services while striving for cost  
25 savings, efficiencies, and regional sharing when practical. The plan also infuses greater  
26 commitment to preserving agricultural lands and to clustering lots in order to preserve  
27 open space.

28  
29 The plan should guide the development and evolution of the Town through the year  
30 2020. Consequently, the plan will take time to implement. The plan includes suggested  
31 time frames for implementation steps and also identifies entities that could be  
32 responsible for making the implementation steps a reality. The Comprehensive Plan  
33 Committee hopes that the residents of Cape Elizabeth embrace the principles of this  
34 plan and work together to enhance the community character of this special place.  
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## DEMOGRAPHICS

### Trends

- During the 1990s, population in Cape Elizabeth grew more slowly than in either Cumberland County or neighboring towns, at a rate of 2.4% for the decade. Despite population projections from the Maine State Planning Office that predict population to grow by 943 people, or 10% from 2000 to 2020, the actual population growth will probably continue at the current rate of 2.4% or less a decade.
- Although the aging of the population will continue to be the dominant demographic force of the future, Cape Elizabeth is losing a greater share of its young people than the county or state. This trend may be mitigated, however, as senior residents with no children living with them choose to downsize and sell their homes to families with school age children.
- Although families (with and without school age children) comprise three quarters of Cape Elizabeth’s households, the fastest growing group is people living alone, particularly the elderly.
- Cape Elizabeth households earn the highest median income of any municipality in the state, with one in three earning more than \$100,000 per year.
- Cape Elizabeth is the most educated town in the state, with the highest high school completion rate and the highest concentration of bachelor degrees.

### Population Growth

Anticipating population growth is an integral part of planning for the future. Such projections of future population depend on a solid understanding of historic growth trends in the Town of Cape Elizabeth, the region and the nation.

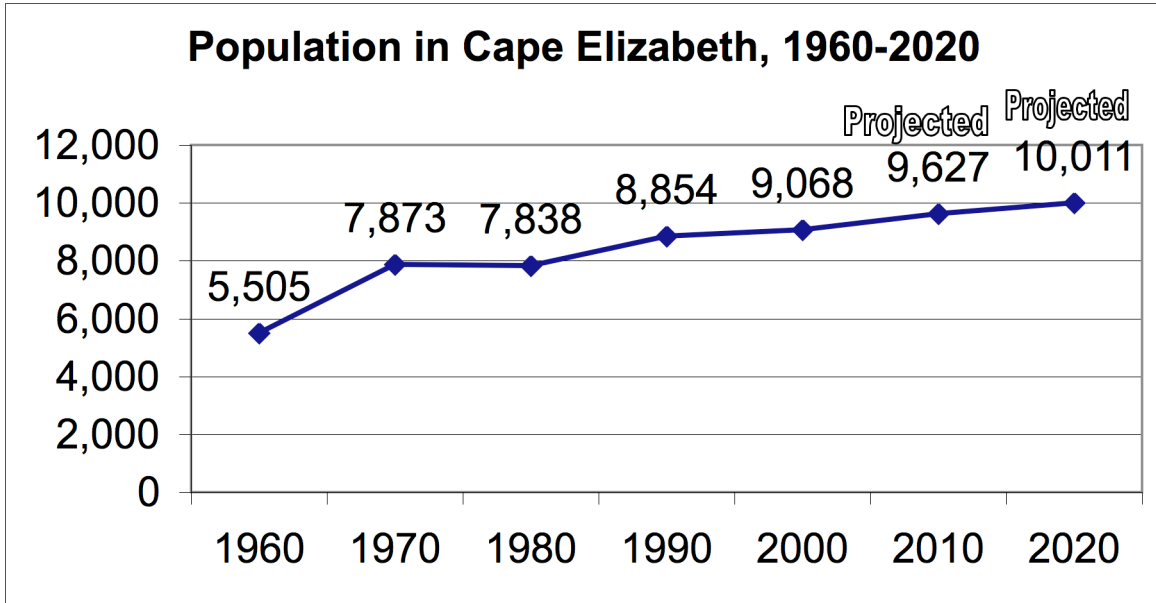
The most significant national population trend is what is known as the "baby boom." The baby boom refers to those people who were born in the post World War II era of economic prosperity. In general, people born between 1946 and 1964 are considered baby boomers. The boom refers to the increased number of children who were born during these years compared to years immediately before and after.

1 The period between 1965 and 1976 is known as the "baby bust" because the actual  
2 number of children being born in each year dropped below the baby boom period. This  
3 trough in the birth rates has occurred due to the lifestyle decisions of the baby boomers.  
4 These people remained single longer than previous generations and delayed childbirth  
5 longer than previous generations. Because of this delay in having children, a new "baby  
6 boomlet" has occurred. Sometimes referred to as the "echo" effect of the baby boom,  
7 the number of births picked up considerably beginning in 1977. While not quite as  
8 strong in number as the baby boom, the boomlet reached the elementary schools of  
9 communities across the country in the late 1980s and early 1990s. The last of the baby  
10 bust made it through the school system in 1994. The baby boomlet began graduating  
11 from high school in 1995.

12  
13 Such waves of population in the U.S. are extremely important, since overall, the U.S. is  
14 not growing very rapidly. Total numbers of people do not change drastically. Instead,  
15 the age structure is the most dominant trend in U.S. population study. This factor is  
16 also important to understand at the local level. Whenever an area experiences rapid  
17 population growth, the growth is primarily due to families moving into an area as  
18 opposed to children being born. The primary driver of local population growth is  
19 economic opportunity. When a region experiences economic expansion, population  
20 growth generally follows.

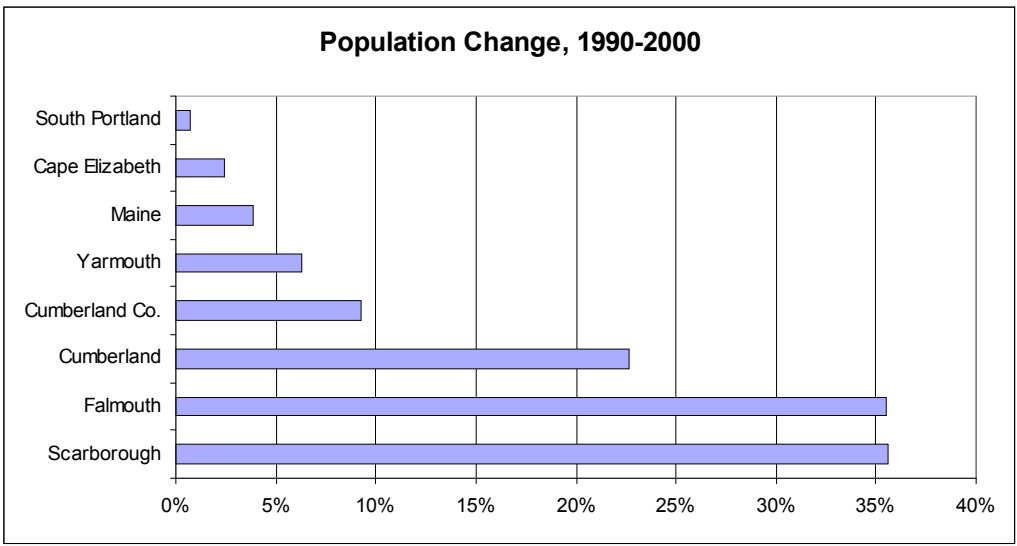
#### 21 22 Local and Regional Population Changes

23  
24 Over the last forty years, the population of the Town of Cape Elizabeth has increased  
25 65% from 5,505 people in 1960 to 9,068 in 2000. The greatest decennial rise occurred  
26 from 1960 to 1970, when Cape Elizabeth's population grew from 5,505 to 7,883 people, a  
27 total increase of 2,368 people, or 43%. In the last decade, the population of Cape  
28 Elizabeth increased just 2.4%, from 8,854 people in 1990 to 9,068 people in 2000. In the  
29 future, the Maine State Planning Office (SPO) projects the town's growth rate to more  
30 than double. From 2000 to 2020, Cape Elizabeth's population is expected to increase by  
31 943 people, or 10%. This rate of growth averages out to 5% per decade, which is more  
32 than double the rate of growth experienced by the town from 1990 to 2000. It is  
33 expected that, despite SPO population projections, the town population growth rate  
34 will continue at the current growth rate of approximately 2.4% or less a decade.



Source: 1960-2000, U.S. Census Bureau; 2010-2015, Maine State Planning Office

From 1990 to 2000, Cumberland County’s population increased by 22,477 people, from 243,135 people to 265,612 people, a countywide increase of 9%. Cape Elizabeth, on the other hand, grew more slowly than either Cumberland County or its neighbors. Scarborough, meanwhile, grew by 36%, the fastest growth rate in the region. The primary cause of growth during this decade was in-migration - new residents moving into the community.



Source: U.S. Census Bureau

Although Cape Elizabeth is an attractive waterfront community within a reasonable commuting distance of the Portland and Biddeford labor markets, its slower population growth, like Yarmouth’s, can be attributed to the lack of buildable land. With a density of 252.8 houses and 615.5 people per square mile, Cape Elizabeth is as dense as

1 Yarmouth. Neighboring South Portland, on the other hand, is three times as dense as  
 2 Cape Elizabeth.  
 3

<b>Density (2000)</b>		
	<b>Population (per square mile)</b>	<b>Housing (per square mile)</b>
<b>South Portland</b>	1,944.70	862.9
<b>Yarmouth</b>	626.7	277.7
<b>Cape Elizabeth</b>	615.5	252.8
<b>Scarborough</b>	355.7	151.6
<b>Falmouth</b>	348.1	140.8
<b>Cumberland County</b>	317.9	146.7
<b>Cumberland</b>	274.6	112.9
<b>Maine</b>	41.3	21.1

4 *Source: U.S. Census Bureau*  
 5

6 The population projections presented above are based on the most recent U. S. Census  
 7 data and standard accepted modeling techniques. The growth in housing units  
 8 projections in the Land Use Chapter are based on local building permit history records.  
 9 Because the data is obtained from different sources and used different methodologies to  
 10 make projections, comparisons in the data will result in variances. The data sets and  
 11 resulting projections, however, are consistent in predicting a trend of modest growth.  
 12

### 13 Seasonal Population

14  
 15 Tourism and seasonal residential land uses are still strong elements of the regional  
 16 economy. Although difficult to track, many seasonal units in Southern Maine are being  
 17 converted to year round use to satisfy the demand for moderately priced housing. In  
 18 Cape Elizabeth, the opposite trend seems at play. In 1990, there were 92 seasonal  
 19 housing units in Cape Elizabeth. By 2000, there were 140, a net increase of 48 units or  
 20 52%. If all of Cape Elizabeth's 140 seasonal units were occupied, Cape Elizabeth would  
 21 increase its population during the summer by 560 to 9,628 people (assuming anywhere  
 22 from 3 to 5 people per unit). Seasonal units are defined by the U.S. Census Bureau as  
 23 vacant housing units, including beach cottages and time-sharing condominiums, that  
 24 are used or intended for use only in certain seasons, for weekends, or other occasional  
 25 use throughout the year. Owners of these units would have been counted by the U.S.  
 26 Census Bureau in their usual place of residence as of April 1, 2000.  
 27

28 Like most waterfront communities, Cape Elizabeth has the capacity to house additional  
 29 people throughout the season. The Inn by the Sea on Bowery Beach Road is comprised  
 30 of 43 units of luxury accommodations, all with kitchen facilities, including 25 one-  
 31 bedroom suites and 18 cottages and beach houses. Size and separate building access are  
 32 the distinguishing features between lodging rooms and cottages. A beach cottage in  
 33 Cape Elizabeth is maintained by The Danforth, a bed and breakfast establishment in  
 34 Portland. An Internet search on February 9, 2006 also identified 12 homes and cottages  
 35 offered up for rent by private owners. Since these are not commercial establishments,

1 however, these private homes would likely have been counted by the Census Bureau as  
2 seasonal housing units.

3  
4 A reasonable estimate of the peak summer time population can be made by assuming  
5 that average seasonal household size is 4 persons per seasonal unit or cottage, that all  
6 available lodging rooms are occupied at 2 persons per room, and that all campgrounds  
7 and summer camps are filled to capacity. Using these assumptions, the estimated peak  
8 overnight population of Cape Elizabeth was approximately 9,754 people in 2000.

9  
10 **Town of Cape Elizabeth Peak Season Population Per Night, 2000**

11

	<b>Number of Lodging Facilities</b>	<b>Number of People</b>
Seasonal Housing Units (2000)	140	560
Lodging Rooms	25	50
Cottages	19	76
Commercial Campgrounds	0	0
Summer Camps	0	0
Public Campgrounds	0	0
Total	184	686

12 *Source: Maine Office of Tourism*

13  
14 Age Distribution

15  
16 The Maine State Planning Office (SPO) has developed population forecasts for every  
17 municipality in Maine. These forecasts estimate future populations for each town for  
18 each year from 2001 through 2020. Population is broken down into seven age  
19 groupings in order to examine age distribution. Overall, future changes will reflect  
20 national trends, including modest declines in the school age population and sharp  
21 growth in the older age groups.

22  
23 By 2000, the 45-64 age group, which includes the Baby Boomers, represented the most  
24 dominant age group in Cape Elizabeth. In 1990, this age group comprised 23% of the  
25 total population, and by 2000, 30%. By comparison, this group comprised 24% of the  
26 county's population and 25% of the state's in 2000. Unlike the rest of the county,  
27 however, the Baby Boomers are now the largest age group in Cape Elizabeth. By 2020,  
28 persons aged 45-64 is projected to account for 34% of the town's total population,  
29 compared to 28% for the county, and 29% for the state.

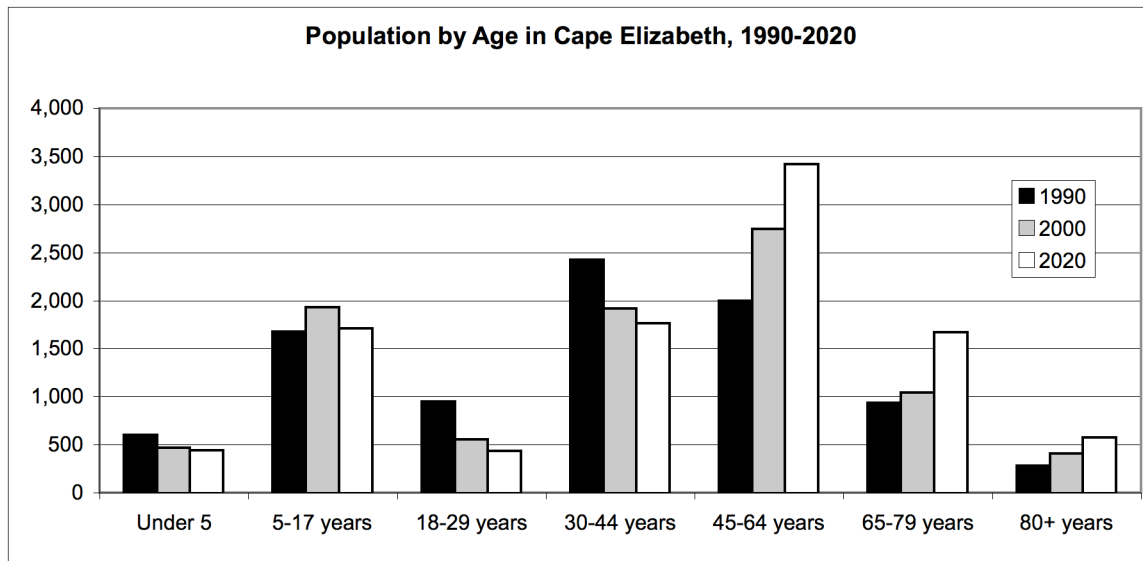
30  
31 The second largest age group now, the 30-to-44 year olds, represented 21% of total  
32 population in 2000. With the age of first marriage increasing, this group is in its prime  
33 household formation years. According to SPO projections, this group will decrease to  
34 18% of total population in 2020, a much smaller share than in either the county or the  
35 state.

36  
37 In 2000, children aged 5-17 also comprised the second largest age group in Cape  
38 Elizabeth, accounting for 21% of the total population compared to 17% for the county



1 and 18% for the state. From 1990 to 2000, the number of children aged 5-17 in the town  
 2 grew 2%. Whether this was due to an increase in births or the in-migration of families  
 3 attracted by Cape Elizabeth’s school system requires further study. By 2020, this age  
 4 group is projected to decrease by 4%, a trend mirrored in the county and state. Over  
 5 time, the number of children in Cape Elizabeth aged 0-4 is decreasing, a trend mirrored  
 6 across the county and state. In 1990, this group represented 7% of the town’s  
 7 population, exactly even with the county and state. By 2020, the number of children  
 8 under 5 in Cape Elizabeth is projected to slightly decrease from 5% of population in  
 9 2000 to 4%. An analysis of one year of home sales indicated that residents without  
 10 children in the school system were selling their homes to families with school age  
 11 children, which could increase the size of the under 5 age group.  
 12

13 Young adults aged 18-29, the most mobile of all age groups, represented just 6% of the  
 14 population in Cape Elizabeth in 2000 compared to 11% in 1990. By 2020, this group will  
 15 decline to 4% of total population, compared to 12% in the county and 11% in the state.  
 16



17 *Source: 1990-2000 – U.S. Census Bureau; 2015 – Maine State Planning Office*

18  
 19 The number of retirees is also growing. The first of the baby boomers will begin to hit  
 20 retirement age by 2011. Persons aged 65 and over is projected to increase 55% from  
 21 2000 to 2020, accounting for 22% of total population. This mirrors the regional, state,  
 22 and nationwide trend of a growing elderly population enjoying longer life spans.  
 23

24 For the most part, demographic changes will follow national and regional trends, with  
 25 one notable exception: Cape Elizabeth will lose a more significant share of its younger  
 26 people, aged 18-29 and 30-44, than the county or state.  
 27  
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Age Distribution, 1990-2020										
Age Group	Cape Elizabeth					Cumberland County				
	1990	2000	2020	% Change Past	% Change Future	1990	2000	2020	% Change Past	% Change Future
Under 5	598	470	443	-21.4%	-5.7%	17,211	15,374	15,674	-10.7%	2.0%
5-17 years	1,677	1,932	1,707	15.2%	-11.6%	40,027	46,416	41,217	16.0%	-11.2%
18-29 years	946	556	434	-41.2%	-21.9%	47,923	39,111	36,177	-18.4%	-7.5%
30-44 years	2,422	1,917	1,766	-20.9%	-7.9%	62,440	66,178	65,099	6.0%	-1.6%
45-64 years	1,998	2,746	3,421	37.4%	24.6%	44,262	63,314	83,039	43.0%	31.2%
65-79 years	933	1,039	1,668	11.4%	60.5%	24,078	25,283	43,855	5.0%	73.5%
80+ years	280	408	575	45.7%	40.9%	8,043	10,462	14,605	30.1%	39.6%
Total	8,854	9,068	10,014	2.4%	10.4%	243,984	266,138	299,666	9.1%	12.6%

\*Projections by age groups do not equal 100% of total projected population

Source: 1990-2000, U.S. Census Bureau; 2020, Maine State Planning Office

#### Household Change

##### *Household Size*

The 1990s witnessed a dramatic change in the composition of households. Overall, average household size in the county decreased 4% from 2.49 persons per household to 2.38 people per household. In Cape Elizabeth, average household size decreased at a slightly faster rate, from 2.70 in 1990 to 2.57 in 2000, a 5% decline. This decrease was caused by a variety of factors, including lower birth rates, increased longevity among the elderly, higher divorce rates, and more elderly and young people living independently in their own households. Although there are no projections available for the town of Cape Elizabeth, nationally, the U.S. Census Bureau expects the downward trend in average household size to moderate in the future.

This decrease in household size has had a substantial impact on residential development in Maine communities. During the 1990s, the population in Cumberland County grew 9%, while the number of households increased 14%, creating a demand for housing. In Cape Elizabeth, the change was also dramatic, with population increasing 2% but the number of households growing 7%. In the calculation of household size, the Census considers only persons living in housing units, including homes, apartments, and mobile homes. Those living in institutional settings, such as nursing homes, are counted as part of the group quarters population. However, the Census classifies congregate care and assisted living facilities, such as those constructed in Cape Elizabeth during the 1990s, as housing units, and therefore, those living within them would be counted in the calculation of household size. All in all, the addition of such facilities to the Cape housing stock exerted a downward effect on household size, but does not fully account for the change in the number of households. As with age distribution, the sale of homes by empty nesters to families with children could contribute to an increase in household size.

1  
2 *Household Composition*  
3

4 The U.S. Census Bureau defines a household as all the people who occupy a housing  
5 unit as their usual place of residence, including related family members and all the  
6 unrelated people, if any, such as boarders and foster children. There are two types of  
7 households – nonfamily and family. Nonfamily households consist of people who live  
8 alone or who share their residence with unrelated individuals. Family households  
9 consist of two or more individuals who are related by birth, marriage, or adoption, but  
10 may also include other unrelated people.  
11

12 Household growth in Cape Elizabeth has remained stable compared to the rest of the  
13 county. Overall, the number of households increased 7% since 1990, faster than  
14 population growth but half the rate of the county's 14% growth. Three quarters of the  
15 households in Cape Elizabeth are comprised of families (with and without school age  
16 children), representing a change of just 1% since 1990. Non-family households,  
17 however, increased 28%, the same as the rest of the county. The number of households  
18 headed by seniors living alone has jumped 35% in Cape Elizabeth, compared to an  
19 increase of 13% in the county as a whole.  
20

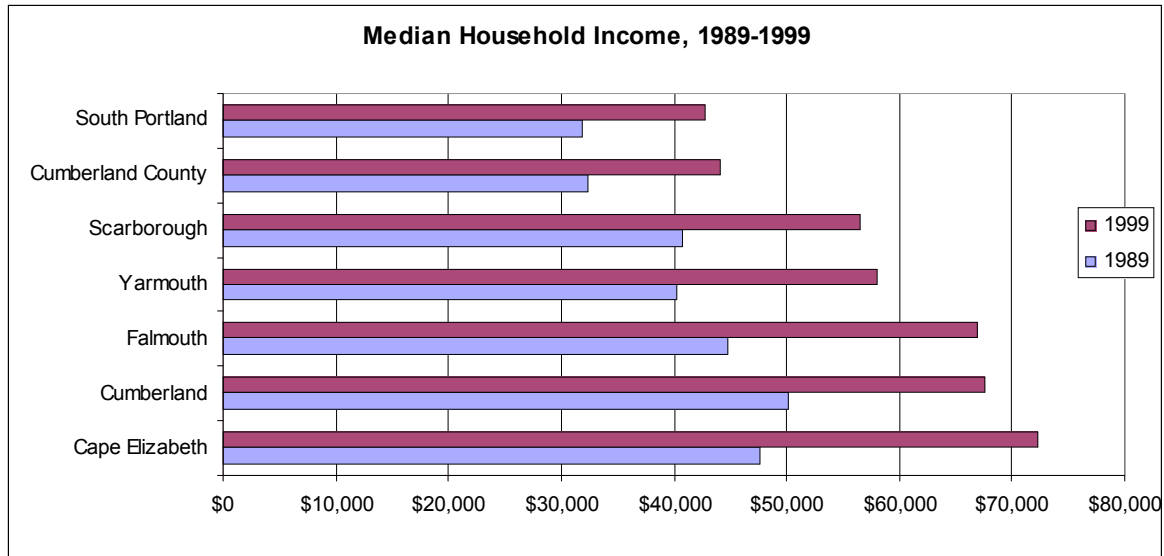
Household Growth, 1990-2000

	Cape Elizabeth		% Change	Cumberland County		% Change
	1990	2000		1990	2000	
<b>Total Households</b>	<b>3,257</b>	<b>3,488</b>	<b>7%</b>	<b>94,512</b>	<b>107,989</b>	<b>14%</b>
1 person:	550	736	34%	23,775	30,710	29%
Male householder	176	212	20%	8,754	12,101	38%
Female householder	374	524	40%	15,021	18,609	24%
Seniors living alone	257	347	35%	9,726	11,029	13%
2 or more persons:	2,707	2,752	2%	67,211	77,279	15%
Family households:	2,566	2,604	1%	63,087	67,699	7%
Married-couple family:	2,272	2,291	1%	51,258	54,109	6%
With related children	1,045	1,074	3%	24,112	24,083	0%
No related children	1,227	1,217	-1%	27,146	30,026	11%
Other family:	294	313	6%	11,829	13,590	15%
Male householder, no wife present:	55	87	58%	2,524	3,377	34%
With related children	23	49	113%	1,260	1,945	54%
No related children	32	38	19%	1,264	1,432	13%
Female householder, no husband present:	239	226	-5%	9,305	10,213	10%
With related children	133	132	-1%	5,937	6,478	9%
No related children	106	94	-11%	3,368	3,735	11%
Nonfamily households:	141	148	5%	7,650	9,580	25%
Male householder	65	74	14%	4,124	5,199	26%
Female householder	76	74	-3%	3,526	4,381	24%
<b>Average household size</b>	<b>2.70</b>	<b>2.57</b>	<b>-5%</b>	<b>2.49</b>	<b>2.38</b>	<b>-4%</b>
<b>Average family size</b>	<b>3.06</b>	<b>3.01</b>	<b>-2%</b>	<b>3.01</b>	<b>2.95</b>	<b>-2%</b>

21  
22 *Source: U.S. Census Bureau*

1  
2 *Household Income*  
3

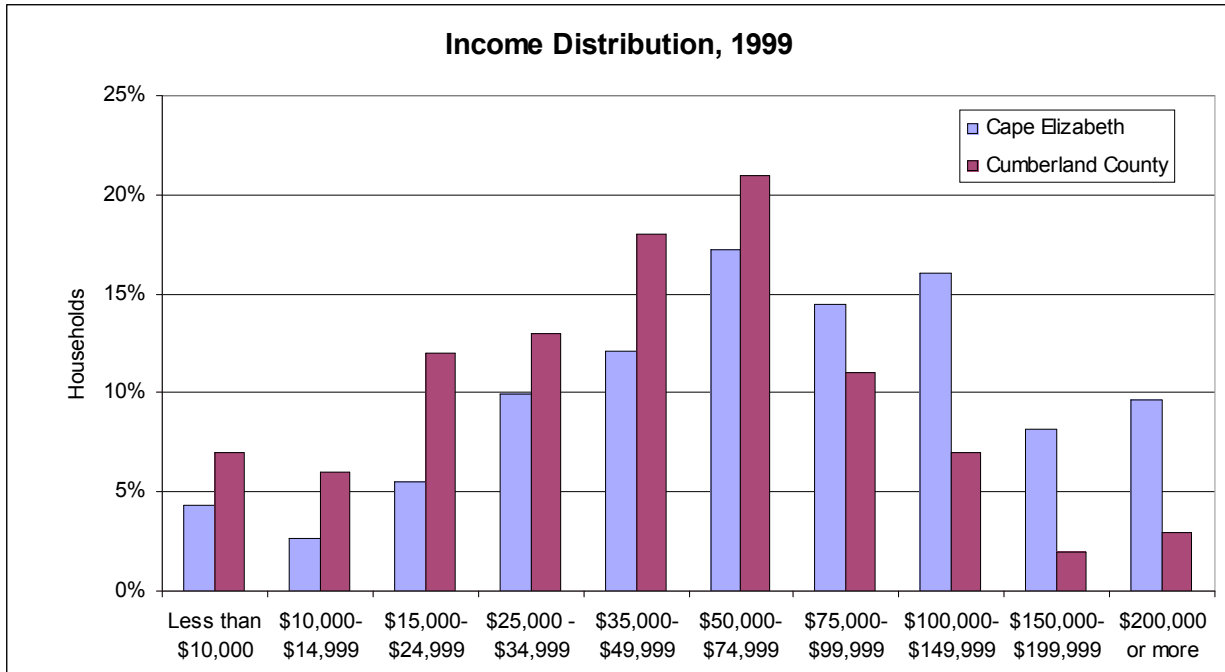
4 In 1989, median household income in Cape Elizabeth was \$47,642, above the county's at  
5 \$32,386. From 1989 to 1999, median household income in Cape Elizabeth increased 52%  
6 to \$72,359, the highest median income of any municipality in the state, and, once again,  
7 well above the county's at \$44,048. Median incomes in Cape Elizabeth, Cumberland,  
8 Falmouth, Yarmouth and Scarborough represent 5 of the top 8 median incomes in the  
9 state.  
10



11  
12 *Source: U.S. Census Bureau*  
13

14 Household income distribution follows a similar pattern to the county's with notable  
15 exceptions. In 1999, one third of households earned more than \$100,000 per year,  
16 compared to one in eight for the county. Conversely, about one in five households  
17 earned less than \$35,000 per year, compared to more than one in three for the county.  
18

19 According to the 2000 Census, there are 280 individuals in Cape Elizabeth, or 3.1% of  
20 the population, living in poverty, compared to 7.9% in Cumberland County. Poverty  
21 thresholds, which are set by the U.S. Census Bureau following the Office of  
22 Management and Budget's (OMB's) Directive 14, vary by family size and composition.  
23 If a family's total income, before taxes, is less than that family's established poverty  
24 threshold, then that family, and every individual in it, is considered poor. Poverty  
25 thresholds are updated annually for inflation but do not vary geographically. In 1999,  
26 the year for which income is reported on the 2000 Census, the poverty threshold for a  
27 single individual was \$8,501, and for a family of four with two adults and two children,  
28 \$16,895.  
29

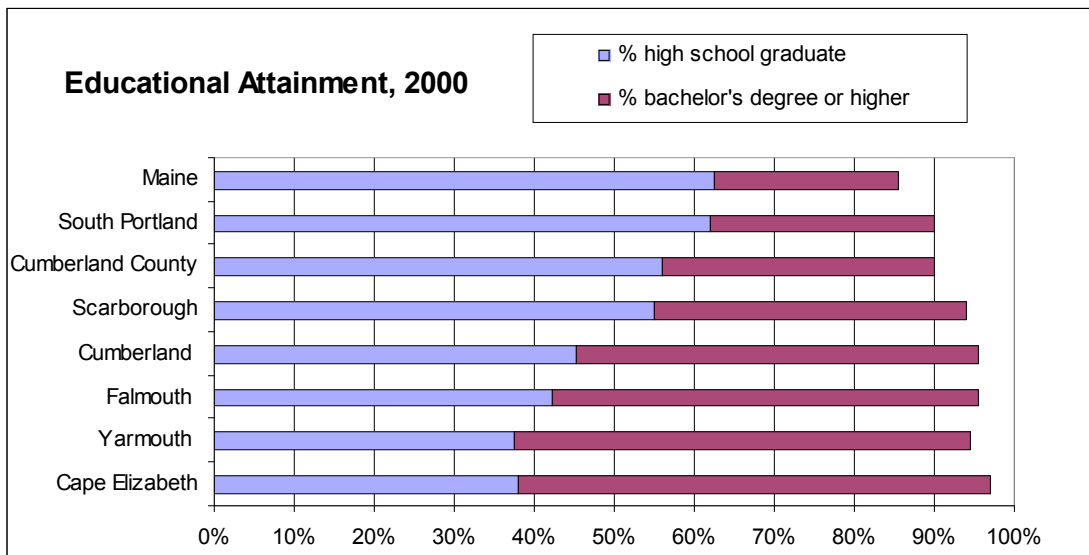


Source: U.S. Census Bureau

**Education**

*Adults*

Cape Elizabeth has the most educated citizenry in the state. Almost 97% of adults are high school graduates, and almost 59%, college graduates, the highest percentage on both measures of any municipality in the state. By contrast, only one of every three adults in Cumberland County has earned a bachelor's degree or higher.



Source: U.S. Census Bureau

1 *Children*

2

3 See Public Facilities Chapter

4

5 Conclusion

6

7 This chapter summarizes the demographic characteristics of the town. The following  
8 chapters will add to this information more specific data, from which goals and  
9 implementation steps will be based.

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## ECONOMY

### Trends

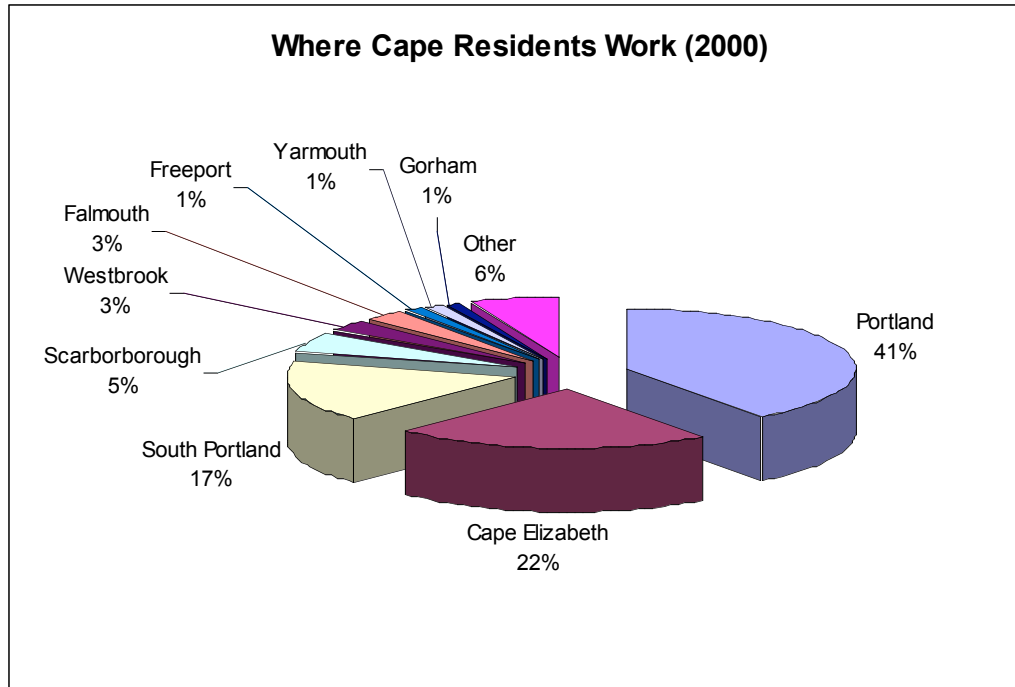
- Almost 4 out of 5 Cape Elizabeth residents who are employed commute outside of the town for work, with 58% driving to Portland or South Portland.
- Over the last 20 years, the number of payroll jobs in Cape Elizabeth has almost doubled from 774 to 1,437, with the service and retail sectors doubling in size.
- On a per capita basis, Cape Elizabeth captures less than a quarter of the retail sales that would be expected for a town of its size.

### Regional Economy

#### *Labor Force*

Although Cape Elizabeth functions as a bedroom community of Greater Portland, more residents are working within the town than in 1990. In 1990, 88% of Cape Elizabeth residents commuted outside of the town for work, with more than two thirds of all workers heading to Portland or South Portland. But in 2000, 78% of residents commuted outside of the town for work. Beyond Portland, Cape has surpassed South Portland as the top place of employment for residents. In 1990, 12% of Cape Elizabeth residents worked in Cape Elizabeth, increasing to 22% in 2000. Indeed, the number of residents who reported working at home almost tripled in size from 107 in 1990 to 400 in 2000.

All persons aged 16 and over who are civilians and who are not institutionalized are considered by the U.S. Census Bureau to be eligible for inclusion in the labor force, including anyone who has a job or is actively looking for one. All others, including those who neither have a job nor are looking for work, are not “in” the labor force. In Cape Elizabeth, 66% of persons aged 16 and over participate in the labor force, which is comprised of 6,992 persons.



1  
2 *Source: U.S. Census Bureau*

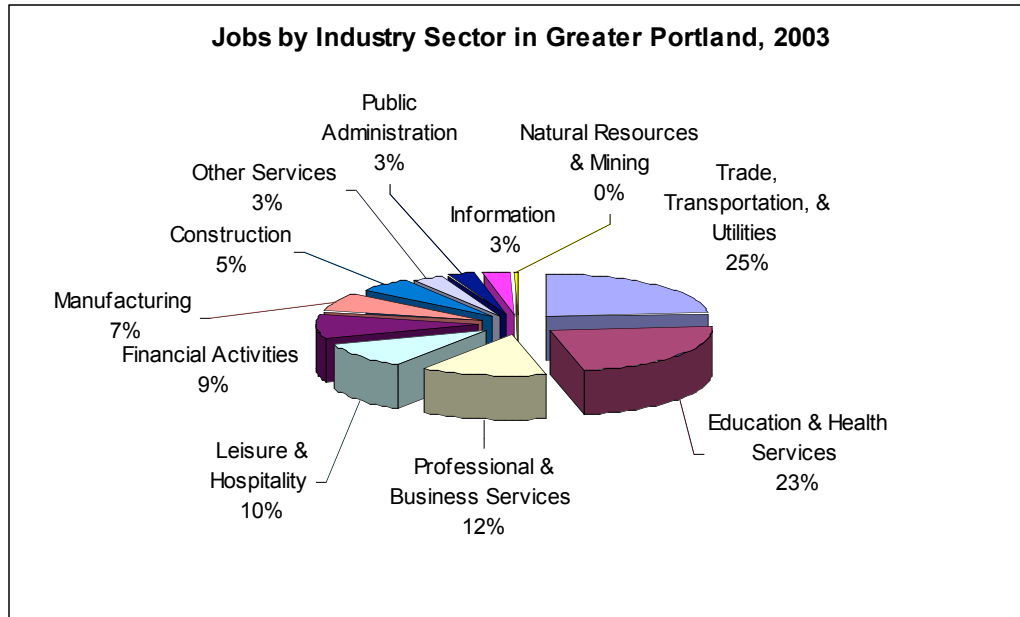
3  
4 *Jobs*

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6 Jobs are counted by their place of employment. Under a cooperative agreement, the  
7 Maine Department of Labor and the U.S. Department of Labor's Bureau of Labor  
8 Statistics collect information on nonfarm wage and salary employment from  
9 establishments who fall under the coverage of state and federal unemployment  
10 insurance programs and pay unemployment taxes on their workers. Excluded from  
11 these statistics are military personnel, proprietors, self-employed, unpaid family leave  
12 workers, farm workers, and domestic workers in households. Statistics are compiled  
13 from quarterly tax reports submitted by employers subject to the Maine Employment  
14 Security Law. Jobs are classified according to the Standard Industrial Classification  
15 (SIC) Code, which in 2001, was superseded by the North American Industry  
16 Classification System (NAICS). Reconciliation between the two systems has not yet  
17 occurred; therefore, job information prior to 2001 is reported by SIC code, and post-  
18 2000, the NAICS. At this time, they can not be compared.

19  
20 The Portland Labor Market is comprised of over 154,000 payroll jobs. Trade,  
21 Transportation, and Utilities (25%) comprises the region's largest employment sector,  
22 followed by Education and Health Services (23%), and Professional and Business  
23 Services (12%). The region's largest employers include L.L. Bean, Maine Medical  
24 Center, Mercy Hospital, Unum Provident, Fairchild Semiconductor, Hannaford, Shaw's  
25 Supermarkets, University of Southern Maine, Wal-Mart, Verizon, and the U.S. Postal  
26 Service.

27



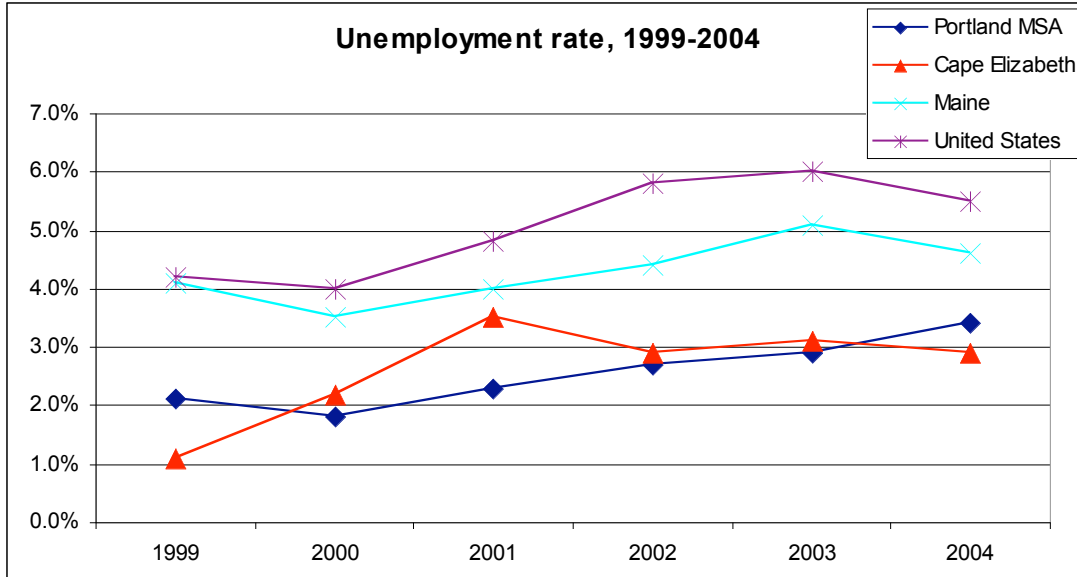


1  
2 Source: *Maine Department of Labor*

3  
4 The U.S. Census also provides information on the jobs held by residents of Cape  
5 Elizabeth, no matter in which town they work. The occupations reported by Cape  
6 Elizabeth residents closely mirror overall employment in the region. According to the  
7 2000 Census, however, Cape Elizabeth residents are more likely to hold jobs in  
8 education, health and social services (+8%) and professional, scientific, and  
9 management fields (+4%) than other residents in Greater Portland and less likely to be  
10 employed in manufacturing (-4%) and the arts, entertainment, recreation,  
11 accommodation and food services (-4%).

## 12 *Unemployment*

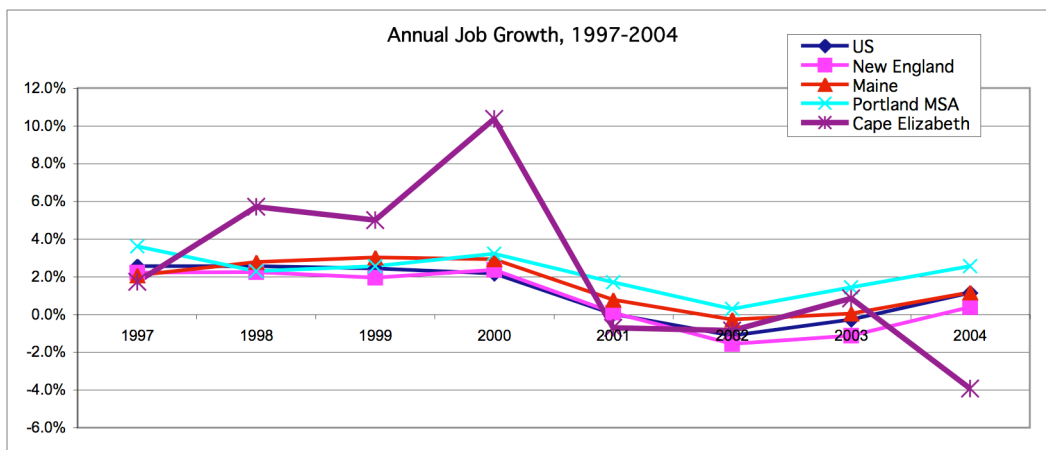
13 Persons in the labor force are classified as unemployed if they do not have a job, have  
14 actively looked for work in the prior 4 weeks, and are currently available for work. The  
15 unemployment rate, which is always reported for the worker's place of residence, is  
16 calculated by dividing the number of unemployed persons by the number of persons in  
17 the labor force as previously defined. As part of the Greater Portland Labor Market, the  
18 unemployment rate in Cape Elizabeth has tracked closely with the region's.  
19 Unemployment in Cape Elizabeth plummeted to a low of 1.1% in 1999. Since then,  
20 unemployment inched upward to a high of 3.5% in 2001 before settling down to 2.9% in  
21 2004, still well below the unemployment rate for the region, state or nation.



Source: Maine Department of Labor and U.S. Department of Labor

### Job Growth

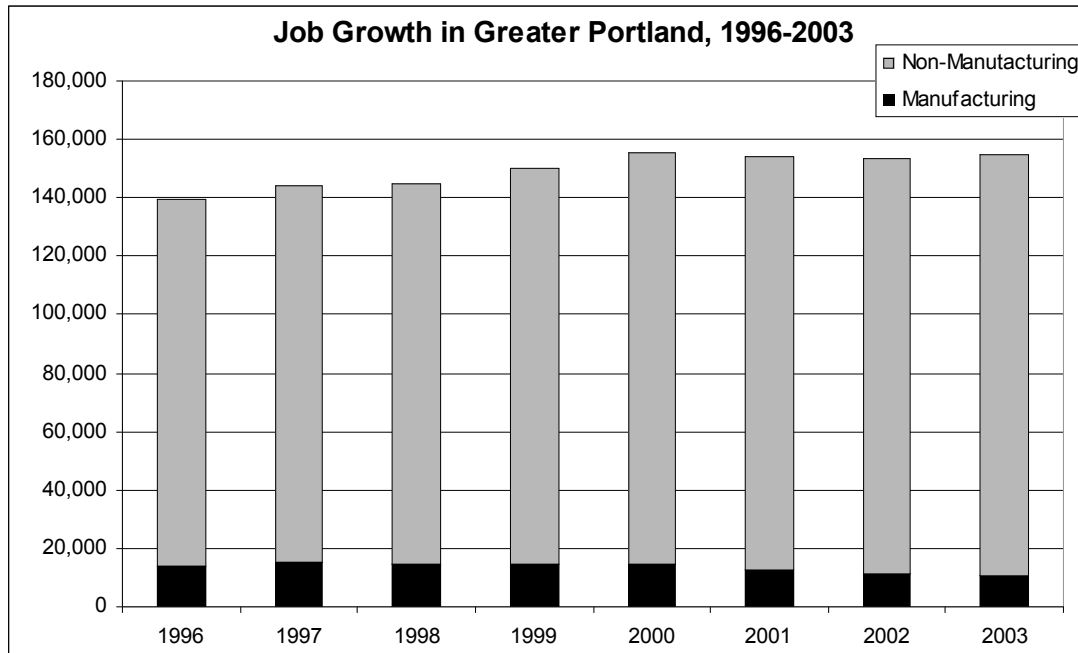
Job growth in Greater Portland has tracked closely with the state, New England and national economy, outperforming them all in 1999, 2000, and 2003. Despite a continuing decline in manufacturing, the economy of the Portland Labor Market has demonstrated stable growth, hitting a high of 3.6% in 2000. Driven by manufacturing losses, the region posted negative growth during 2001 and 2002. In 2003, the economy rebounded slightly but has not yet regained its performance level of the late 1990s. In 2000, employment in Cape Elizabeth jumped over 10%, from 1,301 jobs to 1,437. In 2004, the town lost 56 jobs representing a 4% decline, due to the departure of Pond Cove Millwork.



Source: Maine Department of Labor and U.S. Department of Labor

Since 2001, Greater Portland has suffered over 4,000 job losses from company layoffs or shutdowns, primarily in the manufacturing sector. The transition of the economy from higher wage manufacturing jobs to lower paying service jobs exerts tremendous

1 pressure on families. In 2003, the average manufacturing job in Greater Portland paid  
 2 \$46,280, while the average service job, \$33,904. In order to replace lost household  
 3 income, families might be forced to send more members into the labor force or to have  
 4 members take on more than one full-time job. For example, the labor force participation  
 5 rate for women in Greater Portland increased 3% over the last decade from 62% in 1990  
 6 to 65% in 2000.  
 7



8  
 9 *Source: Maine Department of Labor*

### 10 Local Economy

11  
 12  
 13 The Town of Cape Elizabeth hosts over 1,400 jobs in over 200 businesses representing  
 14 less than 1% of employment in Greater Portland. According to the 2000 Census, 535  
 15 adults, or 12% of the labor force, are self-employed, although not necessarily within the  
 16 town's borders, including contractors, sole proprietors, artists, fishermen, and other  
 17 persons with home occupations. These are not payroll jobs. This ratio is typical of the  
 18 metropolitan area as a whole. From 1980 to 2000, the number of jobs almost doubled,  
 19 from 774 to 1,437, while the number of businesses increased by a third from 161 to 215.  
 20

21 Services comprise the town's largest employment sector. From 1980 to 2000, the sector  
 22 more than doubled in size, from 421 jobs to 931 jobs. Retail trade, the second largest  
 23 employment sector, almost doubled in size from 113 jobs in 1980 to 211 jobs in 2000.  
 24 Manufacturing, on the decline nationally, posted a healthy increase by tripling in size  
 25 from 13 jobs in 1980 to 53 jobs in 2000. Finance, Insurance and Real Estate, on the other  
 26 hand, took a big hit during the 1990s, declining from 265 jobs in 1990 to 40 jobs in 2000.  
 27 (The number of jobs in the Finance, Insurance and Real Estate sector appear in the first  
 28 quarter of 1989 and "disappear" in the first quarter of 1992. They numbered 270 at the  
 29 peak.)  
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 31

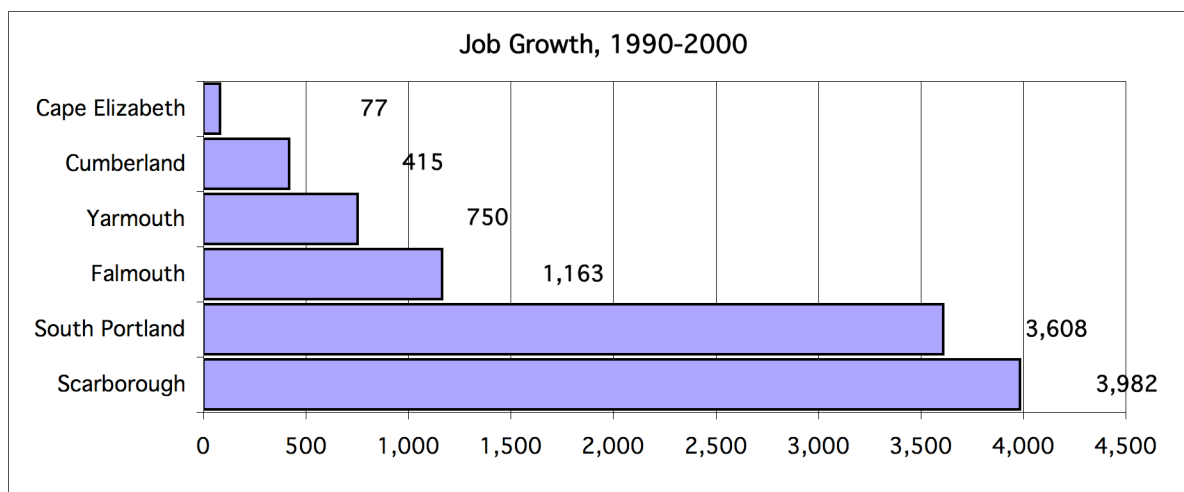
**Jobs in Cape Elizabeth, 1980-2000**

Industry Sector	1980	1990	2000	Net Change	% Change
Agriculture & Mining	43	36	39	-4	-9%
Construction	66	90	83	17	26%
Manufacturing	13	42	53	40	308%
Transportation & Utilities	0	13	10	10	---
Wholesale	11	28	21	10	91%
Retail	113	168	211	98	87%
Finance, Insurance & Real Estate	16	265	40	24	150%
Services	421	678	931	510	121%
Public Administration	91	39	49	-42	-46%
<b>Total</b>	<b>774</b>	<b>1,359</b>	<b>1,437</b>	<b>663</b>	<b>86%</b>
<b>Businesses</b>	<b>161</b>	<b>162</b>	<b>215</b>	<b>54</b>	<b>34%</b>

Source: Maine Department of Labor

1  
2 Cape functions as a bedroom community in the Greater Portland labor market. The  
3 majority of residents commute outside of the town for work. The village center contains  
4 a core of retail stores and services that provide for some of the everyday needs of the  
5 town's households, but residents satisfy most of their shopping needs outside of town.  
6 Many of region's municipalities, including towns that Cape Elizabeth uses for  
7 comparison purposes, have turned to business development to offset the growing  
8 burden of residential property taxes. Cape Elizabeth should also consider modestly  
9 expanding commercial activities within business districts to diversify the tax base.

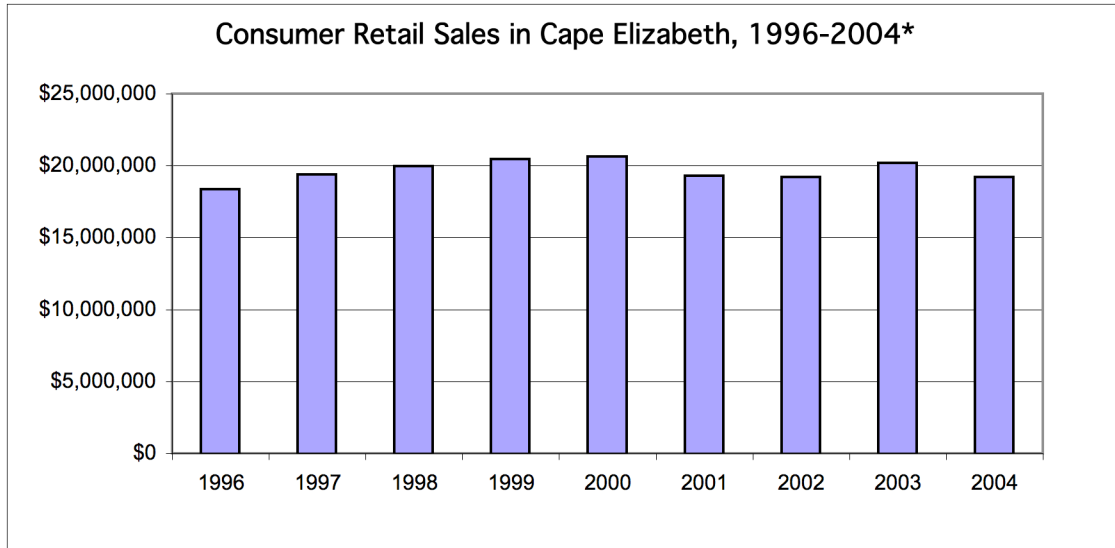
10  
11 While employment on the Portland peninsula remains stable, job growth in suburban  
12 towns also performed well. From 1990 to 2000, Scarborough posted the highest job  
13 growth rate in the region, 59%, and the highest net increase, 3,982 jobs, followed by  
14 Falmouth, which posted a 35% increase in jobs. South Portland increased its  
15 employment base by 18% with 3,608 jobs. Meanwhile, jobs in Cumberland County  
16 overall increased 19% over the last decade. From 1990 to 2000, the Town of Cape  
17 Elizabeth gained 77 jobs, a 6% increase.



19  
20 Source: Maine Department of Labor

1  
2 *Retail Trade*

3  
4 As the second largest employment sector, retail trade serves as an important source of  
5 jobs in Cape Elizabeth as well as of goods and services. The Maine State Planning  
6 Office tracks retail sales on a quarterly basis for towns and regions based on sales taxes  
7 paid by businesses to Maine Revenue Services. Over the last nine years, consumer retail  
8 sales in inflation-adjusted dollars remained fairly flat, increasing just 5% from  
9 \$18,355,325 in 1996 to \$19,200,400 in 2004. By contrast, retail sales in the rest of  
10 suburban Portland grew 24% from \$763,818,535 to \$949,466,300.  
11



12  
13 *\*Adjusted for inflation*  
14 *Source: Maine State Planning Office*

15  
16 The pull factor measures the relative strength of the community’s retail sector in serving  
17 local and regional markets. The pull factor is calculated by dividing a town’s per capita  
18 sales by a region’s per capita sales. If the pull factor is greater than “1.0”, then the  
19 community is attracting consumers from outside the town. If the pull factor is less than  
20 “1.0”, then the community is “leaking” sales to other areas.

21  
22 With a pull factor of 0.2, Cape Elizabeth is capturing less retail sales than would be  
23 expected for a town of its size. Its pull factor is slightly better than Cumberland’s but  
24 has nowhere near the draw power of other similar suburban towns. Yarmouth,  
25 Scarborough, and Falmouth all post a pull factor greater than 1.0.  
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**Retail Sales Pull Factor (2000)**

	<b>2000 Retail Sales</b>	<b>2000 Population</b>	<b>Per Capita Sales</b>	<b>Pull Factor</b>
<b>South Portland</b>	\$654,145,000	23,324	\$28,046.00	2.9
<b>Falmouth</b>	\$153,574,400	10,310	\$14,895.67	1.6
<b>Scarborough</b>	\$207,098,100	16,970	\$12,203.78	1.3
<b>Yarmouth</b>	\$86,833,100	8,360	\$10,386.73	1.1
<b>Portland Suburban</b>	\$802,560,000	78,509	\$10,222.52	1.1
<b>Cape Elizabeth</b>	\$18,799,000	9,068	\$2,073.11	0.2
<b>Cumberland</b>	\$9,778,100	7,159	\$1,365.85	0.1
<b>Maine</b>	\$12,165,700,000	1,274,923	\$9,542.30	

*Retail sales data derived from State Planning Office*

*Population data compiled from 2000*

*Census*

1

2 *Natural Resource Based Industries*

3

4 For generations, Maine's forests, lands, and waters have served as the foundation for its  
5 diverse ecosystem, abundant wildlife, natural beauty, and industrial base. Two  
6 hundred years ago, most of Maine's workforce was employed in natural resource-based  
7 industries, including farming, fishing, forestry, and tourism. Statewide, these sectors  
8 collectively generate one in five jobs and one in five dollars of wealth through direct  
9 production as well as value added processing and services. According to the Maine  
10 State Planning Office, the region's greatest threat to the continued economic viability of  
11 these industries is access to the resource, including limitations imposed by regulation,  
12 ownership, and development. Assessing the value of natural resource based industries  
13 on the local level is difficult. Traditional economic indicators, such as numbers of jobs,  
14 do not accurately capture the value of these industries, while traditional natural  
15 resource indicators, such as the market value of crops, are reported on a regional, not  
16 municipal, basis.

17

18 According to the 2000 Census, just 22 residents in Cape Elizabeth comprising 0.5% of  
19 the labor force identified their primary occupation as fishing, farming, or forestry. This  
20 is down from 87 in 1990.

21

22 The Spurwink River, which originates in Cape Elizabeth, is part of the Casco Bay River  
23 watershed. In 2004, the Natural Resources Conservation Service estimated the  
24 economic value of Casco Bay to be over \$400 million - \$250 million from tourism and  
25 recreation and \$200 million from fishing. Locally, the impact is harder to estimate. In  
26 2002, the Department of Marine Resources issued 131 licenses to Cape Elizabeth  
27 residents, including 3 for wholesale seafood, 6 to dealers, and 122 for harvesting. Some  
28 residents earn income from these activities.

29

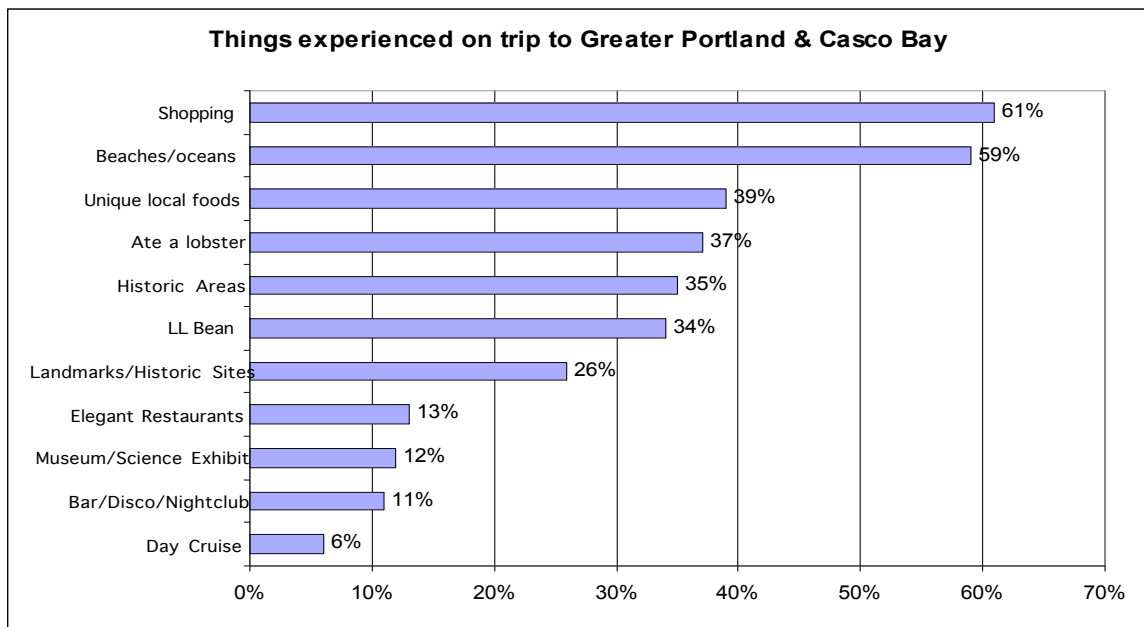
30 *Tourism*

31

32 According to the Maine Department of Economic and Community Development,  
33 tourism across the state supports over 120,000 jobs and \$2.7 billion in payroll as well as  
34 the sale of \$9.5 billion in goods and services. For marketing purposes, the Maine Office

1 of Tourism recognizes Cape Elizabeth as part of the Greater Portland and Casco Bay  
 2 region, which stretches from Scarborough to Freeport. The Town boasts a number of  
 3 attractions of scenic, recreational, and historic significance, including Fort Williams  
 4 Park, Crescent Beach State Park, and Two Lights State Park. Although lodging  
 5 opportunities are limited to private homes and the Inn by the Sea, they are highly  
 6 desired for their waterfront views.

7  
 8 According to research commissioned by the state, one third of all trips to Maine,  
 9 approximately 13.5 million per year, include time spent in Greater Portland. About half  
 10 travel a great distance to visit the region, coming from outside one of the six New  
 11 England states. Virtually all spend time in the City of Portland, while almost 40% visit  
 12 Freeport. Visitors to Greater Portland are more likely to shop and tour the region than  
 13 other visitors to Maine but less likely to participate in outdoor activities, such as  
 14 camping, hunting, or hiking, or to attend a special event, such as a fair or festival. Long  
 15 term challenges identified by the Maine Office of Tourism include inducing more  
 16 visitors to stay overnight in the region and to stay longer rather than just pass through.  
 17



18  
 19 *Source: Longwoods International*

20  
 21 Town Center

22  
 23 The principle economic area of Cape Elizabeth is the Town Center. Located in the town  
 24 geographic center where Ocean House Rd intersects with Shore Rd and Scott Dyer Rd,  
 25 it includes the K-12 school campus, Town Hall, Police and Fire Stations and the largest  
 26 aggregation of commercial structures and businesses. The importance of the Town  
 27 Center was officially recognized when the Town Council adopted the Town Center  
 28 Master Plan (1993) and the Town Center Zoning District (1995), hereby appended to  
 29 this Comprehensive Plan.

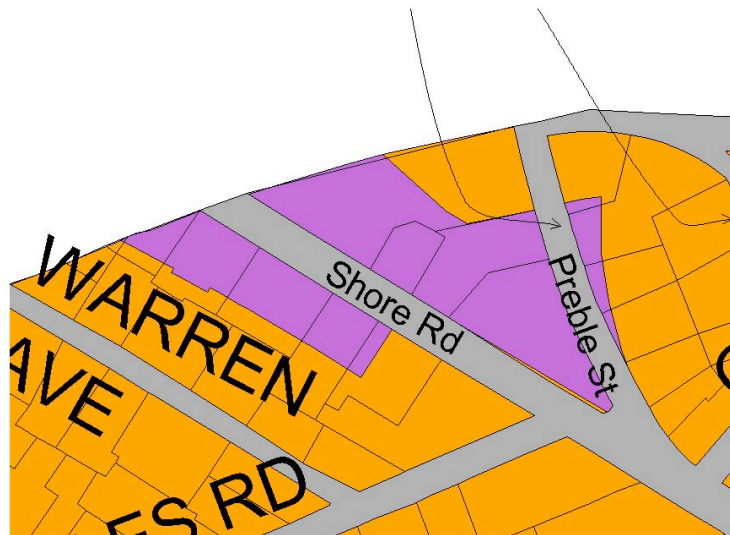
1 The Master Plan calls for:  
2

3 An identifiable Town Center that includes a village feeling, mixed retail  
4 uses targeted to residents, a pedestrian inviting environment, a common  
5 meeting place, visual vitality, and linkages to the Town's open space and  
6 school assets.  
7

8 Many of the recommendations have been implemented and some new mixed use  
9 commercial/ residential development has been approved and more is proposed.  
10

11 Neighborhood Business Areas  
12

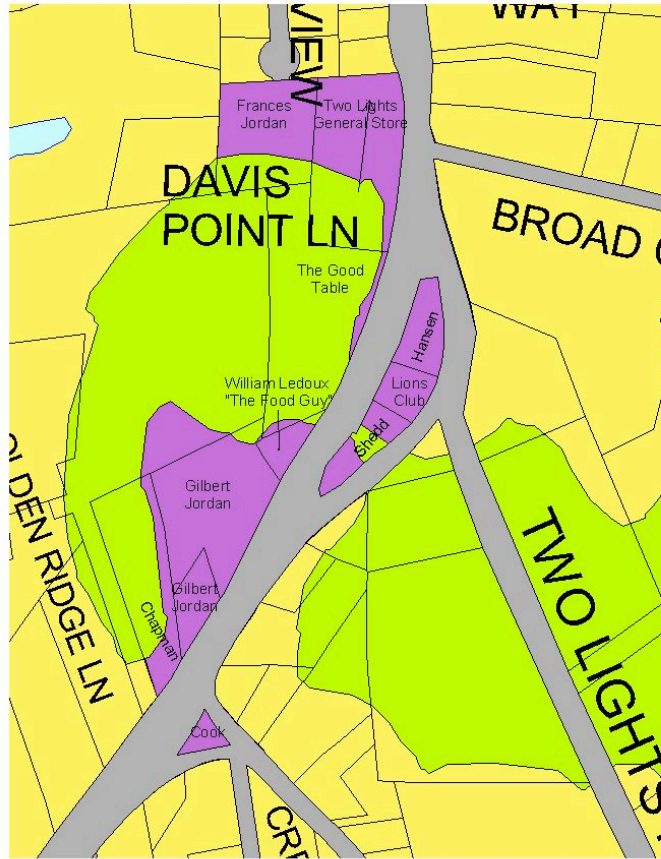
13 In addition to the Town Center, the Town has 2 Business A Districts. The Business A  
14 District located at the northerly end of Shore Rd includes the Cookie Jar, Irving Station,  
15 Engine 1 Fire Station, an office building, and mixed use retail / residential building.



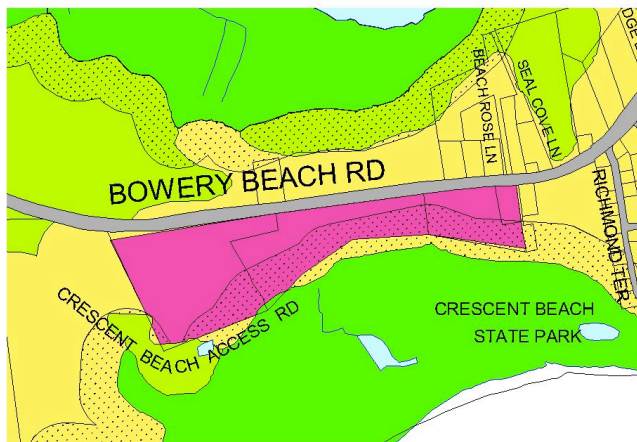
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- 1
- 2 The BA District located on Ocean House from Broad Cove Rd to Fessenden Rd includes
- 3 the Two Lights General Store, the Good Table Restaurant, Agway, Lion's Club and the
- 4 Dairy Bar.

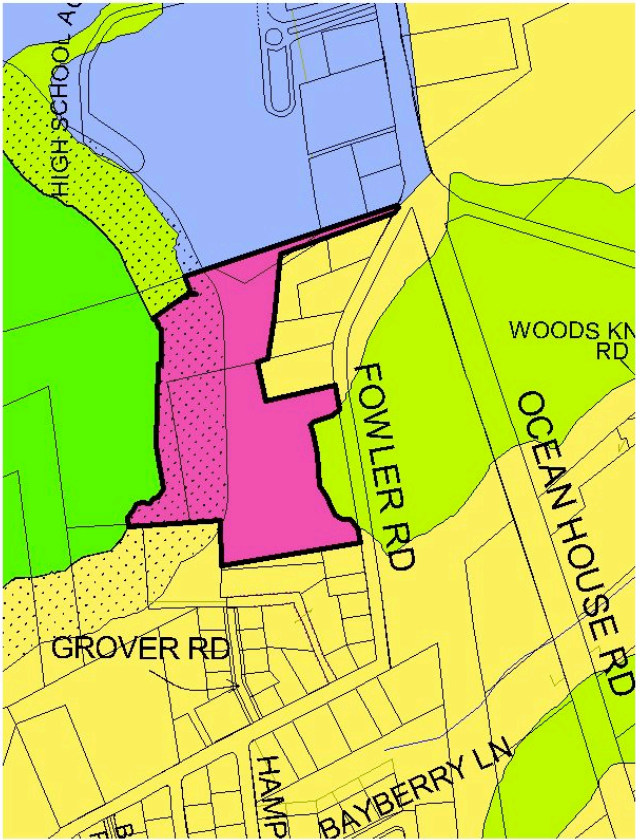


- 5
- 6 A Business B District is located on Bowery Beach Rd and includes the Inn by the Sea
- 7 and a large farm field.



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A second Business B District was created on Fowler Rd in 2005 and includes a former gravel pit that is currently operated as an earthworks facility.



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The BB Districts are not currently served by public sewer.

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There are two to three areas with businesses that are located in residential districts. The Spurwink Medical Building and Maxwell Farm Market are located adjacent to each other and located on Spurwink Ave near the intersection with Ocean House Rd. There is also a veterinarian medical building and dentist office on Ocean House Rd between Hill Way and Mitchell Rd.

14

Industrial Areas

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The Town has no industrial zoning.

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**Economy Goals**

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**Goal 1: The Town Center shall be promoted as the primary commercial area of Cape Elizabeth and shall be developed consistent with the Town Center Master Plan to meet the needs of residents and visitors currently attracted to the Town's natural resources and recreational opportunities.**

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1 Located in the town geographic center where Ocean House Rd intersects with Shore Rd  
 2 and Scott Dyer Rd, the Town Center includes the K-12 school campus, Town Hall,  
 3 Police and Fire Stations and the largest aggregation of commercial structures and  
 4 businesses. The importance of the Town Center was officially recognized when the  
 5 Town Council appointed a committee to create a Town Center Master Plan, adopted the  
 6 Town Center Master Plan in 1993 (hereby incorporated to this Comprehensive Plan by  
 7 reference) and then created the Town Center Zoning District in 1995.

8  
 9 The Master Plan calls for an identifiable Town Center that includes a village feeling,  
 10 mixed retail uses targeted to residents, a pedestrian inviting environment, a common  
 11 meeting place, visual vitality, and linkages to the Town's open space and school assets.  
 12

13 With the adoption and gradual implementation of the Town Center Master Plan, the  
 14 reconstruction of sidewalks with street trees and pedestrian lighting, Town residents  
 15 have embraced the vision of the Town Center. Individual property owners have  
 16 invested in the beautification of their property and new development, consistent with  
 17 the Master Plan vision, has been proposed. This overall evolution of the Town Center  
 18 should continue.

#### 19 20 Implementation Steps

- 21
- 22 1. Continue to implement the Town Center Master Plan.
- 23
- 24 2. Construct sidewalks throughout the Town Center.
- 25
- 26 3. Develop mixed use buildings that include commercial uses on the first floor and  
 27 allow residential uses on upper floors.
- 28
- 29 4. Require master plans for large town center parcels that demonstrate compliance  
 30 with Town Center Zoning.
- 31
- 32 5. Consider opportunities that will create a village green adjacent to Ocean House  
 33 Rd.
- 34
- 35 6. Complete implementation of the Town Center Storm Water Plan.
- 36
- 37

#### 38 **Goal 2: The Neighborhood Commercial areas (BA and BB Districts) shall be designed** 39 **to meet the needs of the adjacent neighborhoods.**

40

41 Somewhat overshadowed by the Town Center, the neighborhood commercial areas  
 42 include some of the local businesses most affectionately and loyally patronized by town  
 43 residents. The zoning regulations for these districts, however, have not been  
 44 comprehensively updated. The regulations are not in step with promoting mixed uses  
 45 in the business districts that also protect the integrity of the adjacent residential  
 46 neighborhoods. The regulations should be updated. In addition, public sewer should be  
 47 available to business zones to most efficiently use the land area and avoid converting  
 48 residential land to business zoning.

1  
2  
3 Implementation Steps  
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- 5 7. Review and revise the BA District regulations to create neighborhood scale  
6 commercial areas. If necessary, develop separate standards that are tailored to  
7 the two distinct BA districts. The review should include:  
8  
9 •Creating design standards consistent with small scale, neighborhood  
10 commercial areas;  
11  
12 •Evaluating whether smaller setbacks from neighborhoods are appropriate to  
13 promote pedestrian connections;  
14  
15 • Review parking requirements;  
16  
17 •Incorporating more mixed use of residential and commercial by increasing the  
18 density of multi-family housing and limiting commercial uses to the first floor;  
19  
20 •Reviewing the boundaries of the BA District; and  
21  
22 •Evaluating adding a business district where existing businesses are located in a  
23 non-business district.  
24
- 25 8. Allow the RP1 250' buffer to be reduced to 100' for properties in the BA and BB  
26 Districts where the property is served by public water and public sewer if the  
27 applicant establishes that the reduction will not have a harmful impact on  
28 adjacent wetlands.  
29
- 30 9. Designate BB Districts as Sewer Service Areas.  
31

32 **Goal 3: The Town recognizes that in-home businesses are an important part of the**  
33 **local economy and those needs must be balanced with the expectations of**  
34 **residential neighborhoods.**  
35

36 Implementation Steps  
37

38 A growing number of residents, in part due to the technological advances provided by  
39 the internet, are choosing to operate businesses from their homes. This expansion of the  
40 economy was accommodated by changes to the 1997 Zoning Ordinance that allowed  
41 businesses with low impact as a permitted use. Operating a business from a single  
42 family neighborhood has sometimes conflicted with the expectations of home owners  
43 for the quiet enjoyment of their property. The town regulations need to continue to  
44 balance these sometimes competing needs.  
45

- 46 10. Continue the town approach of home business and home occupation regulation  
47 that allows low-impact home businesses to operate by right.  
48
- 49 11. Continue day care regulations that allow day care in all districts with review by  
50 the Town.  
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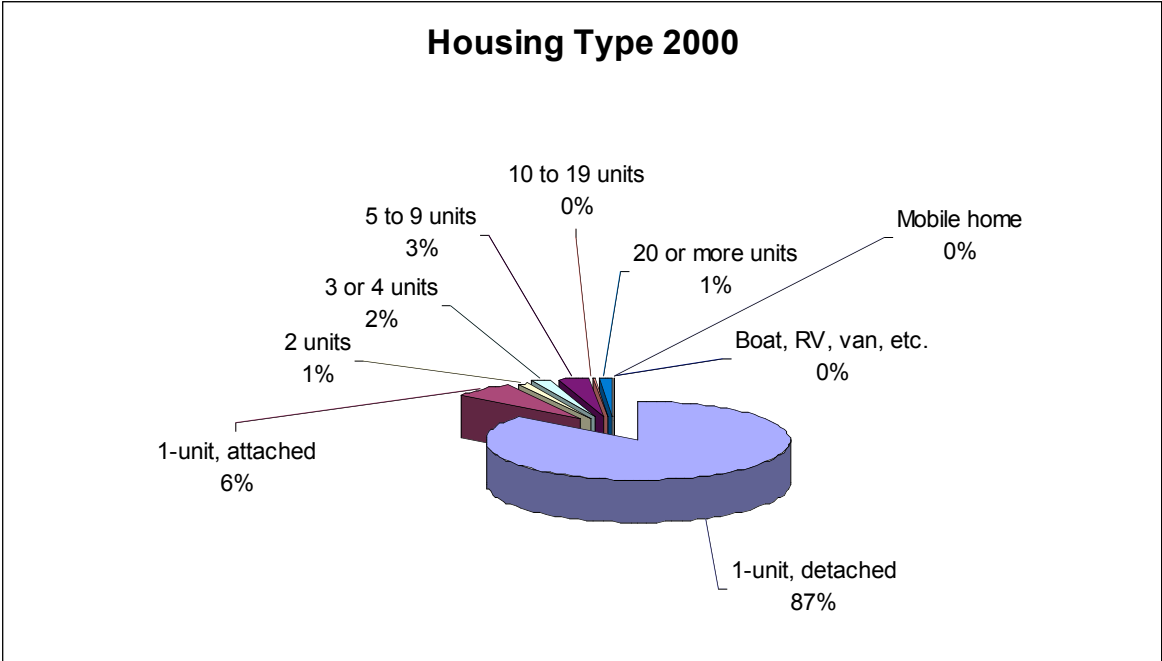
## HOUSING

### Trends

- Single family homes represent over 90% of the town's housing stock, and multi-family, 7%.
- The 1960s represent the peak decade for home construction, with 503 single family units, and the 1970s, the peak period for rental units, with 129 constructed.
- Cape Elizabeth has historically been one of the least affordable towns in the Greater Portland Housing Market. In 2004, the median home price was almost 50% more than what the median Cape Elizabeth household (\$72,359 in 2000) could afford and more than double what the average household in Greater Portland (\$44,048 in Cumberland County in 2000) could afford.
- By 2020, according to State Planning Office projections, Cape Elizabeth will need an additional 476 housing units to accommodate its projected population increase of 943 residents, about the same pace of construction as in the 1990s. Based on historic growth rates from 1990-2006, the Town estimates a more modest growth rate of 330 new dwellings from 2007-2020. At least 10%, or 33 units, should be affordable to households earning 80% of the metropolitan area's median income to comply with the State Planning Office Affordability goal.

### Housing Stock

Shelter is one of our basic human needs. From a planning standpoint, housing communicates the essential character of the community. Cape Elizabeth contains 3,724 housing units. Single family homes comprise the primary housing stock, followed by multi-family developments.



1  
2 Source: U.S. Census Bureau

3  
4 From 1990 to 2000, the housing stock in Cape Elizabeth increased 8%, or 268 units, due  
5 to new construction as well as demolition, conversion, and loss. In sheer numbers,  
6 single family homes experienced the largest increase, followed by seasonal homes.  
7 Although there is a substantial change in the mix of multi-family units, there was a net  
8 change of just 23 units. This change in mix may be attributed to conversion from  
9 residential to commercial uses.

10

**Cape Elizabeth Housing Stock, Units  
in Structure**

	1990	2000	Net Change
Total housing units	3,456	3,724	268
1-unit, detached	2,954	3,190	236
1-unit, attached	205	236	31
2 units	67	37	-30
3 or 4 units	97	85	-12
5 to 9 units	99	114	15
10 to 19 units	7	8	1
20 or more units	0	49	49
Mobile home	0	5	5
Other	27	0	-27
Vacant Seasonal	92	152	60

11 Source: U.S. Census Bureau

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1 *Group Quarters*  
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3 Few nontraditional housing opportunities, known as group quarters, are located in the  
4 Town of Cape Elizabeth. According to the 2000 Census, there were 101 persons living  
5 in group quarters, all of them in nursing homes. Because the Census does not classify  
6 group quarters as housing units, neither they nor their occupants are  
7 represented in the any of the housing or household data.  
8

**Group Quarters Population in Cape Elizabeth, 2000**

<b>Group Quarters Type</b>	
<i>Institutionalized population:</i>	101
Correctional institutions	0
Nursing homes	101
Other institutions	0
<i>Noninstitutionalized population:</i>	0
College dormitories (includes college quarters off campus)	0
Military quarters	0
Other noninstitutional group quarters	0
<b>Total</b>	101

*Source: U.S. Census Bureau 2000*

9 *Housing Tenure*  
10

11 Of the 3,724 occupied housing units in Cape Elizabeth, 88% were owned and 12% were  
12 rented in 2000. From 1990 to 2000, the vacancy rate dropped from 3% to 2%.  
13  
14

**Cape Elizabeth Housing Stock, 1990-2000**

	1990	%	2000	%	% Change 1990- 2000
Total Housing Units	3,456	100%	3,724	100%	8%
Occupied	3,257	94%	3,488	94%	7%
owner	2,796	86%	3,059	88%	9%
renter	461	14%	429	12%	-7%
Vacant	199	6%	236	6%	19%
seasonal	92	3%	152	4%	65%
Vacancy Rate	3.10%		2.26%		-27%

*Source: U.S. Census Bureau*

*Source: U.S. Census 2000*

## 1 Housing Conditions

2  
3 Just under 300 housing units were constructed in Cape Elizabeth during the 1990s,  
4 including 260 single family homes and 8 rental units.

5  
6 Most of the year round housing stock in Cape Elizabeth is fairly new. Only one third of  
7 owner occupied housing was built in 1949 or earlier. New home construction peaked in  
8 the 1960s with 503 units, followed by the 1980s, with 483. Multi-family construction  
9 peaked in the 1980s with 23 units, with no new construction in the last decade. Though  
10 small, the mobile home stock, on the other hand, is very old, with all constructed prior  
11 to 1939.  
12

**Age and Type of Housing for Year-Round Owner Occupied Housing in Cape Elizabeth**

	1939 or prior	1940-1949	1950-1959	1960-1969	1970-1979	1980-1989	1990-2000	Total 2000
1 unit detached/ attached	549	422	400	503	367	483	260	2,984
Multi-family	27	7	0	13	0	23	0	70
Mobile home	5	0	0	0	0	0	0	5
Other (boat, RV, van)	0	0	0	0	0	0	0	0
Number of units	581	429	400	516	367	506	260	3,059
% of Total	19%	14%	13%	17%	12%	17%	8%	100%

Source: U.S. Census 2000

13  
14 A majority of the renter occupied housing units in Cape Elizabeth are relatively new,  
15 with over half built since 1960. Multi-family construction peaked during the 1970s,  
16 with 93 units, followed by the 1990s with 8 units.  
17  
18

**Age and Type of Housing for Year-Round Renter Occupied Housing in Cape Elizabeth**

	1939 or prior	1940-1949	1950-1959	1960-1969	1970-1979	1980-1989	1990-2000	Total 2000
1 unit detached/ attached	51	46	14	52	36	27	4	230
Multi-family	30	0	9	24	93	17	4	177
mobile home	0	0	0	0	0	0	0	0
other (boat, RV, van)	0	0	0	0	0	0	0	0
Number of units	81	46	23	76	129	44	8	407
% of Total	19%	11%	5%	18%	30%	10%	7%	100%

Source: U.S. Census 2000

## 19 Housing Projections

20  
21  
22 During the 1990s, Cape Elizabeth saw its housing stock increase by 268 units. By 2020,  
23 the Greater Portland Council of Governments projects that an additional 476 units will  
24 be needed to accommodate future population. The following assumptions were used to  
25 project housing growth:



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1. The 2020 population projections performed by the State Planning Office serve as the basis of the housing forecast. One of the assumptions in the SPO forecast is that population growth of the future will follow a similar pattern as that of the 1990s.
2. Neither a rate of seasonal housing conversion nor future seasonal units needed have been projected.
3. A modest decline in average household size of 2%, slower than what occurred during the 1990s, has been used. The rate of decline is consistent with long term national projections from the U.S. Census Bureau.
4. The composition of the housing stock by structure type will follow the current pattern. Continuation of the current pattern, which lacks a wide variety in housing types may result in excluding some households from living in Cape Elizabeth. For example, households headed by young singles often prefer, and in many cases, can only afford, rental units. A desire by the town to attract more young people through the increased construction of multi-family units is not reflected in the forecast. Variables in the forecast, however, can be changed to reflect such a policy.
5. Persons living in group quarters, such as nursing homes, have been accounted for in terms of population but are not represented as households requiring home ownership or rental opportunities. Their current percentage of the population has been held constant but can be changed to reflect increased capacity for institutional housing.
6. A healthy vacancy rate of 1% for owner-occupied units and 5% for rental units has been factored into the forecast, which is only slightly higher than current figures.
7. Projections are subject to change based upon economic conditions, major employment changes, and other unforeseen changes in the region.

### Housing Forecast for Cape Elizabeth for 2020

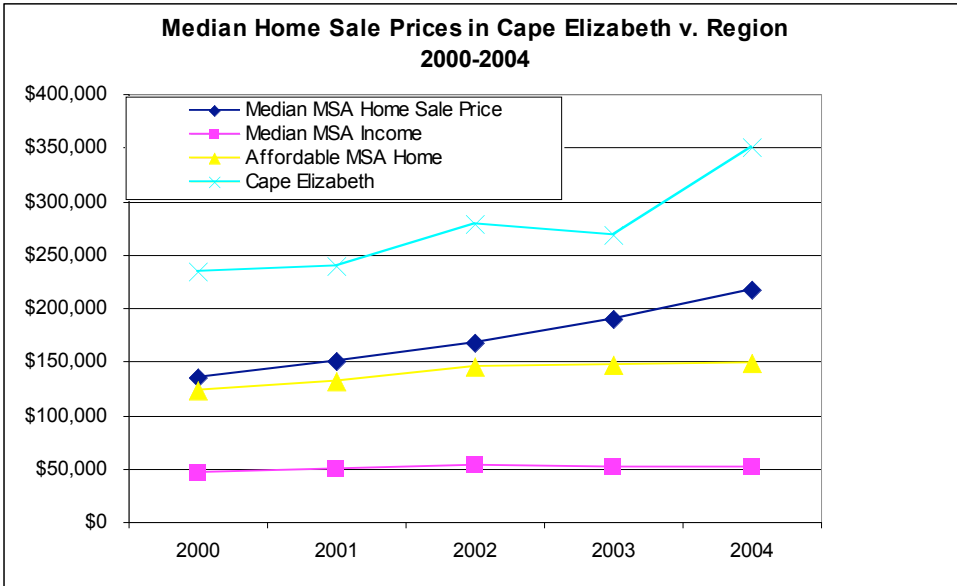
	2000		2020		Forecast
	Total	Percent	Total	Percent	
<b>Population of Town</b>	<b>9,068</b>	<b>100%</b>	<b>10,011</b>	<b>100%</b>	<b>943</b>
Population in ownership units	8,120	90%	8,964	90%	
Population in rental units	835	9%	922	9%	
Population in group quarters	101	1%	112	1%	
<b>Households</b>	<b>3,488</b>		<b>3,949</b>		<b>461</b>
Population in households	8,967	99%	9,899	99%	
Average household size	2.57		2.51		
Ownership	2.65		2.58		
Rental	1.97		1.92		
<b>Housing Units</b>	<b>3,724</b>		<b>4,008</b>		<b>284</b>
<b>Ownership</b>	<b>3,265</b>	<b>88%</b>	<b>3,527</b>	<b>88%</b>	<b>262</b>
Occupied	3,256	100%	3,469	99%	
Vacant	9	0%	35	1%	
<b>Rental</b>	<b>459</b>	<b>12%</b>	<b>480</b>	<b>12%</b>	<b>21</b>
Occupied	424	92%	456	95%	
Vacant	35	8%	24	5%	

1 *Source: Prepared by GPCOG with data from U.S. Census Bureau and Maine State Planning*  
2 *Office*

#### 3 Owner-Occupied Housing Affordability

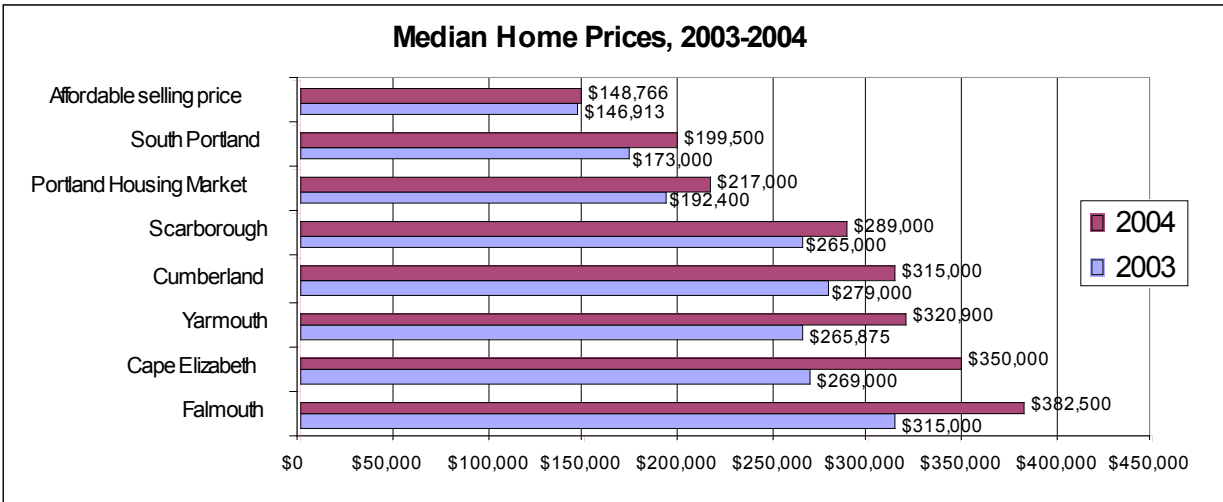
4  
5  
6 Over the last five years, housing prices in Greater Portland have outpaced income  
7 growth by 4:1. While housing prices in Cape Elizabeth have been up and down, the  
8 general trend is up: since 1999, housing prices in both the MSA and Cape Elizabeth  
9 have increased by 45%. A number of factors are responsible. First, Portland's robust  
10 economy has created a brisk demand for housing across the region. Despite the  
11 economic downturn that began in 2001, the Greater Portland region has weathered the  
12 recession better than either Maine, New England, or the nation, consistently posting an  
13 unemployment rate below 3%. Real estate has proven to be a lucrative investment.  
14 Since 2000, the steady downturn in the stock market has encouraged investors to cash  
15 out of Wall Street and into Main Street, where real estate returns are exceeding 10% per  
16 year. The terrorist attack of 9/11 has also stimulated an out-migration from big cities to  
17 smaller towns that engender a sense of safety and stability. Indeed, in-migration to  
18 Maine is escalating, fueled by new residents from Massachusetts and New York. The  
19 in-migration is not just from families and retirees but also from young and creative  
20 entrepreneurs seeking the vitality and opportunity afforded by smaller metropolitan  
21 areas. According to the U.S. Census Bureau, Portland is now one of the top 10  
22 metropolitan areas in the United States, and the top city in the Northeast, attracting an  
23 in-migration of college-educated young people. While this may be due in part to  
24 Portland's national reputation for "livability", it may also be the ripple effect of the

1 robust housing market in Greater Boston, where the median home price now  
 2 approaches \$500,000, and starter homes in the most desirable suburbs, such as  
 3 Brookline and Weston, have topped the one million dollar mark.  
 4



5  
 6 Source: Maine State Housing Authority  
 7

8 Historically, Cape Elizabeth has been one of the least affordable towns for the average  
 9 working family. In 2002, there were seven Greater Portland municipalities where a  
 10 household earning the region’s median income could afford to buy the median priced  
 11 home – Standish, Casco, Gray, Hollis, Limington, Old Orchard Beach, and Westbrook.  
 12 In 2003, there was only one town left – Casco. In 2004, there were none. Further north  
 13 and east, however, in the Sebago Lakes Housing Market, there are seven towns with  
 14 housing prices affordable to Portland households earning the median income. With  
 15 starter homes in Portland topping the \$200,000 mark, homebuyers are looking west and  
 16 north for affordable housing, leading the march toward suburbanization.  
 17



18  
 19 Source: Maine State Housing Authority  
 20

1 The affordable selling price represents the maximum purchase price that a household  
2 earning the median income can afford, assuming the household puts down 5%,  
3 qualifies for a 30-year mortgage at the prevailing interest rate, and does not spend more  
4 than 30% of its gross income for housing costs. When median home costs are  
5 compared to the affordable selling price, an affordability index can be constructed  
6 (affordable selling price divided by the median sales price). An affordability index  
7 number of more than 1 is affordable, and an index of less than 1 is unaffordable. In  
8 2000, the affordability index in Cape Elizabeth was 0.81. This means that a household  
9 earning the median income could afford only 81% of the purchase price of the median  
10 priced home in Cape Elizabeth. At the same time, the affordability index in Greater  
11 Portland was 0.91.  
12

13 Since 2000, the affordability gap has widened. Earning the region's median income of  
14 \$50,828, the average household in 2004 could afford a home costing no more than  
15 \$148,766. Less than 10% of all home sales in Greater Portland were below this price.  
16 Indeed, the average household would have to earn over \$36 an hour or \$74,140 per year  
17 to afford the median priced home of \$219,000. This was 47% more than what the  
18 average household could afford. A home in Cape Elizabeth was even more  
19 unaffordable, costing more than double what the average household in the region could  
20 afford. For existing Cape Elizabeth households, however, the affordability gap was  
21 slightly better. The median home price of \$350,000 was 53% above the selling price  
22 affordable to Cape Elizabeth households. In 2004, just 17% of all home sales in Cape  
23 Elizabeth were at or below the affordable price. On the other hand, the average  
24 household in Cape Elizabeth could afford 104% of the purchase price of the average  
25 home in Greater Portland, making it more affordable to leave town.  
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## Owner Occupied Housing Affordability Analysis

	Cape Elizabeth 2000	Cape Elizabeth 2004	Portland MSA 2000	Portland MSA 2004
<b>Median</b>				
Median Household Income	\$72,359	\$76,340	\$45,979	\$62,700
Median Home Sales Price	\$235,000	\$350,000	\$134,500	\$217,000
Affordable Purchase Price	\$190,205	\$227,622	\$122,488	\$183,301
Affordability Index	0.81	0.65	0.91	0.84
<b>Low-Moderate Income</b>				
80% of Median Household Income	\$57,887	\$61,072	\$36,783	\$50,150
Affordable Price to Low-Moderate Income	\$152,164	\$182,098	\$96,689	\$146,612
Affordability Index	0.65	0.52	0.72	0.68
<b>Low Income</b>				
50% Median Household Income	\$36,180	\$38,170	\$22,990	\$31,350
Affordable Price to Low Income	\$95,003	\$113,477	\$61,244	\$90,753
Affordability Index	0.40	0.33	0.46	0.42
<b>Affordable Homes Sold</b>				
Homes sold affordable to median income		17%		10%
Homes sold above affordable price		83%		90%
Total Homes Sold	125	164	2,781	3,194

\*Index: Most affordable =>1.25; More Affordable =1.05-1.25; Average =0.95-1.05; Less Affordable =0.75-0.95; and Least Affordable =<0.75

Source: *Maine State Housing Authority*

### Affordable Housing

One of the ten State Goals established in the Growth Management Law is to “encourage and promote affordable, decent housing opportunities for all Maine citizens.”

Affordable housing is defined as a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 80% of the median income for the region as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 412, 50 Stat. 888, Section 8, as amended. There are two kinds of needs to examine: rental housing and owner occupied housing. An accurate method for assessing these needs would require a far more detailed study than is possible for this Comprehensive Plan to accomplish.

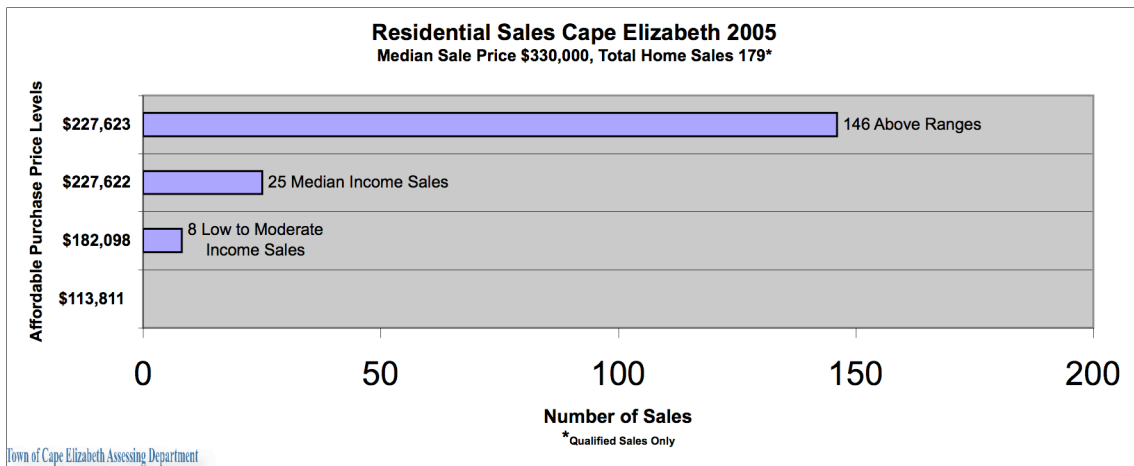
The Growth Management Law Rule’s definition of affordable housing identifies three target groups for affordable housing: very low income (30-50% of median income), low income (50-80% of median income), and moderate-income (80-150% of median income).

	<b>Total</b>	<b>&lt;30%</b>	<b>31% - 50%</b>	<b>51% - 80%</b>
	Median	(Extremely Low)	(Very Low)	(Low)
<b>Cape Elizabeth Households</b>	3,512	391	439	589
Income	\$76,340	\$22,902	\$38,170	\$61,072
Cumulative % of Total		11%	13%	16%
<b>Portland MSA Households</b>	103,864	12,899	10,971	18,128
Income	\$50,828	\$15,248	\$25,414	\$40,662
Cumulative % of Total		12%	11%	17%

Source: 2004 Claritas

The Rule requires that comprehensive planning policies strive to achieve that at least 10% of new units, or whatever greater percentage is necessary to meet the need, shall be affordable to households earning less than or equal to 80% of the area's median household income. The State Planning Office defines affordability based on the standard that housing costs should consume no more than 30% of gross monthly income for renters and 28-33% for homeowners. For renters, housing costs are defined as rent plus basic utility and energy costs. For owners, housing costs are defined as mortgage principal and interest payments, mortgage insurance costs, homeowners' insurance costs, real estate taxes, and basic utility and energy costs, with monthly mortgage payments to be based on down payment rates and interest rates generally available to low and moderate income households.

In 2004, an estimated 391 households in Cape Elizabeth, 39% of all households, were classified as low or very low income households. In 2000, a household earning 80% of median income in Cape Elizabeth or \$57,887, could afford 65% of the purchase price of the median home of \$235,000. In 2004, a household earning 80% of median income, or \$61,072, could afford only about half of the purchase price of the median home of \$350,000. Clearly the affordability gap is growing. The housing situation is even worse when considering very low-income households earning less than 50% of median income. Some portion of the very low and low income families in Cape Elizabeth and in other towns in the region are still homeowners, having inherited their homes or having acquired them long ago when housing was far more affordable than it is today.



1  
2 Renter-Occupied Housing Affordability  
3

4 Approximately one eighth of the housing stock in Cape Elizabeth, or 459 units, are  
5 rentals. Based on the rental housing affordability analysis, 80% of rental units in 2000  
6 rented for less than \$1,500 and thus were affordable to low income households already  
7 living in Cape Elizabeth and earning less than \$57,887. Almost 40% of rental units were  
8 affordable to very low income households earning less than \$36,180.  
9  
10

**Rental Affordability Analysis, 2000**

<b>Affordable Rental Calculations</b>	<b>Portland Housing Market</b>		<b>Cape Elizabeth</b>	
	<b>Median 2000</b>	<b>\$45,979</b>	<b>Median 2000</b>	<b>\$72,359</b>
	<i>50% of Median Income</i>	<i>80% of Median Income</i>	<i>50% of Median Income</i>	<i>80% of Median Income</i>
Household Income	\$22,990	\$36,783	\$36,180	\$57,887
30% of Monthly Income	\$575	\$920	\$904	\$1,447
Basic Utility Costs per Month	\$200	\$200	\$200	\$200
Available for monthly rent payment	\$375	\$720	\$704	\$1,247
<b>Affordable Rental Units</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Less than \$300	4,020	12%	24	6%
From \$300 to \$499	5,444	16%	6	1%
From \$500 to \$749	13,812	41%	135	32%
From \$749 to \$999	6,802	20%	66	16%
Over \$1000	1,892	6%	107	25%
\$1,500 or more	487	1%	61	14%
No Cash Rent	1,151	3%	24	6%

Source: Maine State Housing Authority;  
2000 Census

11  
12 In 2000, the median rent for an apartment in Cape Elizabeth was \$867. By 2004, the  
13 average 2-bedroom unit rented for \$1,152. Although the two measures are not entirely  
14 comparable, it does represent an increase of about one third and is considerably higher  
15 than the region's average rent of \$994. Although this rent would still be affordable to a  
16 Cape Elizabeth household earning 80% of median, it would be unaffordable to the  
17 average household in Greater Portland as well as Cape Elizabeth households earning  
18 less than 50% of median. Since the 2000 Census, there is no current data on the number  
19 of rentals available at various price ranges, making it difficult to determine whether the  
20 relative level of affordability in 2000 persists now. In 2004, the Maine State Housing  
21 Authority estimated that there was an unmet need of 180 units in Cape Elizabeth  
22 renting at \$754 or less, which would be affordable to families and seniors earning 50%  
23 of median income.  
24

1 The Census computes the monthly gross rent of households paid as a percentage of  
 2 their income. Approximately 18% of owner-households and 32% of renter-households  
 3 pay more than 35% of their income for housing. According to the Census, the median  
 4 rent in 2000 was \$867, the median mortgage, \$1,469.

### 5 6 Housing Subsidies

7  
8 Housing rents can be subsidized through direct rent subsidies provided through HUD  
 9 Section 8 vouchers and through government subsidy of the construction of rental units  
 10 in order to keep those units available at below market rate. According to the Maine  
 11 State Housing Authority, in 2004 Cape Elizabeth had 22 project based housing units  
 12 located at Colonial Village on Starboard Drive. Non-project based or Section 8 vouchers  
 13 are issued to income-qualified families, elderly people and disabled people who apply  
 14 for them. These vouchers can be redeemed by the landlord for rental subsidies  
 15 provided by MSHA to make up the difference between the rent paid by the tenant and  
 16 the market rate rent for the unit. In 2004, there were 2 vouchers in use.

### 17 18 Affordable Housing in the Next Ten Years

19  
20 The State rules by which comprehensive plans will be evaluated require that the Plan  
 21 make quantitative estimates of these needs and contain implementation strategies that  
 22 "...seek to achieve that 10%, or whatever greater percentage the inventory and analysis  
 23 identifies as necessary, of the new housing units constructed in the municipality in the 5  
 24 years after plan adoption will be affordable housing..." (Chapter 202, Department of  
 25 Economic and Community Development Rules, Section 7).

26  
27 The demand for affordable housing is difficult to estimate. In 2004, at least 35% of the  
 28 Cape Elizabeth households earned less than 80% of the region's median income of  
 29 \$50,828. Although these households can be classified as low to moderate income, not all  
 30 households are actively seeking housing in the market at any one time. Many have  
 31 been in their homeownership or rental situation long enough for their income to catch  
 32 up with their payment, so that, although they may earn much less than the median,  
 33 they still pay less than 30% of their income for housing. But for anyone entering the  
 34 market, such as first time homebuyers, housing costs pose a severe challenge.

35  
36 For Cape Elizabeth to assess what its fair share of the region's problem is, and to define  
 37 its share of the region's solution would require an extensive study of the region's needs,  
 38 assessing the degree of need for each of the different income groups, for both rental  
 39 housing and homeownership.

40  
41 GPCOG projects that approximately 476 new housing units will be needed in Cape  
 42 Elizabeth by 2020 to accommodate its projected population increase of 943 residents,  
 43 including 431 single family and 45, rental. The Town of Cape Elizabeth, to meet the  
 44 State's minimum requirement of 10% should seek to achieve that at least 48 of the new  
 45 units are affordable to low income households. In 2005 numbers, that is a home sold for  
 46 no more than \$146,612 to a household earning no more than \$50,150. No homes were  
 47 sold for this amount or less.



## Housing Goals

### **Goal 1: The Town should promote a diversity of housing types to accommodate residents of all age groups and household sizes.**

An overwhelming majority of the housing stock is single family homes. While, at first glance, this appears to be what residents want, the lack of a variety of other housing types is frustrating other goals important to residents. Population trends show that the town is aging. As residents age and they need or desire to transition out of traditional single family housing, their opportunities to remain in Cape Elizabeth are extremely limited. New condominium development and rental, multifamily housing construction are flat. Congregate housing on Scott Dyer Rd does provide an option for residents who seek some support services.

For younger residents or residents experiencing lifestyle changes who cannot afford to buy single family housing, rental housing availability is also very low. The construction of new multi-family housing would provide opportunities for younger residents to remain in the community, and could also provide some housing for workers in the business districts.

### Implementation Steps

12. Encourage the development of multi-family housing units in mixed use buildings located in the town business districts.
13. Increase the permitted density of multi-family housing units in mixed use buildings located in the business districts.
14. Review the minimum lot size and setback requirements for multi-family and attached single family dwellings (condominiums) to determine if they are creating obstacles to developing a variety of housing types.
15. Evaluate establishing a density bonus for 55 and older restricted developments.
16. Retain the current regulations providing for the construction of mobile homes and mobile home parks in accordance with state law.
17. Retain the accessory dwelling unit regulations that provide for small apartments to be integrated into single family homes.

### **Goal 2: The Town should increase the amount of affordable housing through methods that minimize administrative burdens on town administration.**

*What is considered affordable?*

Affordable housing is housing that costs no more than 30% of the gross income of the household, as defined by the U. S. Department of Housing and Urban Development.

The State Comprehensive Plan goal is that 10% of new housing, or whatever percentage of new housing if there is a deficit of affordable housing in the community, must be

1 affordable to households with an income that does not exceed 80% of the median  
2 income for the municipality.

3  
4 The inclusion of personal assets may or may not be included in the household income to  
5 determine eligibility for affordable housing.

6  
7 *What is the affordable income for the Portland MSA?*

8  
9 The median income in 2006 for the Portland Metropolitan Statistical Area (MSA) is  
10 \$68,200. Low income households are defined as households with between 50% to 80%  
11 of the median income. The maximum low income household income for the Portland  
12 MSA is \$54,550.

13  
14 *What is the home price affordable to the Portland MSA income?*

15  
16 Using the 30% of gross income rule and making standard assumptions about closing  
17 costs, 5% down payment, taxes and insurance, the maximum affordable housing price  
18 for a low income household is \$168,323.

19  
20 There were no home sales in 2006 at or below the low income affordable home sales  
21 price of \$168,323. It should be noted that new home sale prices would be higher than  
22 data on all home sales.

23  
24 *How does the Cape Elizabeth Affordable Housing Program work?*

25  
26 Cape Elizabeth, like many Southern Maine communities, has little new affordable  
27 housing and trends suggest that the town is becoming less affordable. To address this,  
28 the 1993 Comprehensive Plan included several recommendations, including “requiring  
29 a fixed percentage of residential units to be made available at prices affordable to low  
30 and moderate income households.”

31  
32 The Town subsequently adopted the “Mandatory Affordable Housing Provision,”  
33 which requires that affordable housing be included in major subdivisions. The  
34 requirement is that 10% of new subdivision lots/units be affordable to moderate  
35 income families or that 5% of new subdivision lots/units be affordable to low income  
36 families. Income is based on the Portland Metropolitan Statistical Area and updated  
37 annually. The following affordable housing units has since been created:

38			
39	Whaleback Ridge	1 moderate income home	occupied
40	Cross Hill	5 low income homes	occupied
41	Leighton Farms	1 low income home	approved
42	Blueberry Ridge	2 moderate income homes	1 occupied/ 1 under construction
43			
44	Cottage Brook	3 low income homes	approved
45			

46 All of these homes have permanent deed restrictions that keep them affordable as they  
47 are sold to new owners. Below is a summary of affordable homes created under the  
48 current program and their sale appreciation gain information.

	<b>Location</b>	<b>Sale Date</b>	<b>Sale Price</b>	<b>2006 Sale Price</b>	<b>Appreciation to Date</b>
3	U58-27	2004	\$120,400	<u>\$168,323</u>	\$ 47,923
4	U58-26	2004	\$120,159	<u>\$168,323</u>	\$ 48,164
5	U59-25	2003	\$120,159	<u>\$168,323</u>	\$ 48,164
6	U59-21	2003	\$120,159	<u>\$168,323</u>	\$ 48,164
7	U59-20	2003	\$120,159	<u>\$168,323</u>	\$ 48,164
8	R03-17*	2001	\$190,000	<u>\$315,605</u>	\$125,605
9	U34-17-1*	2006	\$274,850	<u>\$315,605</u>	\$ 40,755

\*Moderate income: 80%-150% of median income

The Town also has 22 units of rent controlled rental housing in the Colonial Village neighborhood located off Scott Dyer Rd and Spurwink Ave. The units were constructed in the 1970s with federal subsidies to control rents for 30 years. The affordability of the rental units has been extended to 2015 and 2017 with a U.S. Department of Housing and Urban Development (HUD) HAP (Housing Assistance Payments) Contract. The low-income units are affordable to households with an income of 50% of median income for the region.

*Why have an affordable housing program?*

#### 1. Retrenchment of Federal Role in provision of housing

When the nation first adopted a policy that all citizens deserved adequate housing, the federal government provided significant funding for construction of public housing, and later subsidies for private construction of housing that included an affordable component. The Colonial Village neighborhood located at the corner of Scott Dyer Rd and Spurwink Ave is an example of a federal partnership with private developers to construct permanently affordable housing.

In the thirty years since Colonial Village was constructed, federal financial of affordable housing has dramatically shrunk. State funding is also insufficient to meet the need. To supplement the meager subsidies available to construct affordable housing, more creative strategies have been adopted at the municipal level. These techniques can require municipal funding of subsidies, increased municipal administrative responsibilities, and shifting of responsibility to the private sector (see 6 below).

#### 2. Comply with State Comprehensive Planning Goals

The State Planning Office will review the Comprehensive Plan for consistency with state goals. If the plan is deemed inconsistent, the Town will not have the legal authority to adopt a Zoning Ordinance. The State goal is that 10% of new housing, or a greater amount if the town has a greater shortage of affordable housing, be affordable to low-income households.

#### 3. Character of the Community

When a community does not include a range of housing costs and housing types, the community can lose the richness that a diverse and heterogeneous population creates.

1 People who work in fields that are not well compensated will be excluded from the  
 2 community. People in certain age groups, such as the elderly and young adults, may  
 3 also be excluded as these groups tend to have lower incomes. This lack of diversity  
 4 carries through all levels of community life, including a narrower experience for  
 5 students, less breadth in the pool of community leaders and volunteers and a  
 6 consequent weaker public policy.

#### 7 8 4. Workforce housing for local employees 9

10 When a community lacks affordable housing, it usually results in a lack of housing for  
 11 service sector employees who work in or for the community. When municipal  
 12 employees cannot afford to live in the community they serve, commitment of  
 13 employees to work beyond their job responsibilities may decline. The ability of  
 14 municipal employees to respond during emergencies, especially during off hours, will  
 15 be impaired because employees will need to travel, sometimes in hazardous conditions,  
 16 from outside the community.

17  
18 The lack of workforce housing may also increase the costs that a community must pay  
 19 for human resources as pay rates will need to include travel costs in order to be  
 20 competitive.

#### 21 22 5. Growing affordability gap 23

24 Home ownership is the goal and the symbol of success of most Americans, and for  
 25 most, the largest financial commitment they make. Further, the initial home purchase  
 26 typically stretches the first time home buyer's financial resources to its limit. Most agree  
 27 this is what home ownership should mean. Affordable housing programs are not  
 28 intended to eliminate significant financial exertion to achieve home ownership.

29  
30 The cost of housing has risen faster than income to create a gap that low and moderate  
 31 income households cannot bridge with the most strenuous financial exertions. This  
 32 trend is continuing and the gap is expanding. In a comparison of housing costs in 1960  
 33 and 2004, a median cost home in Cape Elizabeth cost 3.1 times the region's median  
 34 income. In 2004, the median cost home in Cape Elizabeth cost 7 times the median  
 35 income of the Portland area. This trend is expected to continue.

#### 36 37 6. Affordable Housing as Municipal Infrastructure 38

39 As communities become more sophisticated in their review of new development, the  
 40 financial burden for construction of needed infrastructure has shifted to the private  
 41 sector. It is common for municipalities to require the construction of new roads to town  
 42 standards and to require off site traffic improvements necessitated by the new  
 43 development. Communities have instituted minimum standards for sanitary waste  
 44 disposal including increased lot size, expanded design standards, and, in some cases,  
 45 constructing sewer lines and pump stations. Impact fee ordinances have been adopted  
 46 to address a variety of development impacts, including school expansions and open  
 47 space.

48  
49 Just as adequate roads, sewers and schools are needed to build a desirable community,  
 50 affordable housing is needed. New affordable housing strategies assert that affordable

1 housing should be considered a part of the municipal infrastructure necessary for the  
2 community to function. As such, it is appropriate to shift some of the burden of  
3 providing affordable housing to the private sector.

#### 4 7. Alternative affordable housing programs

6 The 1993 Comprehensive Plan includes recommendations for creating affordable  
7 housing. Several of them, however, require the expenditure of municipal funds,  
8 donation of town land and/or funding from state or federal sources. These  
9 recommendations have not produced any affordable housing in Cape Elizabeth.  
10

11 While the majority of Cape Elizabeth housing stock is single family, the key to  
12 increasing the availability of affordable housing in Cape Elizabeth may lie in  
13 construction of multi-family housing. Multi-family housing can be built at higher  
14 densities than is physically possible with single family homes. If densities can be  
15 significantly increased in some new developments, the inclusion of affordable housing  
16 mixed in with market rate housing could produce the affordable housing needed in a  
17 manner that does not require private sector subsidies.  
18

19 In exploring this option, the Comprehensive Plan Committee discussed how a mixed  
20 income project could be structured, although actual numbers and ratios can vary based  
21 on the unique circumstances of each project. Avesta Housing Executive Director Dana  
22 Tottman offered a rule of thumb that land costs must not exceed \$15,000 per unit for  
23 affordable housing to be feasible. If density could be increased so that land costs were  
24 reduced to this level, new development could potentially include a mix of 2/3 market  
25 rate housing and 1/3 affordable housing.  
26

#### 27 8. Appreciation in the value of affordable housing

28 The current affordable housing program requires that the housing remains permanently  
29 affordable to low and moderate income families. This is accomplished by attaching a  
30 deed restriction for the property that allows the housing to be resold to another low or  
31 moderate income family for the low or moderate income affordable housing price.  
32 Appreciation in the value of the property rises with income, and at a slower rate than  
33 market rate housing.  
34

35 This approach creates a permanent inventory of affordable housing. It also prevents  
36 homeowners from purchasing a home at the affordable price and then benefiting from a  
37 windfall if they could sell the home at market price.  
38

39 This approach, however, may also deny low and moderate income households the chief  
40 means to accumulate wealth that other home owners enjoy because their ability to enjoy  
41 market gains is limited. It may also be possible to maintain an inventory of affordable  
42 housing by constructing housing in such a way that, without deed restrictions and  
43 despite market forces, it remains intrinsically affordable.  
44

#### 45 Implementation Steps

- 1 18. Retain the Mandatory Affordable Housing Provisions that require affordable  
2 housing to be incorporated into major subdivisions, amend the existing program  
3 to add an asset limitation, and increase the appreciation return to homeowners.  
4
- 5 19. Create an affordable housing overlay district where public sewer can be  
6 provided that permits a mix of market rate and low-income affordable housing  
7 at a density greater than the existing “underlying” zoning allowed.  
8
- 9 20. Waive all fees, including but not limited to building and all other construction  
10 fees, sewer fee and street opening fees, for low-income, affordable housing units.  
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## TRANSPORTATION

### Town Transportation Systems

The automobile represents the primary means of getting around in Cape Elizabeth. All fixed route transit systems, including air, bus, rail, and ferry, originate in Portland, and none of them passes within the town's borders. An emerging network of trails, sidewalks, and bikeways provide infrastructure for walking and bicycling.

#### *Road Network*

According to the Maine Department of Transportation, there are 63.07 miles of public roads in the town of Cape Elizabeth. Functional classification is the process by which public streets and highways are grouped into classes according to the character of service they are intended to provide ranging from land access to mobility. Generally, highways fall into one of four broad categories - principal arterial, minor arterial, collector road, and local road. Arterials provide longer through travel between major trip generators (larger cities, recreational areas, etc.) and have between 10,000 and 30,000 vehicles per day. With mobility as their primary purpose, arterials are designed to support relatively high travel speeds and minimum interference to through movements. Route 77 is classified as a collector for PACTS purposes and as an arterial in the Town Road Classification system.

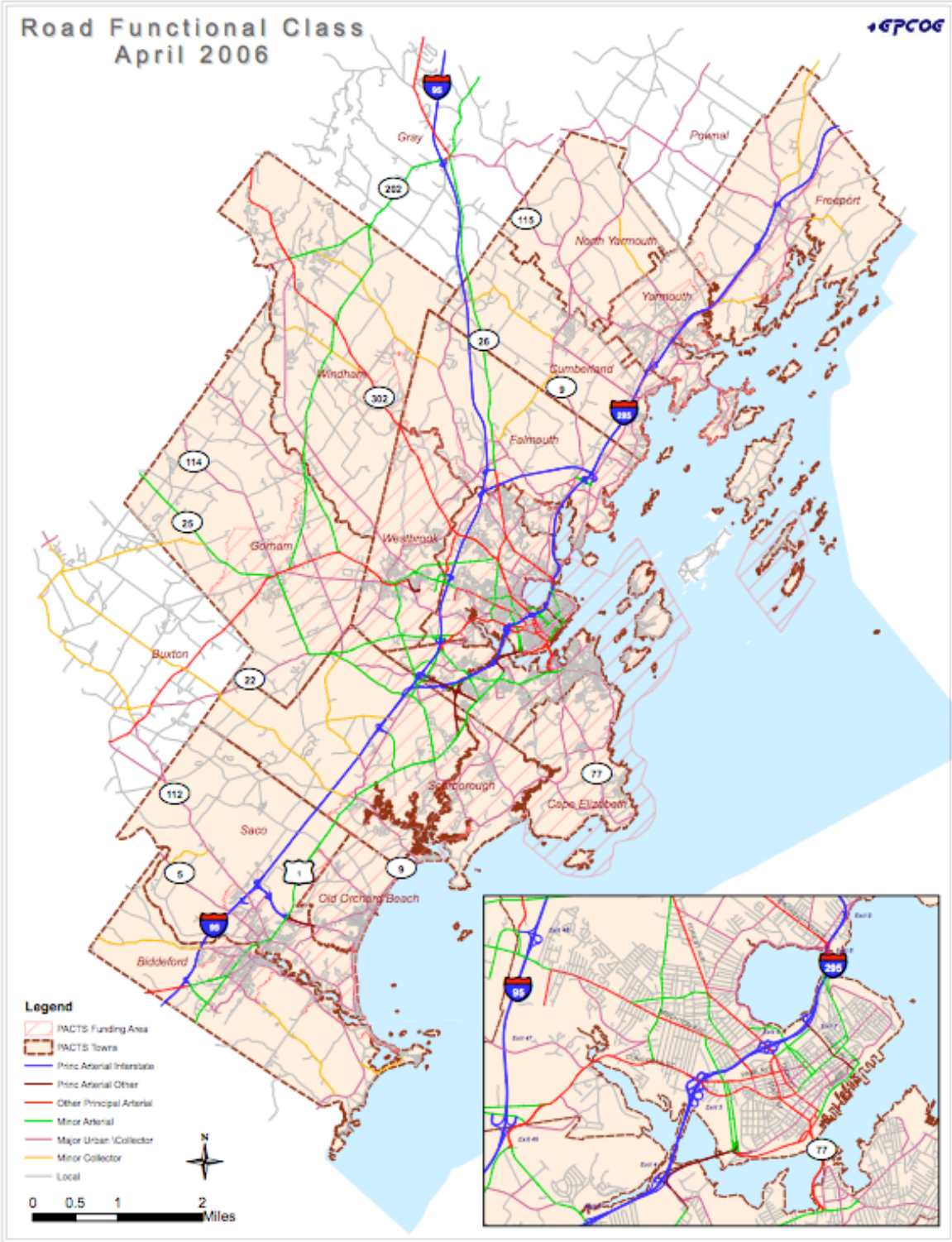
Collector roads collect traffic from the local roads and also connect smaller cities and towns with each other and to the arterials with traffic volumes between 2,000 and 8,000 vehicles per day. Collector roads are characterized by moderate speeds with the purpose of providing better access to adjacent land. Collectors in the town of Cape Elizabeth include Shore Road, Sawyer Road, Mitchell Road, Spurwink Avenue, Scott Dyer Road, Wells Road, Two Lights Road, Old Ocean House Road, and Fowler Road. Feeding off collectors and arterials, local roads provide access to private properties or low volume public facilities with 100-500 vehicles per day.

With the Atlantic Ocean to the east and south and the Spurwink River to the west, Cape Elizabeth resembles a peninsula. These physical features establish the town as a destination point, with no convenient through connections to other communities, resulting in relatively low traffic volumes. The Town's only arterial, Route 77, links residential areas across the Cape through South Portland to jobs and shops on the busy

1 Place holder for Transportation Map



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3 Portland peninsula. It also provides visitors with access to important recreation areas,  
4 such as Fort Williams Park, Two Lights State Park, and Crescent Beach.  
5

6 In order to maintain its roads in keeping with the character of the community, the Town  
7 has created a road classification system that builds upon the state functional  
8 classification system. The Town system includes 5 categories: arterial, collector, rural  
9 connector, feeder and local/private roads. As with the state system, Route 77 is the only  
10 road classified as an arterial. Collector Streets are the second highest volume roads and  
11 include Mitchell Rd, Scott Dyer Rd, and Shore Rd. Rural Connector Streets are lower  
12 volume roads and do not have the same character as Collectors, but are important to a  
13 cohesive transportation network. Charles E. Jordan Rd, Fowler Rd (south of Bowery  
14 Beach Rd), Old Ocean House Rd, Sawyer Rd, Spurwink Ave, Two Lights Rd (Wheeler  
15 Road to Beacon Lane) and Wells Rd are classified as Rural Connectors. Feeder Streets  
16 are roads that handle higher levels of neighborhood traffic and include Broad Cove Rd,  
17 Cottage Farms Rd, Eastman Rd, Fessenden Rd, Fowler Rd (Ocean House Rd to Bowery  
18 Beach Rd), Hill Way, Oakhurst Rd, Preble Street, and Woodland Rd. All other public  
19 roads are classified as local roads. Private roads are required to meet local road  
20 standards. Each road classification has unique requirements intended to accommodate  
21 the function of the road and still preserve community character.  
22

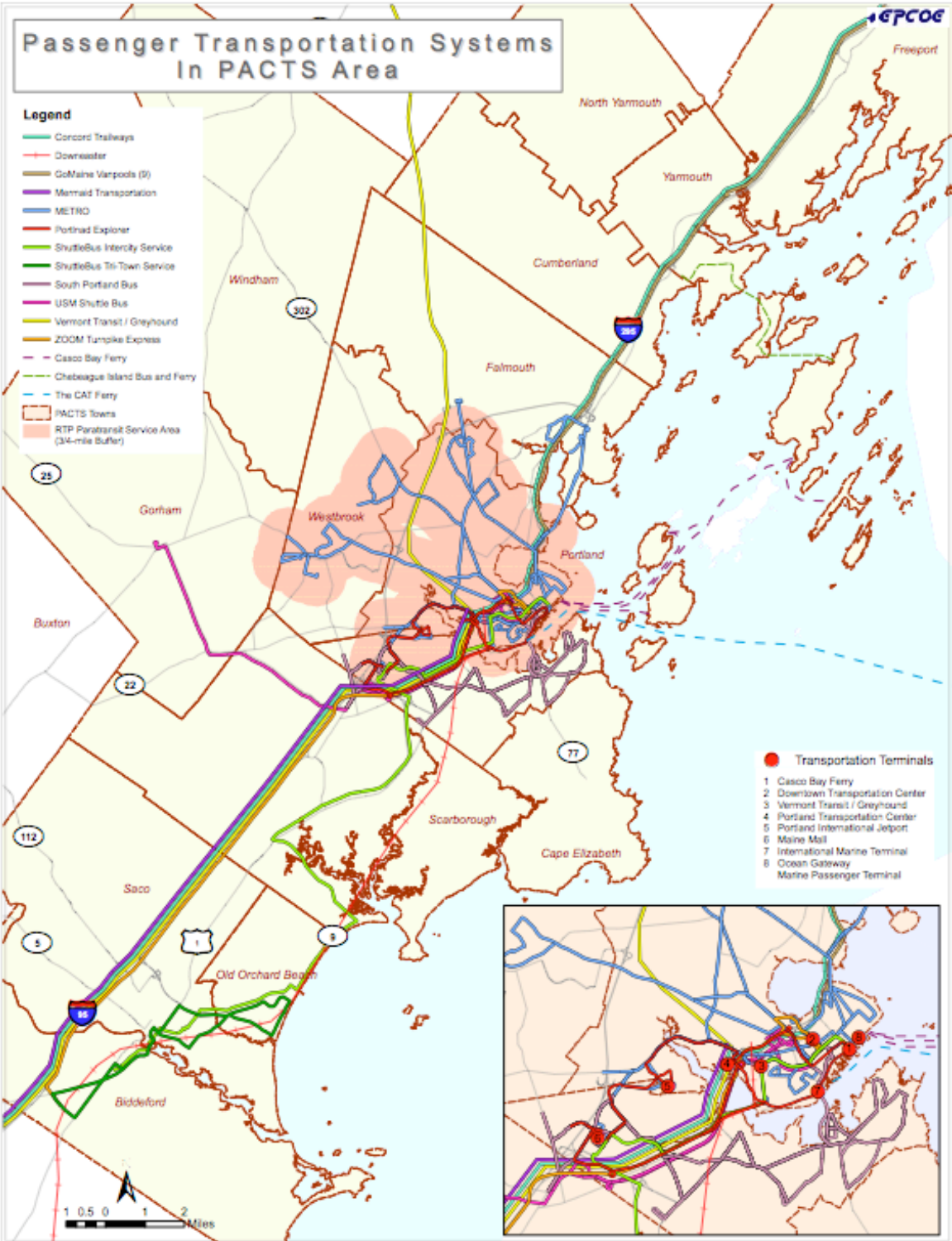
23 Maine's classification system establishes maintenance and responsibility characteristics  
24 for roadways. The Maine Department of Transportation maintains roads that serve  
25 primarily regional or statewide needs and roads that serve primarily local needs are  
26 town's responsibility. Of the town's 63.07 miles of public roads, the Town's  
27 Department of Public Works is responsible for summer and winter road maintenance  
28 on 59 miles of road.  
29

### 30 Transit

31

32 At one time, trolleys and buses rumbled through the streets of Cape Elizabeth. Today,  
33 all fixed route transit systems, including air, bus, rail, and ferry, originate in Portland,  
34 and none of them passes within the town's borders.  
35

36 Limited public transportation is available through the Regional Transportation Program  
37 (RTP) bus service by request only. RTP provides door-to-door, wheelchair-accessible  
38 rides to persons with disabilities in Cumberland County who cannot use a regular city  
39 bus due to a disability. In addition, the Town of Cape Elizabeth Community Services  
40 Program operates a shuttle bus to Mill Creek in South Portland on Tuesdays, and the  
41 Maine Mall and Downtown Portland on Fridays. This service relies on coordination  
42 with the School Department to provide the bus.  
43



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1 Commuting

2  
3 Almost 4 out of 5 Cape Elizabeth residents commute outside of the town for work, with  
4 58% driving to Portland or South Portland. Overall commute times decreased, from 19  
5 minutes in 1990 to 18.8 minutes in 2000.

6  
7 In 2000, there were 4,375 residents who commuted to work. Of this number, 81.8%  
8 drove alone to work, compared to 86.8% in 1990, a decrease of 5%. The biggest change  
9 occurred in the number of workers who worked at home. From 1990 to 2000, the  
10 number of residents working at home almost quadrupled in size, from 107 to 400.  
11 (Source 2000 U.S. Census)

12  
13 Although there are no Park and Ride lots within the town’s borders, 281 residents  
14 carpool to work, representing 6% of all commuters. (Source Maine Department of  
15 Transportation)

16  
17 Trails

18  
19 See the Recreation and Open Space Chapter for information on trails.

20  
21 Sidewalks

22  
23 A limited sidewalk network services the Town Center, schools, recreation areas and  
24 some neighborhoods:

<b>Sidewalks</b>	<b>Segment</b>
Shore Road	South Portland town line to Fort Williams Park
Fort Williams Park	Within the park
Woodland Road	Between Mitchell Road and Cottage Farms Rd
Scott Dyer Road	Between Village Crossings and Ocean House Road
Ocean House Road	Within town center
Cottage Farms Rd	Between Woodland Rd and Shore Rd
Oakhurst Rd	Shore Rd to Hermit Thrush Rd

25  
26  
27 The Town Center Plan calls for extending sidewalks along both sides of all roads within  
28 the Town Center Zoning District. Town Center Design requirements mandate that new  
29 sidewalk construction be included as part of Site Plan Review. This approach has  
30 resulted in the incremental expansion of sidewalks within the Town Center. Full  
31 implementation of sidewalk construction, however, may require municipal construction  
32 of sidewalks in areas where no new development will occur.

33  
34 New sidewalks have been constructed as part of new development, including Cross  
35 Hill, Whaleback Ridge, Leighton Farms, Autumn Tides, Hamlin Street and Blueberry  
36 Ridge. These sidewalks have been built not just to accommodate pedestrian traffic, but  
37 also to create a neighborhood feel in new developments. For the most part, the sidewalk  
38 profile includes a 5’ wide grassed esplanade within which street trees are planted. The  
39 construction of an esplanade between the sidewalk and the street reduces the perceived  
40 width of the street and discourages speeding. As the neighborhood street network  
41 increases, the Town will need to evaluate maintenance and may need to limit winter

1 plowing to those sidewalks within the town center and school walking routes. The  
 2 Town should also focus on maintenance of the right-of-way by clearing vegetation  
 3 where pedestrian and bicycle safety can be enhanced.  
 4

5 Challenging for the town has been the possible construction of a bike and/or pedestrian  
 6 facility on Shore Rd. In 1997, the Town chose not to accept a grant to expand the  
 7 shoulders along Shore Rd, in large part due to concerns that the construction would  
 8 detrimentally affect the character of Shore Rd, specifically the possible removal of stone  
 9 walls and vegetation. While Shore Rd is popular with runners and bikers and a logical  
 10 connection to the Town Center, there is no room for pedestrians and cyclists outside of  
 11 the traveled way. Collaborating with abutting property owners, the Town should study  
 12 the potential for creating an off-road path adjacent to Shore Rd that would be designed  
 13 with sensitivity to the character of Shore Rd.  
 14

### 15 Bikeways

16  
 17 With lightly traveled roads, few signalized intersections, and beautiful scenery, Cape  
 18 Elizabeth is a great town for bicycling. However, bike facilities are limited to shoulders  
 19 on Route 77 (South Portland line to Fowler Road), Shore Road (South Portland town  
 20 line to Fort Williams Park) and Sawyer Rd (from Fickett to Wells Rd). In addition,  
 21 Spurwink Ave will be reconstructed with 4' wide shoulders from Deer Run Rd to  
 22 Bowery Beach Rd.  
 23

24 In the Fall of 1996, the Town Council recommended that the following roads be  
 25 evaluated for construction of 2' wide shoulders when improvements to these roads are  
 26 proposed:  
 27

28 Fowler Rd (Route 77 to Route 77)  
 29 Old Ocean House Rd  
 30 Spurwink Ave  
 31 Scott Dyer Rd  
 32 Hill Way  
 33 Mitchell Rd  
 34 Sawyer Rd  
 35 Eastman Rd  
 36 Trundy Rd (Old Ocean House Rd to Katahdin Rd)  
 37 Broad Cove Rd (Ocean House Rd to Ledgewood Rd)  
 38

### 39 Parking

40  
 41 The Town has no major parking facilities. Major destination attractors, such as Fort  
 42 Williams Park, the state parks and the school campus, have parking facilities. During  
 43 major events, the strategy of the town has been to make special arrangements for  
 44 temporary parking rather than create permanent parking facilities that would be largely  
 45 vacant for the rest of the year. For example, several privately owned fields next to Route  
 46 77 are used for temporary parking with shuttle bus service for the annual Beach to  
 47 Beacon Race, which ends in Fort Williams Park. The theme of minimizing pavement  
 48 needed for parking facilities is carried through in the review of new development,  
 49 where local ordinance promotes the application of shared parking with compatible uses

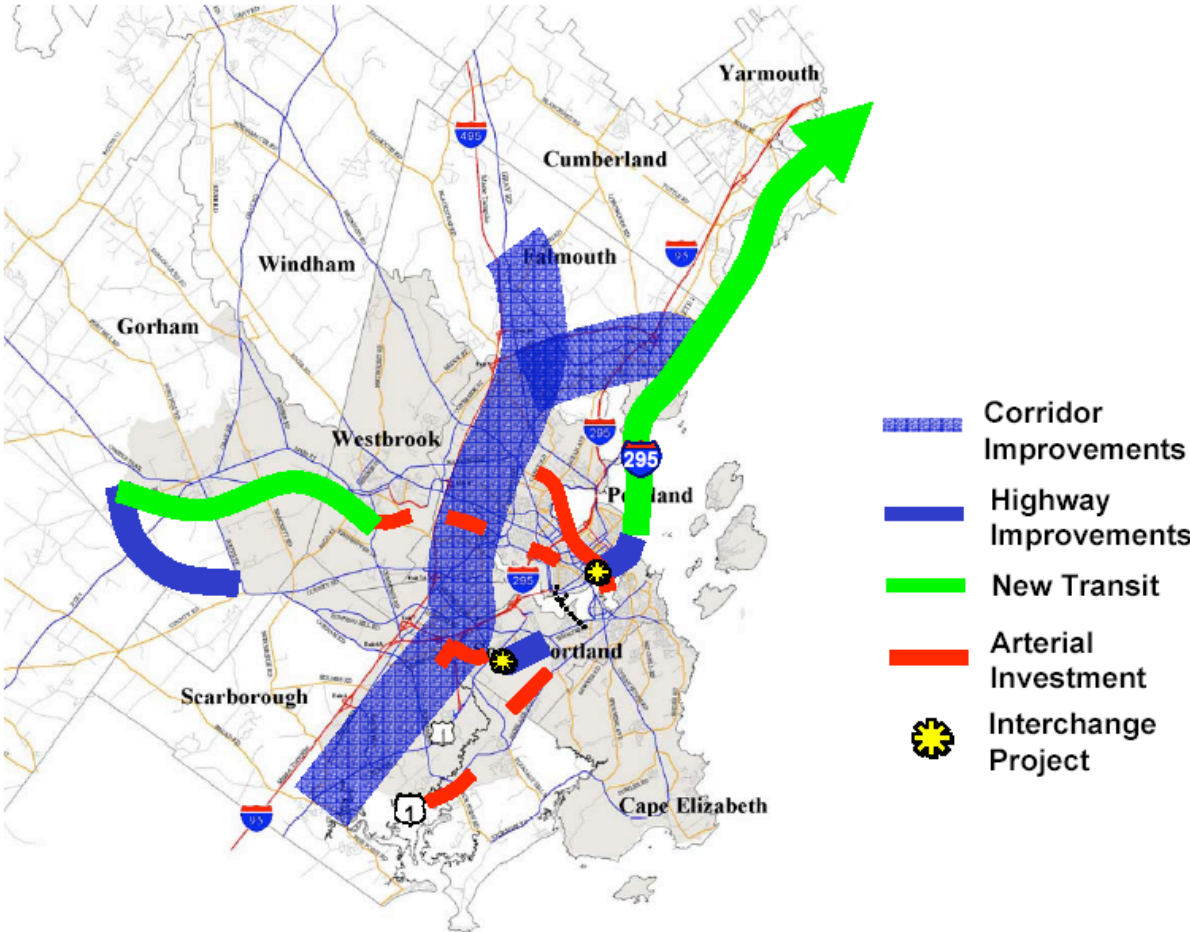
1 whenever possible. Shared parking has been approved for projects in the Town Center,  
2 the Two Lights General Store area, and is under discussion for the Inn by the Sea.

#### 3 4 Analysis of Roadway Planning and Capacity

5 Major transportation improvements with state or federal funding are managed by a  
6 regional planning process that guides capital investments in Southern Maine. Since  
7 1975, the Portland Area Comprehensive Transportation Committee (PACTS) has  
8 operated as the federally mandated "metropolitan planning organization" for Greater  
9 Portland. Besides Cape Elizabeth, the PACTS area includes portions or all of the  
10 following communities: Biddeford, Cumberland, Falmouth, Freeport, Gorham, North  
11 Yarmouth, Old Orchard Beach, Portland, Saco, Scarborough, South Portland,  
12 Westbrook, Windham and Yarmouth. In addition to the 15 communities, PACTS  
13 includes seven public transportation providers, the Maine Department of  
14 Transportation (MaineDOT), the Federal Highway Administration (FHWA), the Federal  
15 Transit Administration (FTA), the Maine Turnpike Authority, the Greater Portland  
16 Council of Governments, the Southern Maine Regional Planning Commission, the  
17 Regional Transportation Advisory Committee (RTAC), other public and private  
18 transportation organizations, and interested citizens.

19 In 2003, PACTS approved *Destination Tomorrow*, the region's most comprehensive  
20 transportation plan in 40 years, which provides a vision for the transportation system  
21 through 2025. The Plan addresses current problems of congestion, accessibility and  
22 mobility through a system of investments that balances conflicts between development  
23 and transportation. Although no major transportation improvements will occur within  
24 the boundaries of the town of Cape Elizabeth, residents will benefit through decreased  
25 commuting times, easier access to the interstate and the Portland peninsula, and  
26 expanded passenger rail service.

Key Regional Transportation Investments



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Annual Average Daily Traffic Counts and High Crash Locations

Traffic counts are collected annually by the Maine Department of Transportation. Annual Average Daily Traffic volumes are determined by placing an automatic traffic recorder at a specific location for 24 or 28 hours. The 24-hour totals are adjusted for seasonal variations based on factors that run 365 days a year on similar types of roadways. Below are selected traffic volumes tracked over time for key locations throughout the Town of Cape Elizabeth.

1

### Selected Traffic Volumes in Cape Elizabeth

Section	1981	1990	2002	20 year change	10 year change
<b>Route 77</b> South of Scott Dyer Road	7670	9610	11850	54%	23%
<b>Route 77</b> South of Old Ocean House Road	5580	7200	7190	29%	0%
<b>Shore Road</b> East of Route 77	1660	3010	3530	113%	17%
<b>Scott Dyer Road</b> West of Route 77	2110	2490	3160	50%	27%
<b>Spurwink Avenue</b> At Scott Dyer Road	1660	2540	2770	67%	9%

*Source: Maine Department of Transportation; 1993 Cape Elizabeth Comprehensive Plan*

2

3 While traffic on selected arterials and collectors increased significantly throughout the  
4 1980s, traffic volumes over the last decade have moderated.

5

6 During the development of the regional transportation plan, PACTS conducted an  
7 analysis of 47 intersections at key locations along major roadway corridors in Greater  
8 Portland, including Route 77 at Spurwink Ave (northern intersection) in Cape  
9 Elizabeth. The criterion selected for analysis was a volume to capacity ratio (V/C) that  
10 measures the ability (capacity) of the intersection to handle the volume of traffic passing  
11 through it. Based on this measure, intersections were assigned one of four ratings:  
12 *under capacity* or *near capacity*, which are considered to be adequate, and *at capacity* or  
13 *over capacity*, which are considered to be inadequate.

14

15 Through this analysis, PACTS identified 22 of the 47 intersections plus 10 miles of  
16 roadway segments as being at or over capacity. Route 77 at Spurwink Road (northern  
17 intersection) was assigned a rating of 0.51, or under capacity. In 2025, despite a  
18 projected increase in traffic volume of 23%, this intersection still received a rating of  
19 0.64, which is still adequate or under capacity. Under state standards, no segments of  
20 Route 77 through Cape Elizabeth qualify as congested.

21

22 Although Route 77 through Cape Elizabeth is functioning at adequate capacity, other  
23 segments of the road are not. Route 77 winds through the Portland peninsula as State  
24 and High Streets and then across the Casco Bay Bridge and into South Portland as a  
25 high capacity road with two through lanes in each direction and multiple turning lanes  
26 at intersections. Land uses are primarily commercial. It is from Broadway south,  
27 however, that the road becomes a two-lane facility with lower volumes servicing  
28 residential developments. Destination Tomorrow recognized the following problems  
29 associated with Route 77, which if, addressed, will provide relief for Cape commuters:

30

#### 31 **South Portland**

- 32 • Congested Locations
  - 33 • Broadway at Cottage Road congestion is caused by limited eastbound
  - 34 through lane capacity.

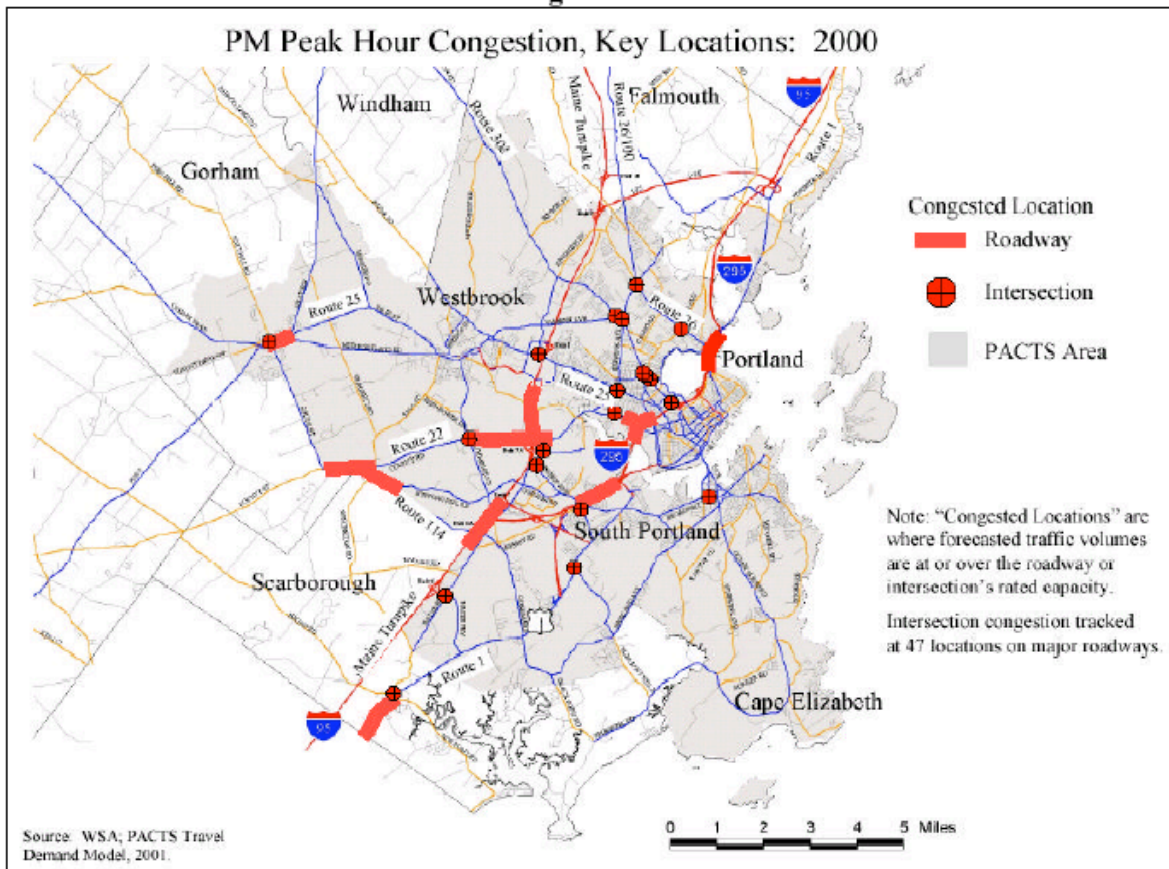


- 1
- 2 • High Crash Locations
  - 3 ○ Broadway at Ocean (58 accidents/CRF=1.16)
  - 4 ○ Broadway at Cottage Road (61 accidents/CRF=1.28)
  - 5 ○ Broadway at Route 77 southbound (45 accidents/CRF=2.94)
- 6 • Pedestrian circulation and safety on Broadway near the South Portland
- 7 Greenbelt

8

9 **Portland**

- 10
- 11 • High volume of through traffic on State and High Streets bisecting the peninsula
- 12 conflicts with high-density neighborhoods and historic district (18 % of peak
- 13 hour traffic on State Street is through-traffic).
- 14
- 15 • Potential relief of through traffic from I-295 by construction of I-295 Connector
- 16 Road from Congress Street interchange to West Commercial Street
- 17



18

19

20 The Maine Department of Transportation has developed a system for rating crashes

21 based on a ratio between actual crash rates and critical crash rates. Crashes

22 documented with a Critical Rate Factor (CRF) of greater than one are a higher priority

23 than those with a CRF of less than one. High Crash Locations (HCL) are certain areas

24 where MaineDOT has documented eight or more crashes in a three-year period with a

25 critical rate factor (CRF) greater than one. According to the Maine Department of

1 Transportation, there are no HCL locations in Cape Elizabeth for the three-year period  
2 of 2002-2004.

### 3 4 Access Management

5  
6 The Maine Department of Transportation has developed a set of access management  
7 rules to improve safety and preserve highway capacity. Access management minimizes  
8 the number of curb cuts onto a roadway through a variety of techniques. Each curb cut  
9 creates a location for turning movements that increase the likelihood of an accident.  
10 Access management reduces the number of curb cuts by limiting the entrances for each  
11 parcel of land, encouraging shared curb cuts by adjacent parcels and replacing multiple  
12 driveways with a single access road.

13  
14 The Department's rules apply to entrances (primarily commercial) and driveways  
15 (primarily residential) to promote location and access through existing access points or  
16 in carefully planned locations with the intent to preserve safety and posted speed of  
17 arterials and thus enhance productivity. Urban Compact Municipalities have the  
18 authority to promulgate and enforce their own access management rules. Urban  
19 Compact municipalities are those in which the population, according to the last U.S.  
20 Census: (a) exceeds 7,500 inhabitants or (b) is between 2,499 and 7,500 inhabitants with  
21 the ratio of people whose place of employment is in a given municipality to employed  
22 people residing in that same municipality is 1.0 or greater. "Compact" or "Built-up  
23 sections" means a section of the highway where structures are nearer than 200 feet apart  
24 for a distance of one-quarter of a mile. Cape Elizabeth is one of 43 Urban Compact  
25 Municipalities in the state.

26  
27 Cape Elizabeth has implemented access management within the town center. Several  
28 properties share an accessway and setbacks are reduced when shared driveways are  
29 created. Outside of the town center, new subdivision development is required to  
30 construct new roads to serve the development rather than allow multiple driveways to  
31 connect to existing roadways.

### 32 33 Connectivity

34  
35 Because of its configuration as a peninsula, Cape Elizabeth has many neighborhoods  
36 located at the end of dead end roads. As development has continued and larger  
37 portions of the population live in single access neighborhoods, the Town has advocated  
38 a policy of limiting both the length and the number of homes on a dead end road. As of  
39 2006, Town ordinance limits new dead end roads to 2,000 linear feet and not more than  
40 20 homes. This policy has resulted in new developments constructed with more than 1  
41 means of access (ex. Cross Hill Neighborhood). In some cases, access has been obtained  
42 by developing paper streets in or otherwise connecting to existing neighborhoods.  
43 Connectivity between neighborhoods has been promoted as benefiting public safety,  
44 traffic circulation, energy conservation, and development of neighborhoods. Some  
45 residents of existing neighborhoods, however, have opposed these new connections as  
46 disruptive to established neighborhoods. The Town should promote connectivity  
47 between neighborhoods when it benefits public safety, traffic circulation or  
48 developments with a neighborhood character. A Town vote on a referendum to limit  
49 connectivity was adopted in June, 2006.

50

## Traffic Calming

Traffic Calming is a collection of engineering techniques intended to “calm” or slow down traffic, usually in residential or dense commercial areas. Techniques can range from initial road design that discourages excessive speed by incorporating narrow travel way widths, curves, and hills into the road design to retrofitting existing roads with stop signs, speed tables, chicanes, chokers, etc. Traffic calming can be applied to a new street or an existing road. Town residents, more often those on relatively straight roads, have complained about excessive speed and are beginning to request that traffic calming measures be installed on roads throughout town. Traffic calming measures, however, need to be coordinated with public safety needs. Whether or not to install traffic calming on an individual road shall also take into consideration that road’s function in the town wide transportation network, as the function of some roads is to convey traffic expeditiously.

## Road Projects

The Maine Department of Transportation has developed the Biennial Transportation Improvement Program list of projects within the town that should be addressed within the next six years:

**Fiscal Year 2006-07 Biennial Capital Work Program**

Road	Length	Location	Project	Amount
Route 77	N/A	0.31 north of Old Ocean House Road	Culvert replacement	\$125,000
Route 77	N/A	Scott Dyer Road at Shore Road	Pedestrian improvement with signal	\$350,000
Sawyer Road	0.8 mile	From Fickett Road to Eastman Road	Pavement maintenance	\$171,600
Shore Road	2.2 miles	From Fort Williams to Route 77	Paving	\$471,900
Spurwink Road	2 miles	From Bowery Beach to Deer Run Rd	Paving	\$572,000

*Source: Maine Department of Transportation*

The second item on this list, the Route 77/Shore Rd/Scott Dyer Rd intersection was identified as a dangerous intersection in the Comprehensive Plan Telephone survey, followed by the Route 77/High School Driveway entrance. Under item 5, Spurwink Rd, over half of the telephone survey respondents identified Spurwink Ave as needing roadway repairs.

## **Transportation Goals**

**Goal 1: The Town shall have a safe transportation system that meets the needs of both residents and nonresidents.**

Recent data shows that no location is a high accident area. The comprehensive plan survey identified the Route 77/Shore Rd/Scott Dyer Rd intersection and Spurwink Ave

1 as areas needing improvement. Whenever road construction projects are considered,  
2 Town residents have expressed a desire to support road improvements only if they do  
3 not detract from the character of the road.

4  
5 Implementation Steps

- 6
- 7 21. Reconstruct Spurwink Ave.
- 8
- 9 22. Implement the installation of a traffic signal and related realignment at the  
10 intersection of Route 77/Shore Rd/Scott Dyer Rd.
- 11
- 12 23. Install a traffic signal at the intersection of Route 77 and the High School  
13 entrance.
- 14
- 15 24. Develop a Traffic Calming policy that determines when and where traffic  
16 calming measures should be utilized on existing and proposed streets.
- 17
- 18 25. Promote connectivity between neighborhoods when it benefits public safety,  
19 traffic circulation and/or developments with a neighborhood character.
- 20

21 **Goal 2: The Town shall continue to coordinate with regional transportation**  
22 **providers, the Community Services Program and the School Department to**  
23 **provide public transportation for the elderly, the handicapped, and other town**  
24 **residents between Cape Elizabeth and Portland/South Portland.**

25  
26 Public transportation service in Cape Elizabeth is available through town contracted  
27 services with a regional transportation provider and a limited shuttle program to Mill  
28 Creek, the Maine Mall and Downtown Portland operated by the Community Services  
29 Program. Especially as the population ages, it is important that some option to driving  
30 be available to residents.

31  
32 Implementation Steps

- 33
- 34 26. Continue to support a regional transportation provider program than provides  
35 bus service for the handicapped and elderly.
- 36
- 37 27. Monitor the need to expand the Community Services Shuttle Program as needed.
- 38

39 **Goal 3: The Town shall promote the expansion of the sidewalk network and**  
40 **bikeways in a manner that promotes public safety and preserves the character**  
41 **of Cape Elizabeth roads and neighborhoods.**

42  
43 New sidewalk construction has occurred primarily in the Town Center and in new  
44 developments. The construction includes a 5' wide grassed esplanade, planted with  
45 street trees, that separates the sidewalk from the street. Sidewalks not only create a safe  
46 facility for pedestrians, but also a neighborhood feel by transitioning between the public  
47 space of the street and the private yards of adjacent single family homes.

48  
49 Bikeways' primary function is to provide a safe facility for bike riders, on or off-road.  
50 The physical beauty of Cape Elizabeth naturally attracts bike riders, however, the

1 character of many roads includes minimum traveled way widths and little to no paved  
2 shoulders.

3

4 Implementation Steps

5

6 28. Continue construction of sidewalks in the Town Center and in new  
7 developments.

8

9 29. Prepare a town-wide pedestrian, sidewalk and cycling master plan. The plan  
10 shall include an evaluation of the town's capacity for year-round maintenance.

11

12 30. Study the potential for creating an off-road path adjacent to Shore Rd that would  
13 be designed with sensitivity to the character of Shore Rd and in collaboration  
14 with property owners abutting Shore Rd.

15

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## PUBLIC FACILITIES

The Comprehensive Plan Telephone survey of November, 2005 indicates that residents are satisfied with the public services provided. Since the 1993 Comprehensive Plan was adopted, the Town has renovated all three school buildings, built a new Public Works Garage and new Police Station, renovated the Town Center Fire Station, renovated the new Community Services Building and re-sided the Town Hall. While the Town does own several old buildings that will require maintenance and upgrades, the overall condition of public facilities has substantially improved since 1993.

### Town Hall

The Town Hall is located in the center of town and was originally built in 1905 as a combination school and Town Hall. The building currently houses Town and School administrative offices (21 employees) and is the central meeting place for public meetings. In 1995, interior offices were renovated and an elevator was installed to make the building ADA compliant. Due to the age of the building, heating and ventilation is continuously evaluated, but the building is adequate for current and future administration needs.

### Schools

The school campus, which includes the Pond Cove Elementary School, Cape Elizabeth Middle School and Cape Elizabeth High School, is located in the center of Town on 101 acres. The campus also includes several athletic fields, and the Richards Community Pool.

### *Buildings*

The Pond Cove Elementary School is located on the Scott Dyer Rd end of the school campus. Both the elementary and middle schools were renovated in 1996, when a connector for the two buildings and a cafetorium was built. No classrooms were added and some of the classrooms were not renovated and still need ADA compliant doors. In 2004, a one-story kindergarten wing was completed. One-half day kindergarten is provided. Full-day kindergarten has been evaluated and is not offered at this time. If full-day kindergarten or pre-K education is added, the kindergarten wing was designed so that a second floor can be added.

1 Placeholder for Public Facilities Map

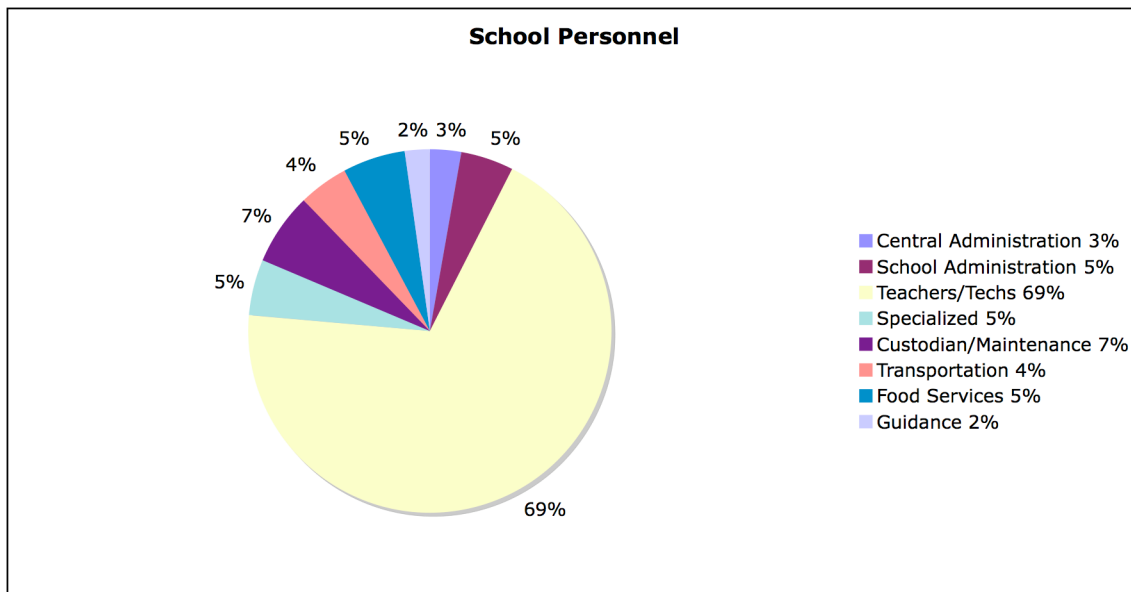
1  
 2 The Middle School is located next to the elementary school in a building built as a High  
 3 School in 1933. Most of the building was renovated in 1996. The third floor gym and  
 4 basement space were renovated in 1998 to create 7 classrooms. This increase in  
 5 classroom capacity has been absorbed by enrollment increases. Some areas, such as the  
 6 locker rooms and gymnasium, have not been renovated.

7  
 8 The Cape Elizabeth High School, with access from Ocean House Rd, was completely  
 9 renovated in 2004-2006. This renovation included the reclamation of kindergarten  
 10 classroom space into high school classroom space when the kindergarten was relocated  
 11 into the new Pond Cove wing. Some areas of the high school, however, have not been  
 12 renovated and only a portion of the school roof has been replaced. Some expensive  
 13 building facilities still need to be replaced, such as the boiler for the heating system.

14  
 15 No expansion of classroom space is planned at this time to accommodate projected  
 16 school enrollment.

17  
 18 *Personnel*

19  
 20 The Cape Elizabeth School Department employed 277 people in FY 2006. The chart  
 21 below shows the distribution of personnel by category.  
 22



23  
 24  
 25 The bulk of school department personnel, 69%, are teachers (150) and educational  
 26 technicians (41). Central administration includes a Business Manager and Payroll clerk  
 27 who also provide services to all town departments. The Specialized services category  
 28 includes positions such as librarians, nurses, curriculum director and the athletic  
 29 department.

30  
 31 *School Enrollment*

32  
 33 School enrollment projections were last done in March, 2003 by Planning Decisions, Inc.  
 34 Enrollment projections were done using a "Best Fit" model that included high and low



1 ranges, and a higher growth, “35 homes per year” model. The “Best Fit” model does not  
 2 appear to be capturing enrollment increases and the 35 homes model does not reflect  
 3 actual building permit data showing an average of 24.6 homes per year growth rate.  
 4

5 Planning Decisions Inc. has speculated that the turnover of existing housing may have a  
 6 greater impact on school enrollment than new home construction. To examine this  
 7 further, single family home sales data from September 2004 to August 2005 was  
 8 collected. 158 qualified sales of single family homes occurred during this period. This  
 9 number is much larger than the 24.6 new homes typically built in a one year period.  
 10

11 Existing home sales, however, should not effect population unless homes sales also  
 12 include changes in household size and /or composition. As the Cape Elizabeth  
 13 population ages, the indication is that the number of empty nester households is  
 14 increasing. Are these empty nesters now making the choice to sell their single family  
 15 homes, with new families the likely buyers, or are home sales’ household size neutral?  
 16 The School Department took the 158 homes from the September 2004 - August 2005  
 17 sample set and compared school age children from these addresses before and after the  
 18 sale. Prior to the sale, 30 school age children lived in these homes. After the sale, 116  
 19 school age children lived in these homes. This data suggests that in-migration has a  
 20 greater impact on school population than new construction.  
 21

22 The school enrollment projections below are based on the 2003 Planning Decisions  
 23 projections using a modification of the “Best Fit” model. For the elementary school  
 24 population, the projection plus 5% was used. After five years, 1% a year for five years  
 25 was added to the middle school projection. After 4 more years, 1% was added to the  
 26 high school projection. In light of the new data on in-migration, however, new  
 27 projections should be prepared with more emphasis on the impact of in-migration.  
 28

## 29 TO BE REPLACED WITH UPDATED ENROLLMENT PROJECTIONS

### School Enrollment History and Projections

School Year	Elementary K-4	Middle 5-8	High 9-12	Total
2003-04	644	613	540	1797
<i>Actual</i>	643	619	547	1809
2004-05	665	584	576	1825
<i>Actual</i>	659	586	581	1826
2005-06	647	578	590	1815
<i>Actual</i>	669	579	599	1847
2006-07	642	585	577	1804
2007-08	620	572	587	1779
2008-09	626	573	560	1758
2009-10	600	590	554	1743
2010-11	609	568	561	1738
2011-12	594	581	550	1726

2012-13	616	574	548	1739
2013-14				
2014-15				
2016-17				
2017-18				

1  
2 *Source: Planning Decisions 2003 projections and Cape Elizabeth Planning Office*

3  
4 Public Works

5  
6 The Public Works Facility is located on Cooper Drive and is located on the Gull Crest  
7 property. It is located adjacent to the Recycling Center and is part of a larger parcel of  
8 municipal acreage for multiple uses. The building and associated site improvements  
9 were part of the Facilities 2000 initiative, which also included renovations to the former  
10 Public Works Garage to create a new Fire Station and the construction of a new Police  
11 Station in the Town Center. The Public Works Department has 16 full-time personnel,  
12 who are supplemented with part-time and as-needed personnel for task such as  
13 supplying Park Rangers for Fort Williams Park and plowing roads during snowstorms.

14  
15 The Public Works Facility was completed in December 2000. The building is a 19,700 sq.  
16 ft. masonry building that is on public sewer and water. It provides administrative  
17 offices, vehicle storage, service repair and fleet fueling facilities for all municipal and  
18 school department equipment. It can be operated by auxiliary power in the event if a  
19 power failure and would be the focal point of any winter and/or summer road  
20 emergencies or natural disasters. The site also provides for storage of aggregate  
21 materials utilized in public works operations, a structure to store granular sodium  
22 chloride (salt) and an area for winter sand utilized in our winter road maintenance  
23 operations.

24  
25 The Public Works Facility was designed and built to accommodate existing and future  
26 needs of the entire public works operation. It has the capabilities of being expanded to  
27 accommodate additional personnel and the storage of equipment as may be needed in  
28 the future. The building was constructed of brick and mortar to mitigate building  
29 maintenance costs in the future and to provide an aesthetically pleasing structure that  
30 the citizens would ultimately be proud of. It is considered to be one of newest public  
31 works facilities in New England.

32  
33 Though the building is still relatively new; it has, and will require maintenance in the  
34 future to preserve its integrity and address normal wear and tear. Major maintenance  
35 anticipated in the next 15 years includes overhaul of the air handling system (in 15  
36 years), a new roof ( in 15 years), replacement of the computerized underground fuel  
37 dispensing system (12 years, est. cost \$20,000), repointing of brick masonry (20 years),  
38 and replacement of overhead door motors (5 years, est. cost \$7,500).

39  
40 Refuse Disposal & Recycling

41  
42 The Town operates a transfer station for solid waste generated within the Town of Cape  
43 Elizabeth. Cape Elizabeth is one of the few communities in the Greater Portland area  
44 that does not offer curbside collection of waste and recyclables. Residents enjoy the

1 flexibility of the operating hours and the fact that they can drop off a variety of different  
 2 materials. The "Swap Shop", as it is referred to, is popular with citizens, as they can  
 3 drop off usable items, such as household items, sporting equipment and books for  
 4 others to utilize.

5  
 6 The Town of Cape Elizabeth brought approximately 3,780 tons of refuse to the  
 7 ECOMaine Waste-to-Energy facility during FY 2005 and FY 2006. That tonnage is  
 8 expected to grow as more dwelling units are constructed each year. Based on  
 9 anticipated growth, the Transfer Station should be able to accommodate the increased  
 10 tonnage. A report done by the Refuse Materials Planning Committee in 2003 reviewed  
 11 the operation of the Recycling Center and concluded that other than some minor  
 12 building maintenance, the current program provided to residents was meeting the  
 13 needs of the community.

14  
 15 Some Greater Portland communities have gone to a "Pay-Per-Bag" system, where  
 16 residents pay for each bag of waste they generate. Portland, Gorham and Falmouth  
 17 have had these programs in place for a few years and have both dramatically increased  
 18 their recycling rates and decreased their waste disposal costs. The Town Council may  
 19 have to consider such a program if tip fees at ECO Maine substantially increase, or if the  
 20 decision is made to increase the local recycling rate.

21  
 22 In addition to refuse, the Town accepts recyclables, bulky waste, appliances, used oil,  
 23 batteries, construction/demolition debris, brush, yard waste and metal at the Recycling  
 24 Center. All of this material is then reduced in volume and transported off site to be  
 25 further recycled and/or marketed. Town residents currently recycle approximately 60%  
 26 of their refuse. (Sixty percent is based on typical ECOMaine household waste recycling  
 27 *plus* other recycled materials such as demolition debris, yard waste, cardboard, white  
 28 goods and asphalt shingles.)

### 30 *Recycling Center & Transfer Station Compactor*

31  
 32 As mentioned above, the Town does not currently offer curbside collection and all  
 33 residents must bring household refuse and recyclables to the Recycling Center on  
 34 Spurwink Avenue. At the center is a trash compactor into which residents deposit  
 35 refuse. It is then compacted into a closed-top trailer and transported to ECOMaine, of  
 36 which the Town of Cape Elizabeth is a charter member. The refuse is burned in a waste-  
 37 to-energy facility that was constructed in the late 1980's.

38  
 39 Facility maintenance at the site may include, but not be limited to the following items:

- 40
- 41 • The original compactor in the Transfer Station was constructed in 1977 and has
- 42 been overhauled within the last 5 years. Assuming the Town stays with a
- 43 citizen drop-off for refuse and recyclables, the Transfer Station hydraulic
- 44 system and related components may need to be overhauled and/or replaced in
- 45 the next 5 to 10 years. Though no formal cost estimate has been prepared, it is
- 46 assumed that this work could exceed \$100,000.
- 47 • The Town owns two closed-top trailers and a tractor unit to haul them to the
- 48 local refuse cooperative. Both trailers and tractor will have to be replaced in the
- 49 next 15 years.

- Building maintenance and site improvements will be needed at an estimated cost of \$15,000.

## Police

On May 17, 2002 the Cape Elizabeth Police Department moved into their new 9300 square foot building. The building allows for enough office space where individual specialty positions have their own office as well as the Captain and Chief of the Department (17 total positions).

The Dispatch area is ample for the workings of this Department. E-911 calls are being transferred to South Portland Police Department who will in turn transfer the call back to the Cape Elizabeth Dispatcher should action be needed. However, the functionality of Dispatch will remain. It should be noted that all police officers are also Emergency Medical Technician (EMT) certified and are the first responders in medical emergencies.

With the stress of day to day police work there is a need for Officers to be in the best possible physical shape. Although it is not mandatory, an exercise room with top of the line equipment is at their disposal. Also provided are men and women's locker rooms with all the amenities needed. The meeting rooms and conference rooms are utilized by many of the citizen groups from the community.

In the next five years the Department will need to explore adding a full time Detective position. Should the Department expand in personnel on the patrol side, the station would handle the increase well. However, one area that will come under scrutiny in future years will be Dispatch. Talks are ongoing at this time with at least South Portland on exploring the idea of one consolidated Dispatch Center. Should this happen a look at physical facilities in each community will have to be undertaken.

The Cape Elizabeth Police Department has an exceptional area to accommodate a consolidated Dispatch Center without adding onto the building externally. However, some existing rooms would need to be merged to make the consolidated Dispatch Center all it could be.

Cost of this possible future project is unknown at this time, but it would be a shared cost with the City of South Portland. The Police Department currently shares an Animal Control Officer with the South Portland Police Department.

## Fire

### *Buildings and Equipment*

The Fire Department is a paid call company department with a full-time Fire Chief. The Fire Chief supervises firefighters, Rescue personnel and the WETeam, a water rescue team. The department operates 2 fire stations located in the Town Center and on Shore Rd. The Town Center Fire Station is a building that housed the Public Works Garage and was renovated in 2002 to serve as the Fire Station. This facility should be adequate to meet future needs.

1 Cape Cottage Fire Station, located on Shore Rd, is an old, undersized building where  
2 the 2 front doors were replaced with a single door in 2006 to accommodate the new fire  
3 truck. A new floor was also installed. The Town has entered into discussions with the  
4 City of South Portland regarding possible sharing of the City of South Portland Willard  
5 Fire Station located less than 1 mile away.

6  
7 The Rescue purchased a new ambulance in 2005, which is housed in the Town Center  
8 Fire Station. The WETeam purchased a new van in 2005 that is used to transport gear  
9 and an inflatable rescue boat.

#### 10 11 *Personnel*

12  
13 Except for the Fire Chief, all Fire, Rescue and WETeam personnel are paid for  
14 responding to call and participating in training. Membership in the Fire, Rescue and  
15 WETeam, however, is motivated by a spirit of volunteerism and community rather than  
16 by the modest pay levels.

17  
18 The Fire Department actively recruits new volunteers. One half of the Cape Cottage  
19 Station firefighters are residents of South Portland. The department is challenged by the  
20 number of firefighters that are available during weekdays due to the large number of  
21 Cape residents that commute out of town to work. While the need to supplement call  
22 company personnel with full-time firefighters may occur in the future, the department  
23 has sufficient personnel at this time and is actively recruiting. The 60 person on-call fire  
24 department answered 361 fire calls in 2005, averaging 1 call a day.

25  
26 Cape Elizabeth Rescue was the subject of an evaluation in 2003 to determine if an  
27 adequate level of emergency medical service was available to Cape Elizabeth residents.  
28 The result was a policy change that rescue personnel are now paid to respond to  
29 emergency calls. With this change, it has been possible to have a paramedic respond to  
30 most critical care calls, resulting in an adequate level of service for emergency calls.

31  
32 Like the firefighters, Cape Elizabeth Rescue faces challenges during the day and relies  
33 on very few people to provide a critical public service. Twenty-seven on-call rescue  
34 personnel responded to 647 calls in 2005. One and one-half to two calls on average each  
35 day annually is a reasonable demand for an on-call company. When the Viking  
36 Nursing home closed in Spring, 2005, the number of rescue calls decreased by 100. If  
37 that facility reopens or calls otherwise increase by more than 100, the Town may need to  
38 fund full-time rescue and should consider a Rescue impact fee. Demands on Rescue  
39 may also increase as the town population continues to age. The Rescue annually  
40 evaluates the need for full-time personnel.

41  
42 The WETeam is a specialty team that handles water and rock rescue calls. They have 24  
43 members and handle 16-20 calls a year. The WETeam provides services to other  
44 communities and is an example of regional cost sharing, as Cape Elizabeth relies on  
45 specialty teams from other towns, such as the South Portland Hazardous Materials  
46 Team.

1 Library

2  
3 *Building*

4  
5 The Thomas Memorial Library is a complex of interconnected buildings stretching  
6 approximately 220 feet from north to south and 130 feet along the east to west axis,  
7 located in the Town Center on Scott Dyer Rd. The library has just under 13,250 sq ft of  
8 floor space distributed across its upper, lower and mezzanine levels. There are 38  
9 parking spaces ( 2 handicapped) with an additional 25 emergency spaces available on  
10 the grass of our spare lot.

11  
12 The oldest part of the structure (currently part of the Children’s Library) was originally  
13 constructed in 1849 as a one-room schoolhouse serving the Spurwink District. It arrived  
14 at its present location in 1944, was enlarged in 1958 when the rear wing was added and  
15 “raised” to provide space for a Children’s Room in the basement in 1968.

16  
17 The second oldest part of the structure (now the rear ell of the Adult Library) was built  
18 in 1849 to service the former Pond Cove District. In 1912, it was moved back (south)  
19 from Scott Dyer Road and joined to the rear of the newly constructed Pond Cove School  
20 that was built by local builder, Fred Murray.

21  
22 In 1985, the connector was constructed to link the surplus Pond Cove Annex (the  
23 current Adult Library) to the old Thomas Memorial Library, which now functions as the  
24 Children’s Library. The new central lobby and wings not only joined the disparate  
25 spaces of the library but also provided room for a town Art Gallery. Between 1997 and  
26 today, space constraints have forced the library to annex this space for Circulation  
27 control and to house our “New Acquisitions” collection.

28  
29 The building is sound, although there are persistent problems with roof leaks, and  
30 dampness in the lower level, and some deterioration of the exterior siding. Four half-  
31 story lifts provide alternatives to stairs for mobility-challenged patrons on the  
32 mezzanine level.

1 *Program Use*

2

3 Services levels in fiscal year 2005/2006 can be described as follows:

4

Library Service Levels: FY 2006-2006

<b>Patrons:</b>	<u>Added</u>	<u>Deleted</u>		
Total: 5,769	549	82		
<b>Circulation:</b>	<u>Interlibrary loan</u> (included in total loaned)			
Total: 131,165	Borrowed:	9260		
	Lent:	7792		
	Total:	17,052		
<b>Reference Questions:</b>	<u>Children's Rm</u>	<u>Adult Rm</u>	<u>Circulation Desk</u>	
Total: 12,063	3,674	6,101	2,288	
<b>Collections Maintenance:</b>	<u>Purchase</u>	<u>Gifts</u>	<u>Discard</u>	<u>Net Gain</u>
Total (7/06): 55,044	2,748	662	2,189	1,221
<b>Programs:</b>	<u>Number</u>	<u>Attendees</u>		
(Based on 5 yr average)	215	4746		

**Patrons using the building:** 60,000/yr

5 *Source: Thomas Memorial Library Director Jay Scherma*

6

7 *Adequacy of Library facility*

8

9 Since October of 1995, the library's shelving capacity has increased about 20%, with no  
10 room for further expansion. Audio-visual materials and Large Print collections lag  
11 behind area libraries when viewed on a per capita basis. Responding to their growing  
12 collection pressures, the CE Historical Preservation Society has begun to utilize space in  
13 the Maine History Room. Because of the size (over 80 attendees) and/or age (seniors or  
14 otherwise infirm) of audiences, library meetings are often held off-site, resulting in  
15 scheduling problems when staff have to leave the library for meeting set-up.

16 The library is too small for the community based on standard library evaluation  
17 measures (See Future Needs below). On at least 8 separate occasions in FY 2005/2006,  
18 the parking lot filled to capacity during story hours. Further, the increase in Interlibrary  
19 Loan traffic (an increase of more than 1700% in just 5 years) has placed an enormous  
20 burden on both staff time and staff work space in the Lobby area.

21 *Future Needs*

22

23 Using a library planning analysis employed by the Connecticut State Library, the  
24 Thomas Memorial Library may require an additional 8,000 sq. ft. of space by 2020. The  
25 growing trend toward cooperation and regionalization may mediate the need for  
26 additional space. Staff space requirements may be influenced by cooperative  
27 administration and/or processing. Resource-sharing should reduce redundancy in  
28 collections, thereby slowing the demands for additional shelving. These factors may

1 diminish the need for space, but may also generate space needs, such as processing  
2 space to handle the increases in interlibrary loan.

3  
4 *Estimated future costs*

5  
6 The FY2007 Capital Improvement Plan projects library infrastructure costs of \$236,000  
7 to address siding replacement, ceiling replacement, carpet replacements, ADA  
8 upgrades, expanded parking and a general renovation of the Children's Library and  
9 Community Room. An additional \$30,000 should be added for a new roof on the Adult  
10 library which will be needed prior to 2020. Additional space needs could require  
11 \$500,000 to over \$1,500,000, depending on the scope of the solution.

12  
13 Portland Head Light

14  
15 The Town operates the Portland Head Light Museum and Gift Shop on 2 acres of land  
16 adjacent to Fort Williams Park. Portland Head Light opened in 1991. It is staffed by a  
17 full-time Director, and part-time Assistant Director and Shop Assistant, and  
18 approximately 25 volunteers.

19  
20 Located on a rocky promontory overlooking the Atlantic Ocean, the building requires  
21 annual maintenance, which is funded with Gift shop and Museum admission proceeds.  
22 The Town expects to continue the current maintenance routine, funded with annual  
23 revenues. The Museum and Lighthouse are two of the last municipal buildings (other  
24 than equipment storage buildings) that do not have a sprinkler system. Annual sales  
25 revenue is approximately \$470,000, with approximately 20,000 visitors to the Museum  
26 each year. All revenues are deposited in a separate enterprise fund and used to fund  
27 Portland Head Light activities.

28  
29 Community Services

30  
31 See the Open Space and Recreation Chapter

32  
33 Utilities

34  
35 *Water*

36  
37 Almost all of Cape Elizabeth is served by public water provided by the Portland Water  
38 District, used for both drinking water and fire suppression. The Sprague Corporation  
39 land located south of Bowery Beach Rd is not fully served by public water. Some areas  
40 of Sprague Corporation land are served by 4" lines that provide public drinking water.  
41 Fire suppression relies on dry hydrants installed on existing ponds and sprinkler  
42 systems installed in a few homes located at the end of Ram Island Farm Rd.

43  
44 The Portland Water District identified the following water mains with elevated leak  
45 frequency in 2005:

46  
47  
48  
49  
50



1	Location	Leaks in 5 years	Year installed	Footage
2				
3	Ocean House Rd	4	1927	1,528'
4	Scott Dyer Rd	4	1942	1,604'
5	Scott Dyer Rd	1	1948	2,493'
6	Jackson	2	1910	363'
7	Wood Rd	2	1931	995'

8  
9  
10 In the Portland Water District 2003 Comprehensive Water System Strategic Plan, the  
11 following improvements are recommended:

12  
13 •Install approximately 4,800 feet of new 12-inch main along Scott Dyer Rd from  
14 Spurwink Ave to Route 77 (Ocean House rd) to replace the existing 8-inch unlined main  
15 (Priority I, 2003-2010);

16  
17 •Clean and cement line approximately 11,000 feet of existing 8-inch main on Shore  
18 Road from Scott Dyer Rd to 250 feet south of the intersection of Shore Road and Olde  
19 Fort Road (Priority I, 2003-2010);

20  
21 •Install approximately 15,000 feet of new 12-inch main along Route 77 from Scott Dyer  
22 Road to the existing 12-inch main located approximately 2,500 feet west of Richmond  
23 Terrace, which will replace an existing unlined 8-inch main (Priority II, 2011-2015);

24  
25 •Install approximately 8,700 feet of 12-inch main, replacing the existing 8-inch main, on  
26 Spurwink Avenue between Wells Road and Ocean House Road (Priority II, 2011-2015);

27  
28 •Clean and cement line approximately 2,000 feet of the existing 8-inch main on Ocean  
29 House Road from Scott Dyer Road to a point approximately 300 feet north of Maple  
30 Lane (Priority III, 2016-2020);

31  
32 •Abandon the Shore Acres Tank to address maintenance and water quality concerns  
33 (Priority III, 2016-2020);

34  
35 •Clean and cement line approximately 4,500 feet of 8-inch main on Fowler Road, from  
36 Fenway Road to Ocean House Road (Priority Iv, 2021-2025);

37  
38 •Clean and cement line approximately 1,350 feet of 8-inch main on Two Lights Road  
39 (Priority V, after 2025).

40  
41 Per Fire Chief:

42  
43 •Phase 4 install 1900' of 8" pipe Rock Crest Drive to Dyer Pond Rd and Replace 1100' of  
44 8" pipe in Shore Rd.

45  
46 *Sewer*

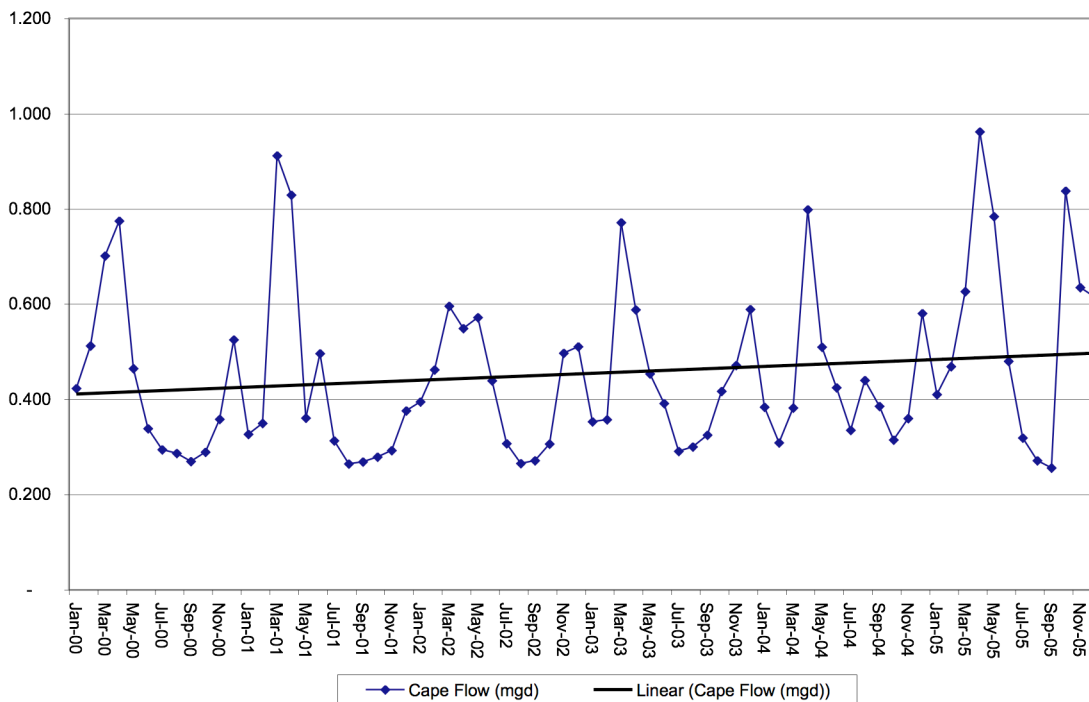
47  
48 The northern Cape sewer system is actually a collection system that is added to the  
49 South Portland Treatment plant. The northern system extends from the South Portland  
50 line as far south as Mitchell Rd and west to Eastman Rd. The Town of Cape Elizabeth

1 amended a contract with the City of South Portland in 1993, increasing capacity to a  
 2 maximum daily flow of 2.5 million gallons per day. According to the Portland Water  
 3 District, approximately 4,000 people are served by the northern system.

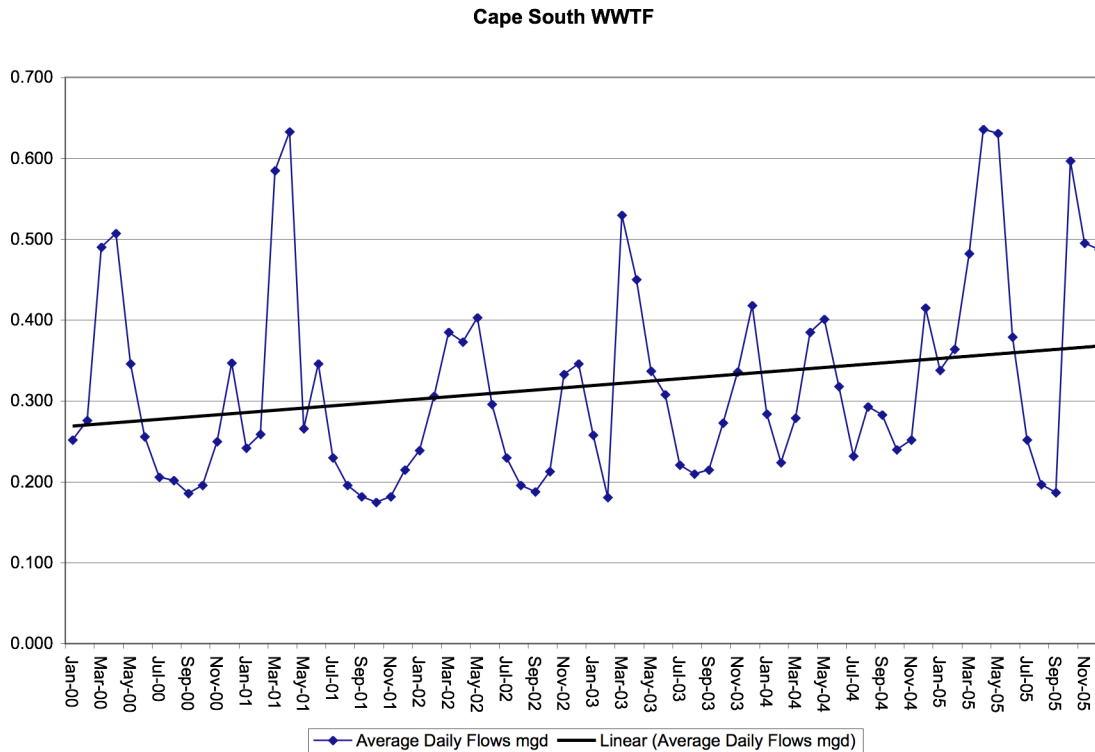
4 The southern Cape Elizabeth sewer system serves the Town Center and adjacent  
 5 Brentwood and Elizabeth Park neighborhoods, portions of Shore Acres and Broad  
 6 Cove, the Business A District on Ocean House Rd, and the Cross Hill, Leighton Farms  
 7 and Autumn Tides neighborhoods located off Wells Rd. The treatment plant is located  
 8 adjacent to the Recycling Center on Spurwink Ave. The system is designed to treat an  
 9 average daily flow of 520 thousand gallons/day and serves approximately 3,100 people.

10 The first chart below illustrates the contribution of flow from the Northern Cape system  
 11 to the South Portland treatment facility. Historically, Northern Cape has contributed  
 12 between 5.3% and 7.9% of the total flow treated in South Portland. The graph indicates  
 13 a slight upward trend in daily average flow, however that trend appears to be mainly  
 14 influenced by inflow and infiltration occurring during the spring of each year. A  
 15 similar upward trend is shown on the second chart that depicts the flow being treated at  
 16 the South Cape Waste Water Treatment Facility on Spurwink Avenue. Again, the trend  
 17 appears to be influenced by inflow and infiltration during the spring months of the  
 18 year. The South Cape facility is designed to treat a daily average flow of 520,000  
 19 gallons per day. Currently, the average flow to the facility is 318,000 gallons per day,  
 20 well within design capacity.

North Cape Flow (mgd)



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Source: Mike Greene, Portland Water District

In 2006, the Town implemented a 5.4 million dollar program to upgrade sewer systems with chronic infiltration and residential sewer backup problems. Sewers were replaced in the Running Tide Rd area, Elizabeth Park, portions of Brentwood, and Ocean View Rd.

The Department of Environmental Protection (DEP) is requesting that a Combined Sewer Overflow(CSO) at the Ottawa Road Pumping Station (part of the North Cape sewer system), where there is a direct discharge to Casco Bay during periods of high flow, be addressed. When the waste discharge permit for the South Cape Wastewater Treatment Facility was renewed in 2006, the DEP required that bypass pumping occurring during heavy flow at the Spurwink Ave Pumping Station be eliminated. Both issues are being addressed with the Portland Water District, who operate the pumping stations for the Town under a wastewater handling agreement.

*Storm water*

Cape Elizabeth has an extensive storm water infrastructure system. It includes a combination of sub-surface systems, drainage inlets, detention facilities, culverts and outfall pipes. Currently, the Town has over 900 catch basins that convey storm water runoff independently from the sanitary sewer network. Several new sub-surface systems have been enhanced and/or installed in the past 10 years as part of road and sewer rehabilitation efforts, including the Town Center Storm Water Management Plan.

A new emphasis has been placed on the control and treatment of storm-water to prevent sedimentation and silt from adversely impacting streams and rivers. The intent

1 is to decrease non-point source pollution from storm water by improving storm water  
2 quality. Portions of the Clean Act now require Cape Elizabeth to better manage their  
3 storm-water management systems. The Town has always been proactive in this area, by  
4 vacuum cleaning each drainage structure on an annual basis for the past 30 years. The  
5 Town is also mapping its storm-water infrastructure utilizing modern GPS technology.  
6

7 Cape Elizabeth has been designated a NPDES II community under new federal  
8 government stormwater rules. In the spirit of regionalized cooperation, the Town is a  
9 partner in the Interlocal Storm-water Working Group (ISWG) that is working to comply  
10 with the federal requirements. This group is comprised of 13 municipalities and other  
11 entities to address storm-water management in a collective fashion. The ISWG has  
12 partnered with such entities as the Department of Environmental Protection, the Casco  
13 Bay Estuary Project and the Cumberland County Soil & Water Conservation District to  
14 develop a 5 Year Storm-Water Management Plan. Cape Elizabeth is in year 4 of the  
15 plan.  
16

#### 17 *Electric*

18  
19 Central Maine Power (CMP) provides electrical service to Cape Elizabeth. CMP  
20 prepares a 5 year plan for infrastructure improvements, referred to by CMP as Major  
21 and Minor Betterments. In addition, CMP and other utilities partner with the Town  
22 when road projects are proposed to take advantage of opportunities for service  
23 upgrades.  
24

25 The electrical infrastructure in Cape Elizabeth includes lots of lines from the 1920s.  
26 While the town's electrical infrastructure is older than typical suburban communities,  
27 CMP's Brian Conroy reports that it is still performing within acceptable parameters.  
28

29 Electrical infrastructure now requires a loop service feed. Some feeds have not been  
30 upgraded and are radial or one-way. This type of upgrade was done for most of Salt  
31 Spray Lane. In 2006, Channel View Rd service is also programmed for replacement.  
32 Other than these areas of Broad Cove, no other betterments are proposed for Cape  
33 Elizabeth.  
34

35 Most electrical, telephone and cable service is provided by above ground utility poles.  
36 The utilities should be encouraged, where possible, to bury utility lines underground  
37 when replacing old facilities. The installation of new utilities as part of new  
38 development should continue to be installed underground.  
39

#### 40 *Gas*

41  
42 Natural gas is available to some residents in the northern part of Cape Elizabeth  
43 through the Northern Utilities Gas Company. As part of the Town comprehensive plan  
44 process, Northern Utilities has reviewed its infrastructure of plastic and coated steel  
45 pipes in Cape Elizabeth. No replacement of its main underground distribution system is  
46 planned. Northern Utilities receives a small number of requests for new connections  
47 and anticipates accommodating future requests within the existing system, barring a  
48 request from a large commercial or industrial customer.  
49  
50

1 *Public Cable/Internet*

2  
3 Time Warner Cable of Maine provides cable television and internet access throughout  
4 the town. The existing network is upgraded as technology changes. Time Warner  
5 reports that the existing network is adequate for existing demand and has room to  
6 accommodate additional users. They will also continue to upgrade as system needs  
7 demand.

8  
9 Over 500 residents now work from home and presumably rely on the internet for some  
10 part of their work. The Town relies on the internet to make information available to  
11 residents. Recognizing that the internet has become the chief information highway, the  
12 town may want to review the experience of other municipalities that have become WiFi  
13 communities, where internet access is available for free on a community or defined area  
14 basis.

15  
16 Health Care

17  
18 Cape Elizabeth is fortunate to be in close proximity to the best health care in the state,  
19 represented by Maine Medical Center and Mercy Hospital, both in the City of Portland.  
20 Locally, a variety of doctors and dentists operate practices in locations such as the Town  
21 Center and the Spurwink Medical Building on Spurwink Ave. Veterinarian services are  
22 also available on Ocean House Rd north of the Town Center. At the local government  
23 level, however, the Town has limited public health officer capabilities to respond to  
24 situations such as an avian flu epidemic, and would need to rely on county and state  
25 response efforts.

26  
27 **Public Facilities Goals**

28  
29 **Goal 1: The Town shall continue the work of the last decade to assess, renovate and**  
30 **construct public facilities that make it possible to deliver the quality of**  
31 **services that residents expect and fund.**

32  
33 The Town has accomplished a significant number of public facility improvements in the  
34 last decade. This effort has positioned the town to deliver quality services to residents in  
35 efficient modernized buildings without the need for additional structure improvements.  
36 Two exceptions to this may be the Thomas Memorial Library and the Cape Cottage Fire  
37 Station. The generally good condition of most municipal buildings, however, does  
38 indicate an emphasis on maintenance rather than new construction.

39  
40 As the town conducts maintenance and new construction, it should take advantage of  
41 new techniques and technologies that employ “green construction” or “low-impact”  
42 principles. Use of energy efficient materials and alternative fuels should also be  
43 evaluated for their adaptability to the range of old and new buildings and vehicles used  
44 by the town.

45  
46 Implementation Steps

- 47  
48 31. Appoint a committee to formally assess the physical plant and programming  
49 needs of the Thomas Memorial Library.

50

- 1 32. Include funding in the annual Capital Improvement Plan to maintain all Town of  
2 Cape Elizabeth buildings in good condition.
- 3
- 4 33. Develop a model and generate updated school enrollment projections that  
5 accurately reflect the influence of in-migration and assess how school facilities  
6 will support projected school enrollment.
- 7
- 8 34. Increase the amount of waste that is recycled.
- 9
- 10 35. Educate the public to reduce the total amount of waste generated.
- 11
- 12 36. Continue to improve energy efficiency in Cape Elizabeth Town buildings,  
13 incorporating "low impact" construction principles, and explore using  
14 alternative fuels for buildings and vehicles.
- 15
- 16 37. Form a committee to explore the costs and benefits to residents of providing  
17 town-wide WiFi internet access.
- 18

19 **Goal 2: The Town shall pursue partnerships with other municipalities, utilities and**  
20 **other groups to maximize the efficient use of public facilities and personnel**  
21 **and minimize infrastructure costs, while maintaining service levels.**  
22

23 In order to stretch public funds to provide services within constrained budgets, many  
24 groups are now eager to combine projects and needs, and adjust schedules to take  
25 advantage of savings. The Town is pursuing these opportunities and should continue to  
26 do so.

27  
28 Implementation Steps  
29

- 30 38. Continue discussions with abutting communities regarding how to handle E911  
31 and other Police Dispatching.
- 32
- 33 39. Continue discussion with the City of South Portland regarding the possible  
34 sharing of fire protection responsibilities in the Shore Rd area.
- 35
- 36 40. Establish a standard policy for notifying all area utilities in advance of road  
37 construction projects to encourage the upgrade of the town's utility  
38 infrastructure as opportunities arise. When undertaking upgrades, the electric,  
39 telephone and cable utilities are encouraged to place utilities underground.
- 40
- 41 41. Work with the Greater Portland Council of Governments and the County  
42 Government Public Health initiative to provide Town public health/emergency  
43 planning advice.
- 44
- 45 42. Enter into public/private partnerships when private financing is offered to fund  
46 Town goals and public facility needs.
- 47

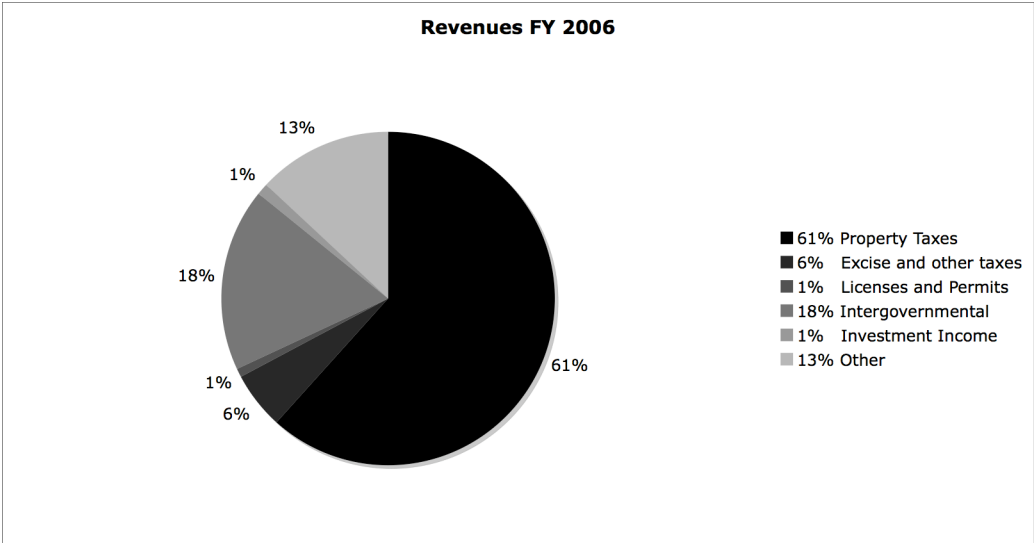
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**FISCAL CAPACITY**

Cape Elizabeth prides itself as a community with sound financial practices. The annual tax collection rate exceeds 99%. The Town conducts an annual audit and maintains an AA1 bond rating, which has made it possible to save interest costs on municipal bonds.

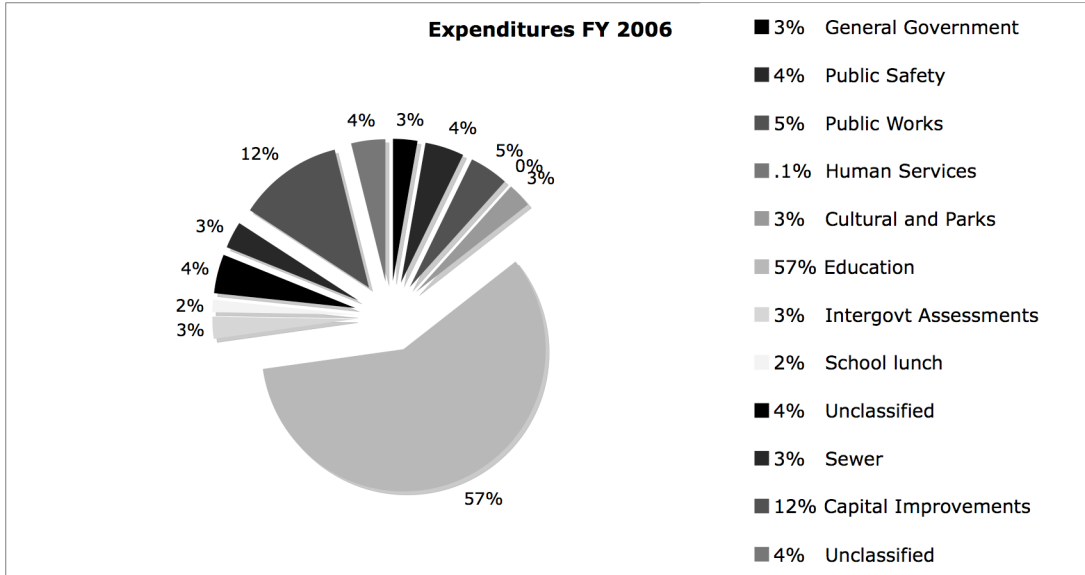
FY 2006 Revenue and Expenses

The FY 2006 Budget for the Town of Cape Elizabeth was \$32,925,929. Sixty-one percent of that budget amount was raised from property taxes. Below is a summary of revenue sources.



23 *Source: Town of Cape Elizabeth, Maine Annual Report, June 30, 2006*

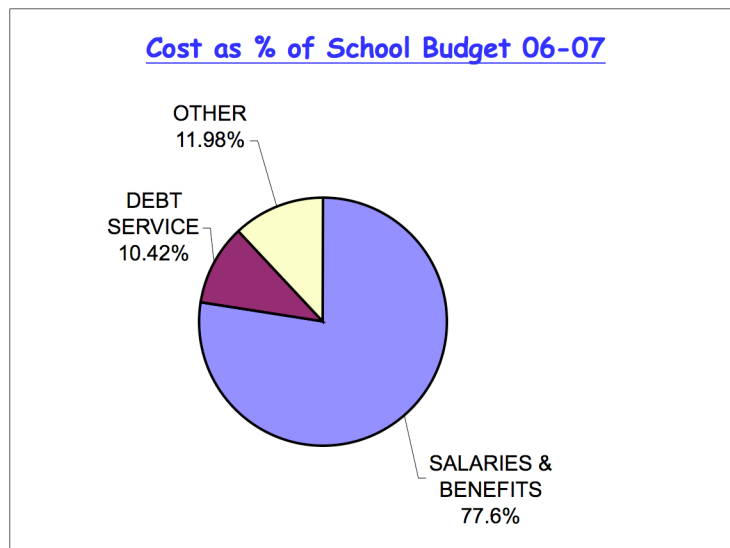
24  
25 The bulk of town revenues are used to educate the youth of the community. Below is a  
26 chart depicting expenditures in FY 2006.



Source: Town of Cape Elizabeth, Maine Annual Report, June 30, 2006

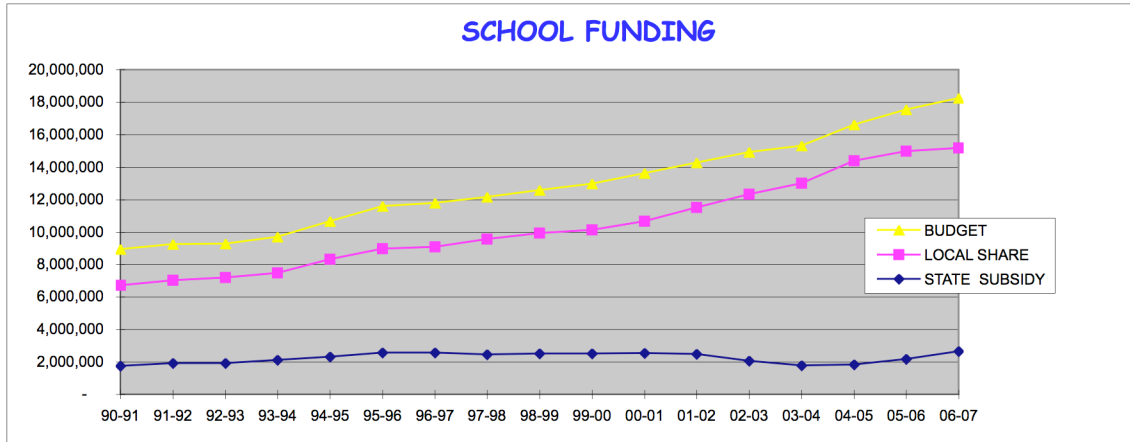
School Budget

Local public education is almost always the single largest expenditure for suburban towns. Within the school budget, a similar concentration of funds occurs to fund personnel. Education is a people business. In order to maintain this business, 77.6% of the FY2007 School budget is dedicated to salaries and benefits. Other includes equipment, supplies, system insurance, contract services, copiers, etc.



In FY 2007, 15% of the school budget was funded with state revenue sharing. As state revenue sharing has fluctuated, property taxes have increased to compensate for this loss of state funding.





1  
2

School Budget History FY1994-FY2007

<u>YEAR</u>	<u>BUDGET*</u>	<u>% Change</u>	<u>STATE</u>		<u>LOCAL SHARE</u>	
			<u>SUBSIDY</u>	<u>% Change</u>	<u>SHARE</u>	<u>% Change</u>
94-95	10,673,976	10.0%	2,309,651	9.5%	8,327,080	11.3%
95-96	11,592,883	8.6%	2,566,689	11.1%	8,979,194	7.8%
96-97	11,801,377	1.8%	2,573,173	0.3%	9,078,600	1.1%
97-98	12,162,245	3.1%	2,463,297	-4.3%	9,567,046	5.4%
98-99	12,583,228	3.5%	2,507,752	1.8%	9,925,140	3.7%
99-00	12,962,572	3.0%	2,512,105	0.2%	10,113,155	1.9%
00-01	13,617,956	5.1%	2,535,115	0.9%	10,668,408	5.5%
01-02	14,275,651	4.8%	2,493,757	-1.6%	11,520,716	8.0%
02-03	14,918,677	4.5%	2,048,043	-17.9%	12,322,287	7.0%
03-04	15,315,320	2.7%	1,777,360	-13.2%	12,992,733	5.4%
04-05	16,605,861	8.4%	1,831,434	3.0%	14,373,698	10.6%
05-06	17,554,204	5.7%	2,168,585	18.4%	14,975,364	4.2%
06-07	18,244,294	3.9%	2,655,082	22.4%	15,176,732	1.3%

3 \*Includes miscellaneous Medicare and other federal funding not shown in a separate  
4 column.

5 Source: Cape Elizabeth School Department

6  
7 Capital Improvement Program (CIP)  
8

9 In contrast to annual expenses, capital improvements are typically large item  
10 expenditures such as a fire truck, sewer line construction, or a kindergarten wing  
11 addition. If capital improvement items are clustered into a single year, they can have a  
12 dramatic impact on the municipal budget. For this reason, capital improvements are  
13 funded each year to spread out the cost of large purchases.

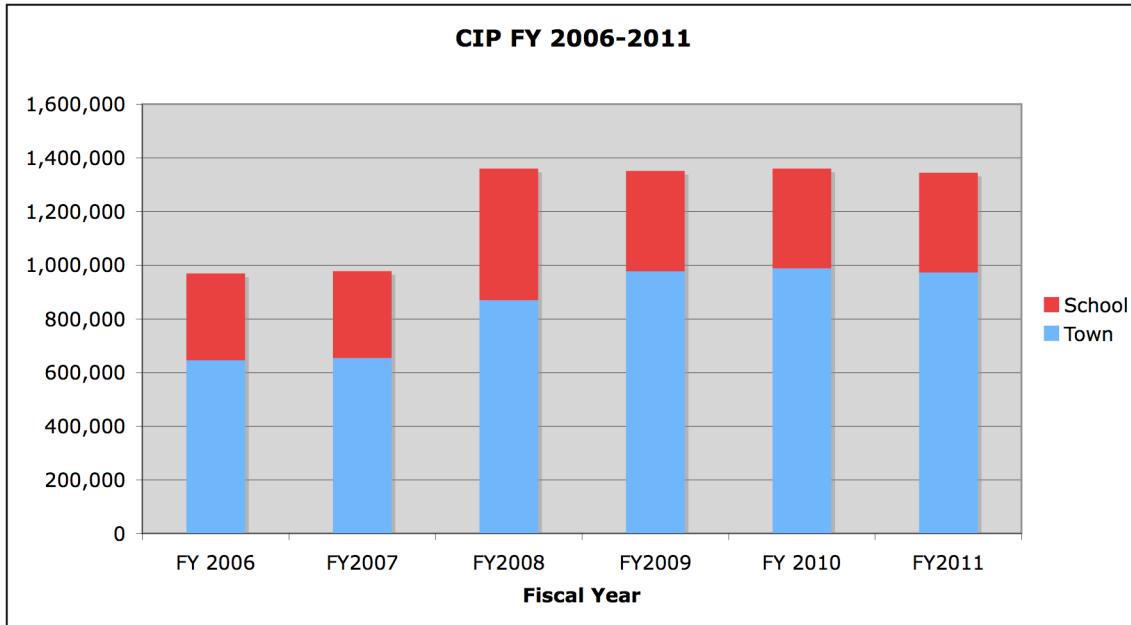
14  
15 In the FY 2007 adopted budget, the Town Council funded \$978,440 in capital  
16 improvements. This included \$655,000 in non-school capital improvements and  
17 \$323,440 in school capital improvements. Capital improvements represent 3.4% percent

1 of the total FY 2007 budget. In the next 5 years, the following capital improvement  
 2 budget estimates are proposed:  
 3

**Capital Improvement Plan FY 2007- FY 2011**

	Actual FY 2006	FY2007	FY2008	FY2009	FY 2010	FY2011
Town	646,672	655,000	869,700	980,500	988,500	973,000
School	323,059	323,440	490,115	372,295	372,295	372,295
Total	969,731	978,440	1,359,815	1,352,795	1,360,795	1,345,295

4  
5



6  
7

8 Attached are the Town and School CIP summaries with specific projects identified.  
 9 [Will need to come back to this after the FY08 CIP is approved and the plan is complete  
 10 to verify that any infrastructure recommendations in the plan are funded here and to  
 11 extend the planning range of the CIP.]  
 12

13 Tax Rate

14

15 *Historic Tax Rates*

16

17 The tax rate in FY 2007 was \$16.16 per thousand dollars of property value. Excluding  
 18 the revaluation year (FY 2004), the average annual tax increase for the last 12 years was  
 19 3.2%. Below is a summary of tax rates from FY1994-FY2007. Note the decrease was  
 20 during the revaluation year FY 2004.  
 21  
 22  
 23  
 24  
 25

**Tax Rate History**

Year	Rate	% Change
FY 1994	17.63	
FY 1995	17.70	0.40%
FY 1996	18.57	4.92%
FY 1997	18.56	-0.05%
FY 1998	19.19	3.39%
FY 1999	19.63	2.29%
FY 2000	19.86	1.17%
FY 2001	20.30	2.22%
FY 2002	21.70	6.90%
FY 2003	22.64	4.33%
FY 2004	14.20	-37.28%
FY 2005	15.34	8.03%
FY 2006	15.92	3.78%
FY 2007	16.16	1.51%

1 *Source: Town of Cape Elizabeth records*

2  
3 *Tax Rates in Comparable Communities*

4  
5 Like most communities, Cape Elizabeth struggles to balance minimizing taxes that  
6 residents must pay, while at the same time offering the best quality and range of  
7 services that those same residents demand. Residents often reference other communities  
8 when they request desired services or lower taxes. When attempting to balance needs  
9 and costs, it may be useful to look at the services provided in municipalities with  
10 similar full valuations. To make an equivalent comparison, the full value of the tax base  
11 in the community if all properties were valued at 100% of their value is presented  
12 below. If a community is assessing taxes when it is known that the assessed values are  
13 less than 100%, then the tax rate must be adjusted to 100% to make an accurate  
14 comparison. A full value tax rate is the tax rate if all properties are assessed at 100% of  
15 value.

16  
17 Below is a table comparing the tax rates and total town valuation for comparison  
18 communities.

19  
Calendar Year 2003 Full value Comparison Communities

Municipality	Full Valuation	Full Value Tax Rate
South Portland	2,805,486,900	17.49
Scarborough	2,002,987,200	16.46
Falmouth	1,545,924,100	15.80
Yarmouth	1,316,791,300	17.20
<b>Cape Elizabeth</b>	<b>1,266,305,300</b>	<b>14.20</b>
Freeport	983,501,203	18.10
Cumberland	823,045,800	18.03

Source: State of Maine, Maine Revenue Services

1  
2 The usefulness of the comparative data is limited, however, because the ratio of  
3 assessed value to market value may be as low as 91% and still be reported out as 100%  
4 under state law. The data in the table is for the year that Cape Elizabeth completed its  
5 revaluation and was at 100% of valuation. The other communities were actually at less  
6 than 100%.

7  
8 It should also be noted that the comparison communities have a larger non-residential  
9 tax base contributing to the overall municipal budget than Cape Elizabeth. In Cape  
10 Elizabeth, 2% of the tax base is commercial, much less than in the comparison  
11 communities. Cape Elizabeth residents have chosen to shoulder a higher residential  
12 property tax burden rather than to diversify the tax base by allowing more commercial  
13 development. Patterns of decreased state funding and increasing property tax burden  
14 suggest that Cape Elizabeth should consider emulating the efforts of comparison  
15 communities by modestly expanding the commercial tax base.

16  
17 *Tax Revenue from New Residential Development*

18  
19 So how does new residential development influence the tax rate? On average, 24 new  
20 single family homes are built in Cape Elizabeth each year. The table below analyzes  
21 property tax revenues from new single family home construction from FY 1996 - FY  
22 2006. Without the revenue from new development, tax rates would be an average of  
23 \$0.17 higher annually, resulting in an average annual cost increase of \$265 per  
24 household.

25  
26 **Revenues Generated by New Development FY 1996 - FY 2006**

27

Year	Total Assessment	Tax Rate	Total Value New Homes	Tax Revenue	Tax Rate without new homes	\$ Change	Cost to Median Home
1996	\$661,574,020	17.70	\$4,041,200	\$71,529	17.81	0.11	\$183
1997	\$667,663,120	18.60	\$9,233,300	\$171,739	18.86	0.26	\$252
1998	\$678,712,420	18.56	\$4,610,800	\$85,576	18.69	0.13	\$249
1999	\$687,360,890	19.72	\$3,607,600	\$71,142	19.82	0.10	\$203
2000	\$704,473,900	19.86	\$8,205,700	\$162,965	20.09	0.23	\$285
2001	\$718,017,500	20.30	\$10,391,300	\$210,943	20.60	0.30	\$242
2002	\$731,708,250	21.70	\$11,380,000	\$246,946	22.04	0.34	\$271
2003	\$748,200,050	22.64	\$4,095,500	\$92,722	22.76	0.12	\$222
2004	\$1,275,962,800	14.20	\$7,035,900	\$99,910	14.28	0.08	\$314
2005	\$1,285,523,300	15.34	\$13,495,900	\$207,027	15.50	0.16	\$376
2006	\$1,307,479,200	15.92	\$10,824,900	\$172,332	16.05	0.13	\$324

28  
29 Source: Town of Cape Elizabeth Assessing Records

30  
31 *Expenses Generated by New Development*

32

1 New development also generates expenses. The largest portion of the Town budget is  
 2 for education costs. In Cape Elizabeth, due to the relatively small amount of  
 3 development in proportion to the amount of existing housing stock, and the increasing  
 4 age of town residents, education costs are more influenced by the families occupying  
 5 existing housing stock than by new development. Therefore, an analysis focusing on  
 6 education costs for all residents is more useful than focusing solely on education costs  
 7 generated by new development.

8  
 9 How do services and taxes equate over time? Let's look at an example based on past  
 10 financial data. Assume that the average family with 2 children, living in a home with a  
 11 value equivalent to the median home value for Cape Elizabeth, enrolls a child in  
 12 kindergarten in September, 1988. That family pays \$1,905 in property taxes on a home  
 13 valued at \$150,000. The per pupil cost to educate a child in Cape Elizabeth in 1988 is  
 14 \$4,404. Per pupil cost is calculated by taking the total school budget (including revenues  
 15 from other than the property tax such as state revenue sharing) and dividing it by the  
 16 total number of pupils enrolled. For FY 1988, the total amount of property taxes paid by  
 17 this average family is \$2,499 less than the cost to educate 1 child for one year.

18  
 19 In FY89, a second child is enrolled. Education costs for this family are \$10,056. Property  
 20 tax paid remains \$1,905 for 1989 and increases each year thereafter. By the time the  
 21 second child graduates from Cape Elizabeth High School in 2002, the family has paid a  
 22 total of \$45,178 in taxes. The cost paid by the town to educate the children is \$160,428. In  
 23 2002, the family pays \$5,868 in taxes and adds no children to the school system.  
 24 Estimating growth in home values, taxes and education expenses, the family will pay  
 25 property taxes that, cumulatively, exceed the total value of their children's education  
 26 beginning in fiscal year 2017.

27  
 28 This analysis illustrates that long after a family's children graduate from the local school  
 29 district, the cost of the education received is much higher than the taxes that have been  
 30 paid. It also illustrates that funding local education is a community wide responsibility.

### 31 32 **Fiscal Capacity Goals**

#### 33 34 **Goal 1: The Town shall continue to fund the Capital Improvement Plan.**

35  
 36 The Town and School update the Capital Improvement Plan every year. CIP funding  
 37 has made it possible to replace equipment and rebuild infrastructure in a cost efficient  
 38 manner that minimizes large fluctuations in the tax rate. When the Town began  
 39 experiencing repeated failure of its oldest sewer lines, a large scale replacement  
 40 program was funded by borrowing the amount of a retiring bond. This approach to  
 41 comprehensive fiscal management should be further enhanced by combining the school  
 42 and town CIP budgets.

#### 43 44 Implementation Steps

- 45  
 46 43. Develop a unified town/school CIP.  
 47  
 48 44. Expand the CIP to a ten-year time frame.  
 49

1 **Goal 2: The Town will continue to balance residents' request for services with**  
2 **residents' request to minimize property taxes.**  
3

4 Town residents have supported improvements to municipal facilities over the last  
5 decade. They have rejected a statewide referendum effort to cap property taxes  
6 (Palesky) in 2004, and a statewide spending cap (TABOR) in 2006. At the same time,  
7 however, residents have expressed concern that property taxes are too high, especially  
8 for the growing number of retirees. Methods to both reduce costs and raise revenues  
9 will need to be considered.

10  
11 Implementation Steps  
12

- 13 45. Evaluate a shift to user fees to partially fund services in place of increases in the  
14 property tax. Examples could include pay per bag for trash disposal, library  
15 cards, and fees for athletic field use.  
16  
17 46. Expand the tax base with appropriate businesses that are compatible with  
18 community character.  
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## RECREATION AND OPEN SPACE

The open spaces and physical beauty of Cape Elizabeth are a major reason residents choose to live here (See Comprehensive Plan telephone survey) The Town has a long history of land conservation and an impressive record of funding the purchase of land for open space preservation and recreation. The Town maintains a Land Acquisition Fund and has supplemented this fund with bonding to purchase or partner to purchase land and easements. In 1985, the Town's efforts were supplemented with the establishment of the Cape Elizabeth Land Trust, which has partnered with the Town numerous times to preserve open space.

### Trails

The Town's first Greenbelt Plan was prepared in 1973. The goal of the plan was to create a green walkway from Fort Williams Park, located on the northeast shore of town, to Crescent Beach State Park, located on the southern end. The Greenbelt Plan was updated in 1989, and again in 2001, with an expanded vision. Acquisitions over time have brought the town to within 5 parcels of realizing the original goal of a greenbelt trail from Fort Williams Park to Crescent Beach. With the incremental development of new neighborhoods, however, this goal needed to be expanded to address new needs.

The 2001 Greenbelt Plan, which won the 2001 Plan of the Year from the Maine Association of Planners and is hereby referenced as part of the Comprehensive Plan, adopts the following vision:

To establish a town-wide network of greenbelt trails by connecting the Town Center to important open spaces currently owned or to be acquired and all neighborhoods through a hub-and-spoke system. A greenbelt trail shall be located within a comfortable walking distance to all neighborhoods by creating, marking, mapping, and maintaining trails which provide legal public access, at least a portion of which will be handicapped accessible. Preserved open space and visually attractive areas of Cape Elizabeth will be made more accessible to the public by the greenbelt trails.

This newest greenbelt plan has officially created a policy that greenbelt trails should extend throughout Cape Elizabeth. The plan also has been the catalyst for a shift in

1 Place holder for Recreation and Open Space Map



1 open space policy in Cape Elizabeth from one that focused primarily on acquisition to  
 2 one that emphasizes construction of trails that enable town residents to better enjoy the  
 3 open space that has been preserved. The 2001 Greenbelt Plan lays out a trail system that  
 4 attempts to connect the various town open space parcels and establishes priorities for  
 5 new trails in the future. Below is a list of current trails for which there is legal public  
 6 access. The trails and open space are depicted on the attached map.

7  
8

#### Cape Elizabeth Trails

	Name	Length in miles
1	Stonegate	1.58
2	Hobstone Woods	0.75
3	Highlands	0.4
4	Great Pond	1.01
5	Town Center	0.8
6	Runaway Farm	0.4
7	Spurwink	1.2
8	Dyer-Hutchinson	0.8
9	Gull Crest	4.51
10	Cross Hill	2.3
11	Robinson Woods	2.38
12	Two Lights	.23
13	Whale Back	.2
14	Fort Williams	1.25
	Total	17.81

9

10 Except for the trail in Fort Williams, a portion of which is paved, and includes  
 11 commanding views of the Atlantic Ocean, all town trails are rustic pathways with no  
 12 formal surface treatment. The exception is the expanding system of boardwalks that  
 13 extend trails across the wetlands that cover over 30% of the town.

14

15 No formal analysis of use of town trails has been conducted. Trail use is extensive,  
 16 however, across several user groups and ages. This is due in part to the town's effort in  
 17 building new trails, posting signage for trails, publishing a trails map and hosting an  
 18 annual Cape Trails Day. Cape Trails Day, held the first Saturday in June to coincide  
 19 with National Trails Day, is widely publicized and attracts upwards of 30 participants  
 20 each year who work on a designated trail. All of these efforts have contributed to the  
 21 high approval rating the trails received in the telephone survey.

22

23 Conflicts are emerging between different types of trail users. The Conservation  
 24 Commission, Land Trust and other groups are aware of this and hope to conduct a trail  
 25 users public forum in the future once there are sufficient miles of trails available so that  
 26 some special designation of uses is possible. Until then, some trails are restricted based  
 27 on conservation easements. The most typical restriction is a prohibition on use of  
 28 motorized vehicles on some trails. ATVs are prohibited on trails on town property,

1 however, snowmobiles are allowed on some of the largest town parcels, including Gull  
 2 Crest and the Town Farm. Other than some conflict between users, there is adequate  
 3 capacity on the trail network for all current and future trail users.

#### 4 Major Open Space

5  
 6  
 7 The Town owns 757 acres of open space. The most significant areas are Fort Williams  
 8 and Portland Head Light, 98 acres, the Town Farm, 150 acres, Gull Crest, 120 acres, the  
 9 Cross Hill Trail System, 105 acres, and Winnick Woods, 57 acres.

10  
 11 In addition, the Town has 74 acres of open space and pedestrian easements over private  
 12 property. The most significant of these is a 20 acre easement over land adjacent to the  
 13 Spurwink Marsh and a 22 acre view easement over marsh land adjacent to the Elizabeth  
 14 Farms Subdivision.

15  
 16 Added to the open space legally available to the public are lands and easements owned  
 17 by the Cape Elizabeth Land Trust. Not counting areas included as town owned land or  
 18 easements, Land Trust holdings add 242 acres of publicly accessible open space.

19  
 20 A total of 1,070 acres of open space, approximately 11.5 % of the town, is available for  
 21 public access. This represents a local standard of 118 acres of open space per 1,000  
 22 population, almost 5 times greater than the local open space standard of 24 acres in the  
 23 1993 Comprehensive Plan. This does not include 357 acres of land owned by the State of  
 24 Maine and the U.S. Government available for open space and recreation. Below is an  
 25 inventory of Town and Land Trust public open space holdings.  
 26

## **OPEN SPACE INVENTORY**

### **TOWN OWNED LAND**

<b>MAP-LOT</b>	<b>ADDRESS</b>	<b>ACREAGE</b>
R02-13	OCEAN HOUSE ROAD	5.25
R02-13A	OCEAN HOUSE ROAD	2
R03-17A	WHALE BACK RIDGE	5.26
R03-3A-10	34 ALEWIFE COVE	0.53
R04-49B	SAWYER ROAD	61.25
R05-11	SPURWINK AVENUE	150
RO6-1A	480 SPURWINK AVENUE	96
U02-63	SEA VIEW AVENUE	0.26
U03-92	OCEAN VIEW ROAD	0.2
U03-94	OCEAN VIEW ROAD	0.18
U03-96	OCEAN VIEW ROAD	0.09
U03-97	OCEAN VIEW ROAD	0.18
U03-98	OCEAN VIEW ROAD	0.26
U03-99	OCEAN VIEW ROAD	0.12
U03-100	OCEAN VIEW ROAD	0.48
U03-110	FOREST ROAD	0.47
U03-111	FOREST ROAD	1.1
U03-125	STONYBROOK ROAD	0.23

U04-22	IVIE ROAD	0.05
U06-18	LOCKSLEY ROAD	37
U06-18C	LOCKSLEY ROAD	0.48
U06-89	SHORE ROAD	2.2
U06-89A	SHORE ROAD	1.3
U08-10D	SHORE ROAD	1.1
U19-6B	HAMPTON ROAD	3
U20-7C	FOWLER ROAD	0.18
U21-12	OCEAN HSE/FOWLER	40
U21-12A	OCEAN HSE/FOWLER	5
U21-64	LONGFELLOW DRIVE	0.16
U23-4	OCEAN HOUSE ROAD	0.17
U24-1	OCEAN HOUSE ROAD	25
U28-33B	STATE AVENUE	0.22
U28-59	STATE AVENUE	0.47
U29-29	SPURWINK AVENUE	0.47
U29-29A	SPURWINK AVENUE	2
U29-38	HAMLIN ROAD	1.2
U29-44	RUSSELL STREET	0.18
U29-45	LINN STREET	0.11
U29-67	OC HSE. RD./CANTERBURY RD.	0.03
U32-6	COLUMBUS ROAD	1
U32-12	MITCHELL ROAD	0.3
U33-74-14	ABACO DRIVE	0.39
U34-17-20	BLUEBERRY ROAD	5.36
U34-22-4	ROSEWOOD DRIVE	3.73
U35-25A	PATRICIA DRIVE	0.49
U36-84,93-104	BROAD COVE	6.72
U41-9	MCKENNEY POINT	0.11
U42-1-29	LOT 29, EASTFIELD ROAD	0.37
U48-1	SHORE ROAD	96
U48-2	SHORE ROAD	1.2
U49-4	MCAULEY ROAD	0.47
U51-9	STONEGATE	15.3
U54-9	FARMS EDGE ROAD	22.4
U54-9B	PARK CIRCLE-CENTER	1.13
U55-7	JORDAN FARM ROAD	8.3
U56-15	HIGHLANDS	13.9
U57-18	STONEGATE	26.04
U57-19	STONEGATE	8.29
U58-34	CROSS HILL	0.58
U58-35	CROSS HILL	0.52
U59-35	CROSS HILL	0.37
U59-36	CROSS HILL	0.19
U59-37	CROSS HILL	99.85
SUB TOTAL		757.19

**TOWN EASEMENTS**

R02-15A	OCEAN HSE. RD.	3.42
R05	SPURWINK MARSH	20
R05-02	CHANCELLOR OF CAPE ELIZABETH	1.41*
R06	GREAT POND	8
U23-1	246 OCEAN HOUSE ROAD	4.17
U24	WILDWOOD	7.45
U26	CANTERBURY HILLS	.94*
U30	CRANBROOK	4.12*
U30A	HOBSTONE	.75*
U30-06	HOBSTONE CONDOMINIUM PH III	20.56*
U33	HEMLOCK HILL SUBDIVISION	.25*
U34	ROSEWOOD SUBDIVISION	3.73
U37	TWO LTS.RD/SPINNAKER HTS.	1
U37-4	REAR OF ST. BARTHOLOMEW'S	1.7
U39-3	TWO LIGHTS ROAD	0.16
U39-4-1	TWO LIGHTS ROAD	0.13
U44-31	FOWLER ROAD	0.18
U44 R06	SPRAGUE GREAT POND	1.89**
U45	SCOTT DYER RD. (VIKING)	.29*
U51-1	SHORE RD/DYER POND RD	.32*
U53-9A	ELIZABETH FARMS	22.4
U54-09	ELIZABETH FARMS	6.1
SUB TOTAL		74.27

**CAPE ELIZABETH LAND TRUST - OWNED**

R02-1	SHORE ROAD	81.9
R02-15A	OCEAN HSE.RD.	3.4*
U04-55	WOOD ROAD	0.97
U18-14C	OCEAN HSE.RD.	5.9
U35-37	SCOTT DYER RD.	2.66
U43-8-5	BOWERY BEACH RD.	19.3
U45-4A	SCOTT DYER RD.	1.3
U45-7	SCOTT DYER RD.	5.9
U45-9	WILLOW BROOK	3.46
U30-06	HOBSTONE CONDOMINIUM PH III	20.56
SUB TOTAL		141.95

**CAPE ELIZABETH LAND TRUST - EASEMENTS**

R04-54	SAWYER RD.	47.5
R05-11	SPURWINK AVE.	150*
R05-41-1	WELLS RD.	1.3

U13-7-004	REEF RD.	0.75
U53-9A	FARMS EDGE ROAD	6.1
R5-45	WELLS RD	45
SUB TOTAL		100.65
TOTAL		1076.06

1 \*Not included in total to avoid double counting or pedestrian easement not eligible for  
2 impact fee calculation.

3 \*\* 15' wide easement assumed. Not included in total as pedestrian easement not eligible  
4 for impact fee calculation.

5  
6 *Source: Town of Cape Elizabeth records*

7  
8 In addition, the Cape Elizabeth Land Trust owns conservation land or holds easements  
9 where public access is not allowed.

10  
11 The Town and Land Trust owned open space is used predominantly by town residents.  
12 Fort Williams Park, however, is also heavily used by tourists from all over the world.  
13 The Town operates a museum and gift shop at the Portland Head Light, immediately  
14 adjacent to the park. The park is host to several regional events, such as the Annual  
15 Beach to Beacon Road Race. The most recent Fort Williams Master Plan is herein  
16 incorporated as a component of the Comprehensive Plan.

17  
18 Fort Williams is the most heavily programmed open space. Requests for events at the  
19 park are submitted to the Fort Williams Advisory Commission, which acts as an  
20 advisory board to the Town Council on issues such as use requests and park policy.  
21 Town policy attempts to strike a balance between allowing full enjoyment of the park  
22 without allowing overuse that would diminish this natural resource and impose  
23 difficulties on the abutting neighborhoods.

24  
25 Gull Crest is a facility that includes a sewer treatment plant, the Public Works Facility,  
26 the recycling center, athletic fields, a community garden and greenbelt trails. As  
27 greenbelt trail development expanded, the Town prepared a master plan for Gull Crest,  
28 which is herein referenced as a component of the Comprehensive Plan. Use of Gull  
29 Crest is increasing since access to the school complex and the rest of the town was  
30 established with the construction of a pedestrian bridge across the Spurwink River.  
31 Large tracts of additional land, including the Town Farm across the street, are available  
32 to provide additional open space capacity.

33  
34 The Town has also just adopted a master plan for Winnick Woods, which is herein  
35 referenced as a component of the Comprehensive Plan. Winnick Woods is a 57 acre lot  
36 located in the northwest part of town. The land was donated to the town with  
37 conservation restrictions that limit land uses to passive activities. The Master Plan lays  
38 out a trail system that creates loops within the property and connects it to abutting  
39 town lands and the greenbelt trail system.

40  
41 Over one third of the Town open space, 330 acres, has been obtained through  
42 conveyance as part of construction of new development. This is the result of a decades

1 long practice where the Town requires that new development set aside permanently  
 2 preserved open space. Currently, this standard is accomplished through aggressive  
 3 clustering of new development which requires that 40% of the gross area be set aside as  
 4 open space. In the few developments where clustering is not used, an open space  
 5 impact fee standard requires that a portion of land be set aside for open space or a fee  
 6 be paid, at the discretion of the Planning Board. These efforts should continue to  
 7 preserve the current ratio of open space per household.

### 8 9 Public Facilities

10  
11 The Town manages several athletic fields throughout the town and also operates a  
12 community pool located at the high school. Athletic fields are listed below.

14 <b>Location/Name</b>	15 <b>Facility</b>
16 Fort Williams	17 1 multipurpose field 18 2 Little League fields 19 1 Little League T-ball 20 3 Tennis Courts 21 Preschool playground
22 Gull Crest	23 2 multipurpose fields 24 (plus 1 approved but not constructed)
25 Lions Field	26 2 Little League fields 27 (plus 1 approved but not constructed)
28 Plaisted Park	29 1 Little League field
30 School Campus	31 Holman baseball field 32 Capano softball field 33 2 multipurpose fields 34 1 baseball field 35 3 Tennis courts 36 2 Playgrounds 37 Track 38 Basketball court

39 Cape Elizabeth youth are heavily involved in a wide range of organized sports,  
 40 including T-ball, baseball, softball, soccer, lacrosse, golf, basketball, swimming, Nordic  
 41 skiing, field hockey, track, cross country running, football, hockey, and tennis. In  
 42 addition, for many sports, there are multiple teams at different age levels, as well as  
 43 school sponsored and privately supported teams, such as travel soccer.

44  
45 The field needs of most teams are accommodated primarily within the town, although  
 46 the hockey and Nordic skiing teams rely on out of town facilities. The Nordic skiing  
 47 team is currently working to develop skiing trails on Gull Crest.

48  
49 When fields are scheduled, first priority is assigned to in-season sports. There are  
 50 adequate fields to meet these needs. Private youth organizations, however, play year-

1 round and have second priority for scheduling. When fields are scheduled to meet the  
 2 needs of private youth organizations, the fields do not have sufficient time to rest,  
 3 resulting in poor condition and increased maintenance. The Town is not allowing fields  
 4 to rest as long as desired, and when any athletic field is pulled out of the schedule to  
 5 rest, not all needs are met.

6  
 7 Community Services

8  
 9 The Community Services Department is located in the Town Center and offers a full  
 10 range of services in a building renovated in 2002. Below is a comparison of programs  
 11 offered by Cape Elizabeth and comparison communities. Note that the chart does not  
 12 include the size of programs, and in many cases the Cape Elizabeth program is larger  
 13 than those offered by other communities.

**Comparison Study**  
 with Similar Town's Community Services and Programs

Community	Adult Programs	Youth Programs	Extended School Care	After School Enrichment	Preschool Camp	Day Camp	Middle School Camp	Sport Camps	Adventure Camps	Transportation Scheduling	Facility Scheduling	Pool	Own Building	Debt Service	Administrative Positions
Cape Elizabeth	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	6
Cumberland	✓	✓			✓	✓	✓	✓				✓			4
Falmouth	✓	✓			✓	✓	✓	✓			✓				5
Freeport	✓	✓	✓			✓	✓				✓				6
Gorham	✓	✓	✓			✓	✓	✓							6
Scarborough	✓	✓	✓		✓	✓	✓	✓			✓				7
Yarmouth	✓	✓			✓	✓	✓				✓		✓		5

14  
 15 *Source: Town of Cape Elizabeth Community Services Department*

16  
 17 Approximately 400-500 people are in the Community Services Building every day.  
 18 Below is a summary of the program and participation in Community Service programs,  
 19 including the pool, for FY 2005.

20

## Community Services

### *Programs & Services*

<b>Adult Education</b>	<b>Programs</b>	<b>Registrations</b>
General Enrichment	250/yr	3600/yr
GED / HS Diploma	>>>>> minimal referrals	<<<<<<
Senior Citizen Programs	36	1000
<b>Youth Recreation Program</b>	<b>Programs</b>	<b>Registrations</b>
Saturday Skill Builders	5	1100
AfterSchool Enrichment	150	2800
Preschool Programs	21	200
Teen Programs	12	160
Extended School Care	4	140
<b>Summer Programs</b>	<b>Programs</b>	<b>Program Participants</b>
Preschool Camp	2	140
Middle School Camp	1	113
Day Camp	1	473
CapeAbility Camps	25	346
<b>Richards Community Pool &amp; Fitness Center</b>		<b>Registrations</b>
Fitness Center Day Passes		216/month
Memberships (pool & fitness)		830/yr
Adult Swims		1500/month
Open Swims		335/month
Instructional Pool Programs-Adults		329/month
Instructional Pool Programs-Youth		230/month
Pool Parties		70/yr
<b>Birthday Party Service</b>		85/yr
<b>Facility Scheduling</b>		<b>Reservations</b>
School Buildings		500/mo
Town Buildings/Community Center		375/mo
Fort Williams Picnic Shelter		133/yr
Athletic Fields (seasonal)		750/yr
<b>School Transportation Services</b>		
Bus to & from school (gr 1-12)		1400/day
Kindergarten		100
Field Trips		87
Co-Curricular Trips		92
Athletic Trips		562
Outside Contracted Services		3
Senior Citizen Bussing		2/wk

1  
2 *Source: Town of Cape Elizabeth Community Services Department*

3  
4 Community Service facilities are currently operating near maximum capacity. There are  
5 times when there is no room for people in any of the programs offered. Gym type space  
6 is sometimes not available for dance/exercise type programs and the day care program



1 could use a playground. Outside space for other activities would also be useful. The  
 2 land area around the Community Services building, however, is dedicated to parking.

3  
 4 The lower floor of the Community Services building is unfinished and could be  
 5 converted to provide some smaller exercise rooms and activity space for an estimated  
 6 cost of one million dollars. The lower level, however, is currently used as much needed  
 7 storage space for Community Services and town paper storage. A new storage area  
 8 would need to be created before the lower level could be converted.

9  
 10 Overall, the participation rate in community services programs is so high that no  
 11 increase in participation is anticipated. Some expansion of programs for the elderly has  
 12 occurred and is expected to continue as the average age of town residents increases.  
 13 There is also some pressure to expand preschool programs. These needs will likely be  
 14 addressed in some shifting of community service programs rather than a significant  
 15 increase.

16  
 17 Public Access to the Water

18  
 19 Cape Elizabeth is a community surrounded by water on three sides. To the east and  
 20 south is the Atlantic Ocean and to the west is the Spurwink River. In addition, the  
 21 largest fresh water body in town, Great Pond, is located near the geographic center of  
 22 town. Public access is available to all these water bodies.

23  
 24 The most dramatic access to the Atlantic Ocean is at Fort Williams, which includes a  
 25 small beach and waterfront trail. The following areas provide waterfront access to the  
 26 public. All areas are shown on the open space map.

27

28 <b>Location</b>	<b>Ownership</b>	<b>Linear feet of waterfront</b>
29 Seaview Beach	Town	200'
30 Fort Williams Park	Town	5,346'
31 Pond Cove*	Town	350'
32 Coast Guard Station at Two Lights	Federal	1,330'
33 Two Lights State Park	State	1,950'
34 Crescent Beach State Park	State	4,790'
35 TOTAL		<u>13,966'</u>

36  
 37  
 38  
 39 \*Public Access provided through Land Trust ownership and Town easement.

40  
 41 The remaining waterfront is held in private ownership. Some private waterfront areas,  
 42 however, are visible from public ways or otherwise accessible to the public. For  
 43 example, The Lobster Shack Restaurant, located on a rocky point of land in the  
 44 southeastern corner of the town, also provides dramatic water view from its picnic area,  
 45 and is a popular area for tourists. Residents indicated in the telephone survey that  
 46 adequate public access to the water is available. Due to the slow growth rate, no  
 47 increase in waterfront access is anticipated.

48  
 49 Fresh water access to two points on Great Pond, including a boat launch, is available  
 50 through easements owned by the Town and the Land Trust. Access to the Spurwink

1 River can be obtained through the 150 acre Town Farm, however, boat access is much  
2 more practical just over the municipal boundary in Scarborough off Route 77.

### 3 4 Private Open Space

5  
6 Use of private open space, particularly trail access, has been declining as land is sold  
7 and/or developed. The town's aggressive trail building and signage program attempts  
8 to replace private trails where public access is not allowed. In addition, the Greenbelt  
9 Plan identifies areas where the Town should try to obtain public access rights over  
10 existing trails by working with willing land owners.

11  
12 The Town has identified, in the Greenbelt Plan, some privately owned trails as a  
13 priority to obtain public access rights.

14  
15 The Purpoodock Club operates a private, 219 acre golf course with clubhouse and  
16 restaurant located between Ocean House Rd and Spurwink Ave. The golf course has  
17 recently invested in a new irrigation system and its master planning effort reinforces the  
18 expectation that no changes in ownership are planned.

19  
20 The Sprague Corporation is the town's largest land owner with over 2,100 acres or 20%  
21 of the town. Most of this acreage is undeveloped and managed as field or forest land. In  
22 1999, the Sprague Corporation prepared a master plan that included the creation of a 62  
23 lot subdivision that delineated the expected build-out for the next 40 years. The lots  
24 were laid out in clusters and the majority of land area will remain open space. Except  
25 for the Great Pond trail easement, there are no deeded public access rights on Sprague  
26 Corporation land. The Sprague Corporation does allow limited public access to  
27 Richmond Island by permit.

## 28 29 **Recreation and Open Space Goals**

30  
31 **Goal 1: The amount of publicly accessible open space should be increased in order to**  
32 **preserve the current local standard of open space of 118 acres per 1,000**  
33 **population.**

34  
35 A major reason residents choose to live in Cape Elizabeth is the open space and physical  
36 beauty of the community. In the last decade, the Town, in cooperation with the Cape  
37 Elizabeth Land Trust, has increased the local standard of open space from 24 acres per  
38 1,000 population to 118 acres per 1,000 population. The Town should take steps to  
39 preserve this standard as the population slowly increases and to increase the standard  
40 as resources allow.

### 41 42 Implementation Steps

- 43  
44 47. Continue the Open Space Zoning and Open Space Impact Fee requirements for  
45 new development that require that open space be set aside.  
46  
47 48. Purchase land or conservation easements when there is an opportunity to  
48 preserve unique or significant open space, especially where it can be added to  
49 the Greenbelt Trail system.

- 1  
2 49. Partner with the Cape Elizabeth Land Trust, public and private organizations,  
3 State and Federal agencies, private land owners, and other key stakeholders to  
4 preserve open space and trails permanently that define our rural, community  
5 character.  
6  
7 50. Encourage the State of Maine to acquire permanent public access to Crescent  
8 Beach beyond the expiration of the lease in 2010.  
9  
10 51. Maintain a dialogue with major landowners regarding their future plans and  
11 discuss methods for preserving significant open space for recreation.  
12

13 **Goal 2: The Town shall maximize the responsible use of town open space through**  
14 **implementation of the 2001 Greenbelt Plan, Fort Williams Master Plan, Gull**  
15 **Crest Master Plan and Winnick Woods Master Plan, which plans are hereby**  
16 **incorporated by reference.**  
17

18 The Town has prepared master plans to promote orderly use and limited development  
19 of the town's significant open space resources. The Greenbelt Plan attempts to pull  
20 those land parcels and many smaller parcels and easements into a cohesive trail  
21 network. As these master plans are implemented, town residents will be able to more  
22 fully enjoy the resources the town currently owns.  
23

24 Implementation of the master plans has been most often restricted by lack of funding. In  
25 some cases, the town has been able to supplement existing funds with grants and  
26 donations. In other cases, significant volunteer efforts have significantly reduced costs.  
27 In the future, this type of multifaceted approach will be needed to implement the  
28 master plans.  
29

30 Implementation Steps  
31

- 32 52. Promote volunteer efforts such as Cape Trails Day and student trail events to  
33 construct and maintain trails.  
34  
35 53. Continue to fund the purchase of materials to construct boardwalks and bridges,  
36 especially as a match when volunteer labor is available.  
37  
38 54. Continue to seek grant funding and partnerships with like-minded groups to  
39 implement the above master plans.  
40  
41 55. Review the master plans overseen by the Conservation Commission and the Fort  
42 Williams Advisory Commission every 7 years, to insure that the plans are being  
43 implemented appropriately.  
44  
45 56. Hold a public forum with trail users to develop a policy regarding conflicts  
46 between trail users.  
47

48 **Goal 3: The Town shall support the high level of resident participation in**  
49 **Community Services Programs and the high quality of the town's recreational**  
50 **facilities.**

1  
2 Like most municipal departments, Community Services is highly rated in the telephone  
3 survey. In addition to programming within the Community Center, Community  
4 Services manages the community pool and scheduling of athletic fields. While no large  
5 expansion in facilities is anticipated as the program evolves with population changes, in  
6 the long term some facility expansion and adjustment may be needed.

7  
8 Implementation Steps

- 9  
10 57. Explore the need for additional athletic fields, gym activity space, and outdoor  
11 lighting for recreation areas.  
12  
13

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## MARINE RESOURCES

Cape Elizabeth is surrounded on two sides by the Atlantic Ocean, and by the Spurwink River to the west. Marine resources in Cape Elizabeth are predominantly used for limited commercial fishing and for recreational boat moorings.

### Boat Access

Public commercial boat access to the Atlantic Ocean is available at Kettle Cove, state owned land located on the southern end of Cape Elizabeth adjacent to Crescent Beach. The boat ramp is adjacent to a parking lot accessed from Kettle Cove Rd. The parking lot does include reserved spaces for commercial fishing parking. Maneuvering boats onto the ramp requires a tight swing during the summer when the parking lot is full and adjacent areas are used for storing kayaks, etc.

Boat ramp use is limited to commercial fishing. With this limitation, there is adequate access for commercial fishing when the area immediately surrounding the boat ramp is not congested. The Harbor Master has stated that without this restriction, congestion and access problems for commercial fishing are probable.

A second boat launch is also located immediately adjacent to Crescent Beach and in close proximity to the commercial boat ramp. This boat launch is available to any users with a beach access permit from the Police Department. In FY 2005, the following beach access permit were issued:

### FY 2005 Beach Permits

<u>Type</u>	<u>Number</u>	<u>Fee</u>
Day Pass	31	\$5
Seasonal Pleasure Pass	55	\$25
Commercial Beach Pass	24	\$25
TOTAL	110	

Day passes are purchased mostly by nonresidents. Seasonal pleasure passes are purchased only by residents. Commercial Beach passes are a mix of residents and nonresidents. Both the Seasonal Pleasure Pass and the Commercial Beach Pass are free

1 Place holder for Marine Resources Map

1 to mooring holders and most of the Commercial Beach passes are purchased by people  
2 with moorings.

3  
4 The boat access is composed of compacted sand, which can be problematic when sand  
5 washes out. Boats larger than 14' cannot be launched here due to shallow water at some  
6 times. The boat launch is also limited during summer weekends by congestion due to  
7 parking and heavy use.

### 8 9 Moorings

10  
11 In 2006, the Cape Elizabeth Harbor Master has 104 licensed moorings, 29 of which are  
12 for commercial fishing. Annual mooring revenues are approximately \$5,200. Below is a  
13 summary of moorings by location.

14 Location	Number of Moorings
17 Alewife Cove	7
18 Cliff House Beach	3
19 Crescent Beach	32
20 Kettle Cove	15
21 Maiden Cove	19
22 Pond Cove	1
23 Staples Cove	9
24 Trundy Point	10
25 Zebs Cove	6
26 Broad Cove	1
27 Ram Island	<u>1</u>
29 TOTAL	104

30  
31 All of the moorings in Kettle Cove are for commercial fishing. In addition, there are also  
32 commercial fishing vessel moorings at Crescent Beach. The remaining areas are almost  
33 exclusively for recreational boating moorings. The Harbor Master has been reviewing  
34 moorings and may need to make some location adjustments in Maiden Cove, but  
35 otherwise considers current facilities adequate. He estimates that there is enough room  
36 for 6 additional commercial moorings in Kettle Cove, and he has been reserving Kettle  
37 Cove exclusively for commercial fishing moorings. The number of moorings has  
38 fluctuated very little in the last several years and the Harbor Master does not anticipate  
39 a significant increase in the number of moorings requested.

### 40 41 Commercial Fishing

42  
43 The State of Maine Department of Marine Resources maintains a record of fishing  
44 licenses by type of license. This data shows that Cape Elizabeth supports a small,  
45 commercial fishing fleet focused primarily on lobster fishing.

46

**CAPE ELIZABETH**

Resident Licenses	2000	2001	2002	2003	2004	2005
90 DAY URCHIN DIVING TENDER	1	0	0	0	0	0
COMM FISHING/CREW	9	10	10	8	9	8
COMM FISHING/SINGLE	4	1	1	3	2	2
COMM SHRIMP-CREW	2	1	1	1	1	1
COMM SHRIMP-SINGLE	1	0	0	0	0	0
COMMERCIAL SHELLFISH	0	1	0	0	0	0
ELVER-2 FYKE NETS	1	1	1	1	0	0
LOB/CRAB APPRENT UNDER 18	0	0	1	0	0	0
LOBSTER TRANS (OUT-OF-STATE)	0	0	0	1	0	0
LOBSTER/CRAB APPRENT	0	0	1	4	3	1
LOBSTER/CRAB CLASS I	29	28	25	23	22	20
LOBSTER/CRAB CLASS II	22	22	22	20	25	28
LOBSTER/CRAB CLASS III	5	6	7	6	6	6
LOBSTER/CRAB NON-COMM	29	35	41	35	32	35
LOBSTER/CRAB OVER AGE 70	5	5	4	4	5	6
LOBSTER/CRAB STUDENT	12	13	13	16	14	14
LOBSTER/CRAB UNDER AGE 18	3	4	2	2	2	1
QUAHOG (MAHOGANY)	1	1	1	1	1	1
RETAIL SEAFOOD	5	4	4	4	4	4
SCALLOP - DIVER	1	1	1	1	1	1
SCALLOP - DRAGGER	4	2	2	3	3	3
SCALLOP, NON-COMMERCIAL	7	7	7	5	5	3
SEA URCHIN - DIVER	3	3	3	2	2	2
SEA URCHIN - DRAGGER	1	1	1	1	0	0
SEA URCHIN/SCALLOP TENDER	2	2	2	2	1	1
SEAWEED	1	1	1	1	1	1
WHOLESALE NO LOBSTERS	1	2	2	1	0	0
WHOLESALE W/LOBSTERS	0	0	1	2	2	1

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3 Shell fishing Areas  
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5 Shell fishing beds are located off the southern end of Cape Elizabeth and in close  
6 proximity to Kettle Cove. Along the shorefront from Crescent Beach to the Spurwink  
7 River, the area is sparsely developed with 13 existing homes. The area is protected from  
8 impacts from abutting land development by a 250' buffer from the high water mark that  
9 stretches along the coastline. Within 250' of the shore is not only Shoreland Zoning  
10 protection, but also a Resource Protection buffer due to the presence of wetlands and



1 sand dunes. Activities in the buffer are strictly limited and do not include construction  
2 of new homes or new roads.

3  
4 Lobster fishing in Cape Elizabeth, as evidenced by number of traps licensed by the  
5 Department of Marine Resources, is fairly steady at 5,000 traps annually. See table  
6 below for actual number of traps from 2000-2005.

7 Year	8 Traps
10 2000	4,775
11 2001	5,170
12 2002	4,250
13 2003	5,415
14 2004	4,700
15 2005	5,230

### 17 Marine Resources Goal

19 **Goal 1: The Town shall manage marine resources to protect commercial fishing and  
20 access and also to provide for recreational boating.**

21  
22 Marine resources support commercial fishing, noncommercial fishing and recreational  
23 boating. Facilities are managed to assign first priority to commercial fishing. Some  
24 expansion of commercial fishing could be accommodated. At the same time,  
25 noncommercial fishing and recreational boating now occur and can continue to occur  
26 without a negative impact on commercial fishing.

#### 28 Implementation Steps

- 29
- 30 58. Continue to reserve and improve the Kettle Cove boat ramp for commercial  
31 fishing, WETeam, and other emergency access.
  - 32
  - 33 59. Study the need for and the potential location of an additional boat ramp and  
34 parking facilities for all users.
  - 35
  - 36 60. Evaluate the need for and feasibility of public access (including parking) to shell  
37 fishing beds for licensed, commercial fishermen.
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## WATER RESOURCES

Cape Elizabeth is not only bordered by salt water on two sides, but also includes fresh water resources incorporating 30% of the Town. Most of the fresh water resources are wetlands (discussed in the Critical Natural Resources Chapter), but a few fresh water bodies also exist.

### Drainage areas

The Town of Cape Elizabeth has essentially 11 drainage basins. The Town generally slopes to the south, the coastline and the Spurwink Marsh. The largest watershed drains into the Spurwink Marsh and extends from the northwest to the mouth of the Spurwink River. The second largest basin extends from the northern boundary south to the southeast corner along the coastline. In between these two drainage basins are several smaller basins, most of which drain toward Casco Bay.

### Water Bodies

The largest fresh water body in town is Great Pond, located in the southern end of Cape Elizabeth, at a size of 131 acres. The pond is shallow and surrounded by wetlands, with much of the abutting area undeveloped. Roughly one half of the shoreline of Great Pond is owned by the Sprague Corporation and is not developed. There are two, single family residential neighborhoods located north of the pond that are served by individual subsurface disposal systems. Periodic water quality tests, however, show that the water quality of Great Pond remains good.

1 Place holder for Water Resources Map  
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## Great Pond Water Town Water Quality Testing

DATE	1980	1996	1998	2004
<b>WATER CLARITY</b>	1.2	1.6	1.54	1.35
<b>NATURAL COLOR</b> (Measured in Standard Cobalt Units)		> 100 SPU	>100 SPU	120-130 SPU
<b>CHLOROPHYLL-A</b>		3.2 ppb	7.04 ppb	7.9 ppb
<b>PH</b>		ph 6.92	ph 6.82	ph 6.5
<b>TOTAL ALKALINITY</b>			9mg/l	7 mg/l
<b>TOTAL PHOSPHORUS</b>		26 ppb (.5 meters depth) 28 ppb (1.5 meters depth)	33 ppb	28 ppb
<b>FECAL COLIFORM</b> (E. coli levels <25)		LOCATIONS GP1: 43 GP2: 76 GP3: 39 GP4: 22	LOCATIONS ID 1 6 ID 2 4 ID 3 4 ID 4 4 ID 5 11 ID 6 3 ID 7 8 ID 8 1	

5 *Source: 1996, 1998, and 2004 Water Quality Monitoring and Assessment Reports by Lake and*  
6 *Watershed Resource Management Associates, Turner, Maine*

7  
8 The general conclusion that can be drawn from this data is that there have been no  
9 dramatic changes to the water quality of Great Pond. A more detailed analysis requires  
10 reviewing the data in concert with the physical characteristics of the pond. The 131 acre  
11 pond has an average depth of 4 feet and a maximum depth of 5'. A discussion of the  
12 individual test parameters follows.

13  
14 A low Water Clarity number, such as those for Great Pond, could be an indirect  
15 indicator of algal growth. Algal growth can occur naturally, but is often an indicator of  
16 pollution entering a water body and acting as nutrients to algae. With excessive  
17 nutrients, algae grow faster than a fish population can consume it and at the same time  
18 use up the oxygen in the water that the fish also need to survive. In the case of Great  
19 Pond, however, it is the naturally occurring color of the lake that is producing a low  
20 water clarity measurement.

21  
22 Natural Color is measured to determine if high readings in other tests are due to  
23 naturally occurring characteristics or the result of recent changes to the pond. Color

1 varies widely in Maine lakes and Great Pond has high levels of color. This is due to the  
2 humic acid leaching from the adjacent wetlands, giving the water the appearance of tea  
3 or coffee. While low water clarity may indicate significant algal growth, high natural  
4 color actually limits algal growth because light penetration into the water, needed for  
5 algal growth, is reduced. Color levels in excess of 25 SPU result in significant reduction  
6 in light penetration.

7  
8 Phosphorus is also sampled to measure potential algae production. While the  
9 phosphorus levels in Great Pond are relatively high compared to other Maine lakes, the  
10 levels are likely due to the high color levels.

11  
12 Chlorophyll-a is a pigment in algal cells. Increasing levels of Chlorophyll-a in Great  
13 Pond indicate higher levels of biological production, however, this may be a typical  
14 condition for Great Pond.

15  
16 Total Alkalinity and pH are measured to further indicate biological productivity. Great  
17 Pond's measurement is consistent with most Maine lakes.

18  
19 Fecal coliform tests for fecal contamination. It should be noted that fecal coliform  
20 sources can be wildlife and Great Pond supports a wide range of wildlife. The testing  
21 does not indicate if the current levels of fecal coliform originate from wildlife or  
22 possible human contamination. The most recent shows fecal coliform at well below  
23 maximum acceptable levels.

24  
25 Great Pond is a popular spot for fishing, canoeing and ice skating in the winter. Public  
26 access to the pond is available on foot from Route 77 to the southeastern end of the  
27 pond and from the north from Fenway Rd. Both access points are pedestrian trails with  
28 parking available along Fenway Rd or Route 77. The Fenway Rd access leads to a sandy  
29 area used as a boat launch. Over a dozen boats are routinely left on private property  
30 without permission adjacent to the shoreline at any time. This access point is owned in  
31 fee by the Sprague Corporation, which has granted an easement over existing trails  
32 donated to the Town of Cape Elizabeth. The Town and the Sprague Corporation are  
33 cooperatively working to revise the easement deed to clarify the easement location and  
34 formalize a boat storage by permit system.

35  
36 The second largest pond is Little Pond, located southwest of Great Pond on the Sprague  
37 Corporation land. The pond is completely surrounded by private property and is not  
38 used by the public. The entire area surrounding the pond is undeveloped. According to  
39 the Maine Department of Inland Fisheries and Wildlife, fish are present in Little Pond.

40  
41 Several smaller ponds are scattered throughout the Town and almost all are adjacent to  
42 wetlands. Except for the ponds located on the Sprague Corporation land, these ponds  
43 are unnamed. Several ponds are remnants of Cape Elizabeth's farming past, originally  
44 created as irrigation ponds, but now are picturesque additions to the landscape and  
45 functional components of the area's drainage.

#### 46 Rivers and Streams

47  
48  
49 The most significant river in Cape Elizabeth is the Spurwink River, which is the western  
50 boundary of the Town. It drains south and through the Spurwink Marsh. Both the Cape

1 Elizabeth and Scarborough sides are sparsely developed. The Town of Cape Elizabeth  
2 owns almost all of the land immediately abutting the river in Cape Elizabeth, which is a  
3 saltwater marsh.  
4

5 Trout Brook is located along the northeastern Cape Elizabeth/South Portland boundary  
6 where most of the abutting land is densely developed. Trout Brook has been identified  
7 as an urban impaired watershed at the Cape Elizabeth line extending into South  
8 Portland, however, the entire watershed is classified as a "regulated area" under the  
9 NPDES (National Pollutant Discharge Elimination System)Phase II Storm water  
10 Program. A Total Maximum Daily Load (TMDL) Report on Trout Brook has been  
11 prepared that evaluates the condition of the brook and makes implementation  
12 recommendations. The portion of Trout Brook located in Cape Elizabeth is currently  
13 listed as Class B, which means it meets State water quality standards. The South  
14 Portland section is classified as Class C, not meeting standards.  
15

16 Alewife Brook is the outlet for Great Pond and drains eastward to the Atlantic Ocean.  
17 Almost the entire "corridor" of Alewife Brook is bounded by wetlands and  
18 consequently not developed. The section of the brook located between Route 77 and  
19 Old Ocean House Rd is adjacent to a working farm.  
20

21 Of the remaining unnamed streams and brooks, two in the area between Shore Rd and  
22 Mitchell Rd have had the most attention. Equidistant between southern ends of Shore  
23 Rd and Mitchell Rd is a wetland and stream complex that outlets to the Atlantic Ocean  
24 at Pond Cove. Significant amounts of this Pond Cove Watershed remain undeveloped  
25 and in single ownership. As the land closest to the roads has been developed, questions  
26 have been raised regarding the impact on the water quality of this interior area.  
27

28 Further north between Shore Rd and Mitchell Rd, in the area of Dyer Pond, is an  
29 unnamed brook that drains through the Delano Park neighborhood before outletting to  
30 the Atlantic Ocean. The headwaters of this brook are located in permanently protected  
31 Town open space. As part of the Dyer Pond subdivision approval, the brook was fitted  
32 with a weir to control flows and flooding of the Delano Park neighborhood  
33 downstream. The Town maintains the weir and downstream flooding has not occurred  
34 with the development of the subdivision.  
35

36 All of the above streams support fish according to the Maine Department of Inland  
37 Fisheries and Wildlife. Additional streams with fish present include Pollack Creek  
38 (Spurwink Ave) and Willow Brook (Scott Dyer Rd).  
39

#### 40 Estuarine and Coastal Waters 41

42 Cape Elizabeth drains into the Casco Bay and Saco Bay Estuaries. The Town of Cape  
43 Elizabeth has participated in the Casco Bay Estuary Program, specifically in preparing a  
44 plan for storm water discharge in the Town Center. The tidal waters of the Spurwink  
45 Marsh are classified SA, which is the highest water quality classification, by the State of  
46 the Maine.  
47

48 No data are available regarding the water quality of the Spurwink Marsh. The bulk of  
49 the marsh is owned by the Town of Cape Elizabeth and, in Scarborough, by the Rachel  
50 Carson Wildlife Refuge. Presumably, the conservation sensibilities of these two owners

1 will preserve the environmental quality of the marsh. Upland of the marsh, shoreland  
2 zoning and Resource Protection Buffers virtually preclude any development near the  
3 marsh. No immediate threats to the marsh are identified.  
4

5 The area including Crescent Beach and to the west drains into the Saco Bay Estuary. The  
6 immediate coastline of this area is sparsely developed. Storm water from this area  
7 drains through significant wetland areas (the Spurwink Marsh) before discharging into  
8 the estuary.  
9

#### 10 Aquifers

11  
12 No significant gravel aquifers are located in Cape Elizabeth.  
13

#### 14 Overboard discharges

15  
16 Overboard discharges are discharges of septic waste to a water body where the effluent  
17 is treated by sand filters or chlorination, but not by a leach field. Cape Elizabeth has  
18 four active overboard discharges licensed by the Maine DEP that discharge into the  
19 southern end of Casco Bay. An additional overboard discharge has been licensed but  
20 not installed. The overboard discharges all use the sand filter and disinfection type  
21 system. The systems discharge in Smugglers Cove, Casco Bay and the Gulf of Maine.  
22 The Town of Cape Elizabeth holds one of the licenses for its discharge at Portland Head  
23 Light.  
24

25 The Town also operates two discharge points for the southern sewer treatment system.  
26 At the Treatment plan operated on Spurwink Ave, the Town has a licensed overflow  
27 discharge. The most recent report(2005) from the DEP to the Maine Legislature lists this  
28 discharge point as in compliance with license discharge parameters. The majority of the  
29 flows from the Spurwink Treatment plant are treated, dechlorinated and pumped back  
30 to Peabbles Cove, where they are discharged.  
31

#### 32 Regulatory Protection

33  
34 The Town of Cape Elizabeth has adopted Shoreland Zoning protection that has been  
35 deemed consistent with State Mandatory Shoreland Zoning requirements. This includes  
36 a 250' shoreland overlay district along the coastline (Atlantic Ocean), rivers, and ponds,  
37 and a 75' shoreland overlay district along major streams. In addition, the Town has  
38 adopted local wetland regulations that establish 100' - 250' wide buffers around water  
39 bodies of at least 1 acre in size. Finally, Great Pond is protected with a Great Pond  
40 Watershed Overlay District, which minimizes the amount of area that can be stripped of  
41 vegetation at one time. These regulations work together to create natural vegetated  
42 buffers to protect water resources.  
43

44 There is limited water quality data available for water bodies in Cape Elizabeth. As  
45 growth continues, buffering requirements adjacent to water resources require that new  
46 development must be set back from water resources. The buffers also protect water  
47 resources by filtering storm water before it enters water bodies and streams. Although  
48 water quality testing has been limited, all of the testing done continues to suggest that  
49 existing local, state and federal regulations are protecting water quality even when new  
50 development occurs.

## Water Resources Goals

**Goal 1: The Town should retain its local Shoreland Zoning and Great Pond Watershed Overlay District regulations that require preservation of vegetated buffers and restrict activity in shoreland areas, resulting in no degradation of adjacent water bodies.**

As a mature suburb, Cape Elizabeth is more densely developed than most other Greater Portland suburbs. Rather than resulting in declines in local water quality, the location of clustering of development and preservation of buffers as required by local regulations is preserving water quality. Preservation of naturally vegetated buffers is less expensive than design and construction of pre-treatment structures, such as settling ponds and phosphorus control facilities. In addition, "low-tech" vegetated buffer requirements result in less administrative burden to inspect.

### Implementation Steps

61. Update the local Shoreland Zoning requirements to be consistent with new state Mandatory Shoreland Zoning requirements which take effect in 2008.
62. Retain the Great Pond Watershed Overlay District.
63. Initiate an educational effort to reduce the occurrences where land owners have altered vegetation in buffer areas in a manner that degrades water quality.
64. Take advantage of new technologies and funding opportunities to eliminate the remaining overboard discharges.
65. Investigate, in cooperation with private land owners, adopting names for unnamed bodies of water to aid in public awareness.

**Goal 2: Periodic water quality testing should continue and be expanded to monitor local water quality in order to identify potential problems in the early stages and also to assist in priority setting for infrastructure policy and improvements.**

Very little water quality data are generated, except as funded by the Town. As funding permits and opportunities arise, the Town should look to itself as the primary collector of water quality testing data necessary to stop possible water quality degradation at its earliest stages.

### Implementation Step

66. Expand the periodic water quality testing of Great Pond to a town-wide program that includes identifying standard water quality testing sites throughout town which are tested every 5 -10 years on a standard set of parameters.



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**CRITICAL NATURAL RESOURCES**

Wetlands

According to the Town Zoning Map, approximately one-third of the town is wetland. Wetlands are located throughout town and range from classic salt water marshes to forested wetlands and wet meadows. The most significant wetland complex is located in the center of town and extends west to join the Spurwink Marsh, and then into Scarborough. Further south, Great Pond, the largest fresh water body in town, is surrounded by wetlands that extend southwest to Little Pond and its surrounding wetlands. Significant wetlands exceeding ten acres in size are also located on the southern end of town adjacent to Crescent Beach and on the Sprague property, and on the northern end off Spurwink Ave extending into South Portland.

Both the Spurwink Marsh and Great Pond wetlands have been rated high value for wildlife habitat by the Maine Department of Inland Fisheries and Wildlife.

Threats to wetlands in Cape Elizabeth have been almost eliminated by local wetland regulations that are more restrictive than state wetland protection. New home construction and new road construction are not allowed in the most fragile wetlands, characterized by very poorly drained hydric soils or obligate wetland vegetation of at least one contiguous acre. Unlike state regulation, no alteration of these areas is exempt from local review. Consequently, what limited growth occurs in Cape Elizabeth is aggressively directed away from wetland areas.

The effectiveness of this approach may be demonstrated by the annual Wetland Loss Tracking Reports compiled by the DEP. The table below demonstrates that Cape Elizabeth is altering far less wetland areas than its suburban counterparts in the Greater Portland Region. It should also be noted that wetland alterations of less than 4,300 sq. ft. would not be included in the chart below, but would still require review in Cape Elizabeth under local regulations.

1 Place holder for Wetlands Map  
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### Wetland Fill Comparison, 2002 and 2005

<u>Town</u>	Acres of Wetland Filled	
	<u>2002</u>	<u>2005</u>
Cape Elizabeth	.84	0
Cumberland	2.85	No data
Falmouth	8.55	1.74
Freeport	5.21	.45
Gorham	5.26	12.7
South Portland	6.18	.3
Scarborough	9.75	4.06
Yarmouth	1.32	.13

Source: Maine Department of Environmental Protection

Cape Elizabeth local wetland regulation utilizes soils mapping, supplemented by field assessment of soils and plants, to regulate wetlands. Very poorly drained soils of at least an acre are classified as Resource Protection District 1 wetlands. Very little activity is permitted in RP1 wetlands. Poorly drained soils of any size are classified as RP2 wetlands, where some alterations are allowed by permit. In addition, RP1 wetlands are protected by an RP1 Buffer District varying from 250' to 100' in width.

State wetland mapping utilizes the National Wetland Inventory Maps (NWI). These maps classify wetlands more by their character, such as salt marsh or forested, than by soils. An overlay of the two mapping methods shows that the existing soils mapping used by the Town almost completely overlaps the NWI mapping. Because (1) the town wetland regulations are fundamentally integrated into the soils based mapping, (2) the NWI maps and town soils maps indicate virtually the same areas, and (3) the local regulations require field confirmation of wetland mapping of individual parcels, the soils map will continue to be used as the base map for wetlands.

A subject of rising state concern is the mapping and protection of vernal pools. Vernal pools are natural, temporary bodies of water that occur in shallow depressions and have no inlet and no viable populations of predatory fish. They typically fill with water during the spring or fall, and may dry out during the summer. Significant vernal pools provide breeding habitat for wood frogs, spotted salamanders, blue-spotted salamanders, and fairy shrimp, as well as habitat for other plant and animal species. Because the vernal pool depression typically includes hydric soils, any alteration to vernal pools is regulated by the Cape Elizabeth wetland regulations. Vernal pools have been identified during development reviews, and buffers have been created to preserve the area around a vernal pool. State rules that take effect on September 1, 2007, will extend state protection to the area around significant vernal pools. The Town should review its local wetland rules to determine compatibility, rather than duplication, with state vernal pool rules.

## Wildlife and Plant Habitats

Based on state maps that include dated information which needs to be confirmed, Cape Elizabeth has significant habitat for the piping plover and least terns along the coastline from Crescent Beach to the Spurwink River, located in the southwestern corner of town. Not surprisingly, the environmental characteristics of this area also serve as shorebird feeding habitat and tidal bird habitat.

The New England Cottontail has been identified as a rare animal with habitat in Cape Elizabeth. The Town will be managing 15 acres of town owned land located in the area of Sawyer Road jointly with 12 acres owned by the U. S. Fish and Wildlife Service as a New England Cottontail habitat. (See Winnick Woods Master Plan)

Rare animals, rare birds and their habitat have been identified at Great Pond, the Pond Cove wetland complex, Two Lights State Park and the southeastern corner of Cape Elizabeth. Inland bird habitats are focused on Great Pond, but significant areas are also located in the area of Little Pond and other sites where substantial areas of wetlands are located. These include the wetland complex that discharges at Pond Cove, the Peabbles Cove neighborhood, and the open space preserved as part of the Cross Hill development.

Deer wintering areas have been identified west of Great Pond and south of Little Pond, however, deer range throughout the town, moving through developed neighborhoods and feasting on the shrubs and gardens of homeowners. Portions of the southwest corner of town, between Crescent Beach and the Spurwink Marsh, have been identified by the State as a sensitive ecological area.

In the State of Maine, the Maine Department of Inland Fisheries and Wildlife (MDIFW) has designated Essential Habitat areas for the bald eagle, roseate tern, least tern, and piping plover. "Once an area becomes designated as Essential Habitat, the Maine Endangered Species Act requires that no state agency or municipal government shall permit, license fund or carry out projects that would significantly alter the habitat or violate protection guidelines adopted for the habitat." (MDIFW Introduction to Essential Wildlife Habitat) For all other species, identification of rare plant and animal habitat is information that can be used to guide development to less sensitive areas of the property rather than to prohibit development.

There is almost complete overlap between wetland areas and areas identified as significant plant and animal habitats. Rare plants in Cape Elizabeth include Sea-beach sedge, Beach plum, dune grassland, and pitch pine dune woodland. With the exception of Two Lights State Park, all the areas identified above coincide with the town wetland Resource Protection Districts. As such, most enjoy aggressive protection including 250' wide buffers extending upland of wetland boundaries. New development is not anticipated in these areas. An example of how the local wetland regulations can protect plant and animal habitat can be seen in the development of the Cross Hill neighborhood. This 205 acre development was designed with 97 home lots and 105 acres of permanently protected open space. The inland bird habitat identified is located in the 105 acres of open space.

1 One of the challenges to plant and, particularly, animal habitats, is the breaking up of  
2 large tracts into smaller or isolated parcels with dramatically less value as habitat. The  
3 experience with new development in Cape Elizabeth, however, is that wildlife corridors  
4 have been continued and preservation areas expanded as adjacent land is developed.  
5 Most new development in Cape Elizabeth utilizes cluster development provisions that  
6 prioritize preservation of large parcels and corridors over buffer strips. Examples can be  
7 found in the Leighton Farms Subdivision, where open space was added to the land  
8 already preserved in the adjoining Cross Hill Subdivision, and the Blueberry Ridge  
9 Subdivision, where open space to be preserved was located adjacent to land already  
10 under conservation. These approaches increase the habitat value of the open space by  
11 preserving larger, contiguous tracts rather than smaller, isolated parcels.

### 12 13 Coastal Islands

14  
15 Richmond Island (226 acres) and Ram Island (3 acres) are located off the southern coast  
16 of Cape Elizabeth. Both are owned by the Sprague Corporation and both are subject to  
17 Shoreland Zoning. Neither island has year round occupancy. Richmond Island has a  
18 lodge, keeper's quarters and boat dock. Camping is allowed with the permission of the  
19 Sprague Corporation.

20  
21 The Sprague Master Plan, which lays out the extent of development of corporation land  
22 expected for the next 40 years, was granted subdivision approval by the Town and does  
23 not include development of either island.

### 24 25 Sand Dunes

26  
27 Sand dunes ( 28 acres) are located on the southern coast of Cape Elizabeth at Crescent  
28 Beach and coastline to the west. Both are protected under local Resource Protection  
29 regulations that do not allow development of the dunes and establish a 100' buffer from  
30 new development.

### 31 32 Coastal Hazard Areas

33  
34 The Maine Geological Survey has mapped coastal hazard areas where landslides have  
35 occurred or may potentially occur. Most of Cape Elizabeth is a rocky coastline. Two  
36 areas have been identified as a potential landslide area. These areas are located at Pond  
37 Cove, adjacent to Shore Rd, and the beach at Seaview Ave. Both areas are owned in  
38 whole or in part by either the Town of Cape Elizabeth or the Land Trust. Public access  
39 to these areas is allowed, but new construction is restricted by existing regulations.

### 40 41 Floodplains

42  
43 The one hundred year floodplains in Cape Elizabeth closely follow the large wetlands  
44 already prohibited from development by local wetland regulations. These areas include  
45 the Spurwink Marsh, Great Pond, Crescent Beach and the wetland on the Cape/South  
46 Portland boundary off Spurwink Ave. The Town also regulates these areas with a  
47 Floodplain Management Ordinance consistent with Federal regulations.

1 Place holder for Coastal Resources Map

1 Place holder for Floodplain Map  
2

## Scenic Areas

The Town of Cape Elizabeth conducted an inventory, mapping and assessment of scenic areas in 1989 (See 1989 Visual Resources Assessment). Several scenic views and vistas were identified and prioritized. In 1997, scenic overlay districts were drafted to restrict infringement on these areas from new development. The districts were reduced in size twice, and ultimately not adopted due to concerns regarding interference with private property rights. Without the restrictions, many, if not most, of the views remain protected through the residual effects of the local Resource Protection regulations, Shoreland Zoning and conservation restrictions on key parcels.

The number one rated view is the Spurwink Marsh. Due the wide open nature of the marsh, some threat to the view remains despite the large amount of the marsh that is owned by the Town (150 acres). The marsh is somewhat like a bowl and “edges” of the bowl are privately owned. As these parcels are developed as home lots, the scenic vista of the marsh is affected. The Cape Elizabeth Land Trust has obtained a significant parcel that abuts the marsh, but an adjacent parcel has recently been approved for 5 home lots.

### **Critical Natural Resources Goal**

**Goal 1: The Town’s critical natural resources are clustered together in areas that currently enjoy strict local protection from alterations and impacts. This current regulatory structure, which includes Resource Protection regulations, Shoreland Zoning and Floodplain Management, should be maintained.**

Critical resources in Cape Elizabeth are focused in the major wetland areas. Alteration of these wetland areas is restricted, not only by state, and, in some cases, federal regulation, but also by local regulations that prohibit new home and road construction. The critical resource analysis highlights the layers of functions incorporated within these fragile natural areas. Available data suggest that current management is adequate to protect these areas. Therefore, as new development occurs, continued application of existing policies and regulations should be adequate to preserve critical natural resources.

### Implementation Steps

67. Maintain the current stringent local wetland regulations as they apply to residential uses, including the RP1 Buffer at the 250’ width.
68. Retain the current, stringent Resource Protection Regulations, Shoreland Zoning and Floodplain Management Ordinance, and update as needed.
69. Confirm that the existing Resource Protection permit process delineates significant vernal pools.



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## AGRICULTURE AND FORESTRY

When Cape Elizabeth and what is now South Portland mutually agreed to split at the turn of the 20th century, a key factor in the decision was Cape Elizabeth's desire to eschew the modern trappings of commercial development, expensive utilities and infrastructure in favor of its traditional farming and fishing identity. One hundred years later, Cape Elizabeth has embraced modern living and taken its place as a desirable suburb of the City of Portland, but still clings to its farming roots. While the acreage devoted to and jobs derived from farming decline, the Town has also taken steps to preserve remaining farmland and elements of the "rural character" prized by most residents.

### Farms

According to the 2000 U.S. Census, 22 residents, comprising 0.5% of the labor force, identify their primary occupation as fishing, farming or forestry. The 1990 U.S Census reported 87 residents with farming as the primary occupation. These numbers do not include seasonal workers.

A town inventory of farms, which range from growing traditional vegetable and flower crops to raising animals for sale and horse farms, indicate that 1,137 acres of land are devoted to farming. The 1993 Comprehensive Plan estimates 2,275 acres in farmland; however, that number also includes 1,208 acres of forestry land, which is now reported separately. (Reporting techniques for the 1993 plan and this plan differ and are not adequately documented to make a comparison possible.) Even accounting for this shift, however, the amount of land in active agriculture has declined, primarily due to the conversion of existing or defunct farms to other uses. For example, the Leighton Farm on Wells Rd is now single family home lots and the Gull Crest Farm on Spurwink Ave was purchased by the Town and now includes the Public Works Facility, 2 athletic fields, a community garden and public trails.

1 Place holder for Agricultural Map

1  
2**Cape Elizabeth Farms 2006**

<b>Farm/Owner</b>	<b>Location</b>	<b>Crop</b>	<b>Acreage</b>
Jordan Family	21 Wells Rd	Market/Garden	194
Maxwell Farm*	Spurwink Ave	Market/Garden	155
Maxwell Farm	Spurwink Ave	Woodlot/Mixed	100
Alexander	403 Mitchell Rd	Horses/woodland	15
Jim Cox/Done Roaming Farm	Eastman/Sawyer	Tree farm	22
Jim Cox	Eastman/Sawyer	Market/Garden	4
Jay Cox	1148 Sawyer Rd	Tree farm	47.5
Walnut Hill Stables	39 Ocean House Rd	Horses	8.4
Shady Oaks Farm/Strout	40 Fowler Rd	Horses	22
Alewife Brook Farm/Jordan	83 Old Ocean House	Market/Garden	50
Sprague Corporation	1 Ram Island Farm Rd	Hay/cropland	266
Sprague (leased farmland)	1 Ram Island Farm Rd	Misc	56
Spurwink Farm (Leased)	50 Fieldways Ln	Horses	102
Turkey Hill Farm	122 Old Ocean House Rd	Market/Garden	30
Fox Run Farm	88 Ocean House Rd	Meat/Poultry	13.5
E. Jordan	93 Wells Rd	Ducks/Geese	4
L&A Farm(farms4, 16 tillable)	1 Davis Point Ln	Market/Garden	20
Sullivan (Leased)	Eastman Rd	Market/Garden	28
<b>TOTAL</b>			<b>1137.4</b>

\*Includes farm market, 112 Spurwink Ave, Two Lights Rd, 102 Two Lights Rd  
Source: Town of Cape Elizabeth Planning Office

Agricultural Soils

The Agricultural Soils Map shows the location of existing farms and their relationship to prime farmland soils and farmland soils of statewide importance. Prime farmland soils are located on the following farms: Jordan Farm, Maxwell Farm, Jay Cox Farm, Alewife Brook Farm, and Turkey Hill Farm. Much of the town's prime farmland soils are located immediately upland of wetland protection areas. Some of the prime farmland soils have been developed as single family residential subdivisions, including Elizabeth Farms, the Highlands at Broad Cove, Wainwright Circle, Autumn Tides and the Dyer Pond Subdivision.

Both the number of farming jobs and the amount of land in farming indicate that income from farming is not a significant contributor to the local economy. Farming remains tremendously important to the character and appeal of the community, however.

Farm and Open Space Law

The Farm and Open Space Law is a state program that provides for a reduction in the value of land for purposes of taxation. The reduction creates a financial incentive for

1 land owners to maintain their land as farmland or open space. The amount of the  
 2 financial incentive ranges from a 20% reduction to a 90% reduction, based on the degree  
 3 of restrictions that the land owner agrees to impose on the land. In Cape Elizabeth, 23  
 4 acres are enrolled in the Farm and Open Space program and eligible for a 20%  
 5 reduction in the value of the land established for taxation purposes. All of the enrolled  
 6 land is owned by the Sprague Corporation.  
 7

**FARM AND OPEN SPACE CLASSIFICATION ENROLLED PARCELS FY 2006**

<u>MAP</u>	<u>LOT</u>	<u>SUB</u>	<u>TYPE</u>	<u>OWNER NAME</u>	<u>LOT SIZE</u>	<u>LOCATION</u>
R08	001	003	000	SPRAGUE CORP	1.96	WINTERS LANE
R08	002	005	000	SPRAGUE CORP	1.96	ICE POND ROAD
R08	002	006	000	SPRAGUE CORP	1.97	ICE POND ROAD
R09	005	002	000	SPRAGUE CORP	2.41	RAM ISLAND FARM ROAD
R09	007	003	000	SPRAGUE CORP	2.48	RAM ISLAND FARM
R09	007	004	000	SPRAGUE CORP	5.42	ODYSSEY LANE
R09	010	001	000	SPRAGUE CORP	3.41	BREAKWATER FARM ROAD
R09	010	002	000	SPRAGUE CORP	3.58	BREAKWATER FARM ROAD
TOTAL					23.19	acres

8

9

10 Tree Growth

11

12 Tree Growth is a State program where property owners are provided a financial  
 13 incentive to maintain land as woodland. Reductions in the total valuation of the  
 14 woodland are available based on the degree of restrictions the land owner agrees to  
 15 impose on the land. In Cape Elizabeth, 1,926 acres, representing 20% of the total area of  
 16 the town, has been registered as tree growth and is eligible for a 20% reduction on the  
 17 full value of the land. Eighty-eight percent of the land in Cape Elizabeth registered in  
 18 the State Tree Growth Program, 1,712 acres, is owned by the Sprague Corporation.  
 19

**TREE GROWTH CLASSIFICATION ENROLLED PARCELS FY 2006**

<u>MAP</u>	<u>LOT</u>	<u>SUB</u>	<u>TYPE</u>	<u>LOT SIZE</u>	<u>OWNER NAME</u>	<u>LOCATION</u>
R04	051	000	000	112.00	YOUNG HAROLD M III	SAWYER ROAD
R04	054	000	000	47.50	COX JAMES C	SAWYER ROAD
R05	024	000	000	25.00	STROUT DORIS A &	STROUT ROAD
R06	029	000	000	340.10	SPRAGUE CORP	BOWERY BEACH ROAD

R08	001	000	000	382.48	SPRAGUE CORP	CHARLES E JORDAN ROAD
R08	001	004	000	5.00	SPRAGUE CORP	LOWER RIVER ROAD
R08	001	005	000	17.66	SPRAGUE CORP	LOWER RIVER ROAD
R08	001	008	000	1.92	SPRAGUE CORP	TRELAWNY TRAIL
R08	001	009	000	1.85	SPRAGUE CORP	TRELAWNY TRAIL
R08	001	010	000	1.89	SPRAGUE CORP	TRELAWNY TRAIL
R08	001	011	000	1.94	SPRAGUE CORP	TRELAWNY TRAIL
R08	001	014	000	4.76	SPRAGUE CORP	SOKOKI TRAIL
R08	001	015	000	4.20	SPRAGUE CORP	SOKOKI TRAIL
R08	002	000	000	58.46	SPRAGUE CORP	BOWERY BEACH ROAD
R08	002	001	000	2.56	SPRAGUE CORP	ICE POND ROAD
R08	002	002	000	1.87	SPRAGUE CORP	ICE POND ROAD
R08	002	003	000	1.99	SPRAGUE CORP	ICE POND ROAD
R08	002	004	000	1.84	SPRAGUE CORP	ICE POND ROAD
R08	003	000	000	33.50	SPRAGUE CORP	CHARLES E JORDAN ROAD
R08	003	002	000	3.21	SPRAGUE CORP	CHARLES E JORDAN ROAD
R08	003	003	000	3.28	SPRAGUE CORP	CHARLES E JORDAN ROAD
R09	004	000	000	78.75	SPRAGUE CORP	FOWLER ROAD
R09	004	002	000	1.84	SPRAGUE CORP	FOWLER ROAD
R09	004	003	000	2.81	SPRAGUE CORP	FOWLER ROAD
R09	005	003	000	2.49	SPRAGUE CORP	FARRO ROAD/JAPANESE POND
R09	005	005	000	5.83	SPRAGUE CORP	CHARLES E JORDAN ROAD
R09	005	007	000	2.27	SPRAGUE CORP	POMEROY ROAD/SOLOMON JOR
R09	005	008	000	2.53	SPRAGUE CORP	POMEROY ROAD
R09	005	009	000	3.21	SPRAGUE CORP	POMEROY ROAD
R09	005	010	000	5.10	SPRAGUE CORP	POMEROY ROAD
R09	005	A	000	210.95	SPRAGUE CORP	CHARLES E JORDAN RD
R09	005	B	000	25.82	SPRAGUE CORP	SOLOMON JORDAN ROAD
R09	006	001	000	1.98	SPRAGUE CORP	GAYFIELDS ROAD
R09	006	002	000	2.37	SPRAGUE CORP	GAYFIELDS ROAD
R09	006	003	000	1.85	SPRAGUE CORP	GAYFIELDS ROAD
R09	006	004	000	2.37	SPRAGUE CORP	GAYFIELDS ROAD
R09	006	A	000	12.96	SPRAGUE CORP	GAYFIELDS ROAD
R09	006	B	000	8.61	SPRAGUE CORP	GAYFIELDS ROAD
R09	008	002	000	2.89	SPRAGUE CORP	MONASTERY ROAD
R09	008	A	000	30.10	SPRAGUE CORP	MONASTERY ROAD
R09	008	B	000	156.61	SPRAGUE CORP	MONASTERY ROAD
R09	008	C	000	5.70	SPRAGUE CORP	MONASTERY ROAD
R09	008	D	000	14.29	SPRAGUE CORP	MONASTERY ROAD
R09	008	E	000	25.69	SPRAGUE CORP	LITTLE POND LANE
R09	009	000	000	28.57	SPRAGUE CORP	FERN TRAIL
R09	009	001	000	1.84	SPRAGUE CORP	LITTLE POND LANE
R09	009	002	000	2.22	SPRAGUE CORP	LITTLE POND LANE
R09	009	003	000	13.97	SPRAGUE CORP	BACCHUS PLACE
R09	010	003	000	2.12	SPRAGUE CORP	FERN TRAIL
R09	010	004	000	1.91	SPRAGUE CORP	FERN TRAIL
R09	010	A	000	42.26	SPRAGUE CORP	FERN TRAIL
R09	010	B	000	21.83	SPRAGUE CORP	BREAKWATER FARM ROAD
R09	010	C	000	57.80	SPRAGUE CORP	BREAKWATER FARM ROAD
R09	010	D	000	64.36	SPRAGUE CORP	BREAKWATER FARM ROAD
U31	001	000	000	15.00	ALEXANDER SHEILA	MITCHELL ROAD

L

U31 005 000 000 14.40 TYRRELL LAURA T & HARRIMAN FARM ROAD

**TOTAL 1,926.31 acres**

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Threats to Farm and Forest Land

The high value of land in Cape Elizabeth, coupled with the borderline economic viability of farming, combine to create the greatest threat to the continuation of farming and the management of woodlands in Cape Elizabeth. Farmers subsisting on meager incomes are hard pressed not to sell their land for development. In addition, Cape Elizabeth families that have farmed for generations are finding that the younger generation may no longer want to continue the family business. When the next generation is not interested in farming, however, the Town has experienced some success with the Maine FarmLink program relocating experienced farmers to Cape Elizabeth to work unused farms. Turkey Hill Farm, located off Old Ocean House Rd, is an example of a defunct farm that is being reestablished as an organic farm by a new generation of farmers.

Measures to Protect Farms and Woodlands

The Town, in partnership with the Cape Elizabeth Land Trust and others, has taken action to strike a balance between the development that will continue to occur and preservation of farms and woodlands. The current Zoning Ordinance includes provisions for clustering of development and preservation of adjacent woodlands and working farmland. TDR, the transfer of development rights from a “sending” parcel of land to a “receiving” parcel of land, is also authorized in the Zoning Ordinance. TDR would allow, for example, a farmer to earn money by selling the right to develop his land, while retaining ownership of the land for farming by permanently prohibiting, by deed, the opportunity to develop the land. The Cape Elizabeth TDR provisions identify active farmlands and woodlands as “sending” areas so that land owners have the opportunity to raise funds without selling the land. Fish and farm market stand regulations allow temporary standards and permanent stands (with Site Plan Review) in all zoning districts.

Independent of local land use regulation, agricultural easements are a tool that can preserve local farms. Local regulations also allow limited development of farmland by creating a few building lots to be sold to generate revenue and retaining the bulk of the land to continue farming.

While these measures encourage a favorable climate for farming, the Town has also financially supported the continuation of farming. The Cape Elizabeth Land Trust successfully raised \$1,645,000 to purchase an easement and development rights for 45 acres of the Jordan Farm located on Wells Rd. The Jordan family has farmed in Cape Elizabeth for 8 generations. The purchase was supported by local fund raising and state and federal grants. The Town has subsequently subcontracted its composting activities at the municipal recycling center to the Jordan family.

## Agriculture and Forestry Goal

**Goal 1: The Town shall support the continuation of farming and management of woodland areas by working with farmers and land owners to provide for financial rewards and preservation of significant agricultural and forestry areas.**

Farming is intrinsically tied to the identity of Cape Elizabeth. Town residents have expressed strong support to preserve farming as part of the Town's character. Further, town residents have supported municipal funding for farming preservation efforts and participate in community supported agriculture programs operated by some farms. Nonetheless, the economic viability of farming, especially with Cape Elizabeth land values, is challenging. While the town cannot reverse regional, state and national trends that have pressured local farms, it can work to mitigate negative impacts in recognition of the importance of local farms to community character.

### Implementation Steps

70. Develop an agricultural profile, in conjunction with farmers, that assesses the economic, cultural, and resource stewardship value of agriculture in Cape Elizabeth, and which includes quantitative and qualitative research, identifies the critical challenges facing local agriculture, and develops recommendations to address these challenges.
71. Identify and modify town regulations that hamper the flexibility needed to make farming economically viable. This review shall include, at a minimum:
  - Minimum lot size for fish and farm markets;
  - Temporary buildings needed for worker housing;
  - Agriculture related accessory buildings and uses;
  - Agriculture definition;
  - Agriculturally related produces and uses;
  - Restrictions on the percentage of non-farm/non-local produce that may be sold in farm markets.
72. Educate farmers and woodland owners of the full benefits available under the State Farm and Open Space Law and the Tree Growth Law.

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11 **HISTORIC AND ARCHEOLOGICAL RESOURCES**  
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14 Historic Settlement Pattern  
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16 The first settlement in Cape Elizabeth was a trading post established on Richmond  
17 Island in 1627 by Walter Bagnall. Mr. Bagnall was killed by Indians in 1631, apparently  
18 in response to his poor treatment of the Native Americans. Governor Winthrop of  
19 Massachusetts characterized Mr. Bagnall as “a wicked fellow” who “had much  
20 wronged the Indians.”  
21

22 Richmond Island remained a settlement and was established as a fishing and trading  
23 station by John Winter in 1632. The fishing station was successful and in 1637, the first  
24 vessel built on Richmond Island, a 30 ton bark named the Richmond, was launched.  
25 John Winter’s daughter, Sara, later married the Reverend Robert Jordan, an Anglican  
26 clergyman from England. Descendants of Sara and Robert settled in Cape Elizabeth and  
27 members of that family still farm in Cape Elizabeth and serve as community leaders.  
28

29 From 1675-1715, the area went through a cycle of settlement and evacuation due to wars  
30 with Native Americans and an attack by pirates. In 1718, the Massachusetts General  
31 Court established the boundaries of Falmouth, which included Cape Elizabeth. In 1765,  
32 Cape Elizabeth was incorporated as a separate district. Cape Elizabeth was named after  
33 Princess Elizabeth, the sister of King Charles I of England. In 1775, Cape Elizabeth was  
34 incorporated as a town.  
35

36 Fishing and farming were the main occupations for the town through the 1800s. Farms  
37 were established throughout the town and some still survive today. Farming evolved  
38 from subsistence crops in the 1700s to money crops in the 1800s as the City of Portland  
39 grew.  
40

41 In addition to fishing the waters of Cape Elizabeth, many Cape residents also  
42 participated in the shipbuilding occurring in the Knightville and Ferry Village areas in  
43 South Portland. In the winters, Cape Elizabeth men, in a few cases accompanied by  
44 their wives and families, sailed with lumber and fish to the Caribbean Islands and  
45 brought back rum and sugar. Letters from Cuba to relatives in Cape Elizabeth indicate  
46 that several families worked in Cuba for part of the year.  
47

48 As the City of Portland’s shipping trade grew, navigational aids were needed to guide  
49 vessels into Portland Harbor. In 1791, the first lighthouse constructed by the federal  
50 government was built at Portland Head Light in Cape Elizabeth. Following in 1811, the



1 first lighthouse at Two Lights was constructed. In 1827, this lighthouse was torn down  
2 and two lighthouse towers were erected between Dyer and Staples Coves.

3  
4 Cape Elizabeth's close proximity to Portland made it desirable as a summer cottage  
5 community and spurred the first planned developments. Delano Park was the first  
6 recorded subdivision in 1855 and includes several examples of shingle style architecture  
7 designed by John Calvin Stevens.

8  
9 At the same time that the northeastern corner of Cape Elizabeth experienced residential  
10 development, land assembly was underway establishing Fort Williams. The first 14  
11 acres of what is now Fort Williams was purchased in 1872 and a total of 90 acres were  
12 assembled over the next 25 years. Fort Williams was fully manned during WWI and  
13 provided harbor defense during WWII. The west light at Two Lights was reconstructed  
14 as an observation tower and a battery intended to provide harbor defense was also  
15 constructed in 1944.

16  
17 From 1775 to 1895, the Town of Cape Elizabeth included the areas now known as Cape  
18 Elizabeth and the current City of South Portland. Within the area now known as South  
19 Portland was clustered the majority of the infrastructure (roads, sewer, municipal  
20 buildings) and more modernization was on the way. Cape Elizabeth residents,  
21 however, were further from the City of Portland and unwilling to pay for additional  
22 infrastructure improvements or abandon their rural lifestyle. In 1895, Cape Elizabeth  
23 and South Portland split into two municipalities.

24  
25 The attached map shows the progression of subdivision development in Cape Elizabeth  
26 from the mid 1800s to 1990. Subdivision development concentrated along the Cape  
27 Elizabeth/South Portland border and along the coastline until the middle 1900s.  
28 Elizabeth Park is the first non-coastal neighborhood, built in the center of town as  
29 shipworker housing in the 1940s. In the 1950s and 1960s, the greatest increases in town  
30 population occurred as the neighborhoods north of Great Pond, Broad Cove,  
31 Brentwood, Two Lights and others were developed. Some of these neighborhoods  
32 illustrate significant development of inland areas.

33  
34 While these neighborhoods greatly added to the population base, the lots themselves  
35 were relatively modest in size at less than ½ acre. The development of the 1980s,  
36 however, jolted the town with the large amount of land converted for development.

37  
38 As Cape Elizabeth has continued to develop, recurring themes of rural character,  
39 preservation of farmland, and ties to the water, themes that are rooted in the earliest  
40 history of the town, continue to influence policy debates.

#### 41 42 Historic and Archeological Resources

43  
44 The Maine Historic Preservation Commission (MHPC) has provided information on the  
45 following resources (Date of Data, April, 2004) and a map identifying sensitive  
46 Archeological areas. The location of archeological sites is not subject to Right-to-Know  
47 laws.

1 Place holder for Historic Resources Map  
2

1 *Prehistoric Archeological Sites*  
2

3 Prehistoric archeological sites are areas with potential Native American historic value  
4 that predate European arrival. Based on the documented conflicts in Cape Elizabeth  
5 between Native Americans and early European settlers, it is likely that prehistoric sites,  
6 such as camp or village locations, are located in Cape Elizabeth. MHPC reports that 12  
7 prehistoric sites are known in Cape Elizabeth and that the majority are located on the  
8 shoreline of salt water, with a few associated with nearshore marshes. Professional  
9 archeological reconnaissance has been concentrated on the east-facing shoreline and  
10 around Crescent Beach.

11  
12 *Historic Archeological Sites*  
13

14 Historic archeological sites are mostly European-American and after written historic  
15 records began in about 1600. Based on early settlement activity, it is likely that historic  
16 sites such as cellar holes from houses, foundations for farm buildings, wharves and boat  
17 yards, and shipwrecks are located in Cape Elizabeth. In addition to 77 shipwrecks,  
18 MHPC reports the following historic archeological sites in Cape Elizabeth:  
19

20 **Historic Archeological Sites**  
21

22 ME 076-001	Richmond Island	English Settlement	17th century on National Register
23 ME 076-002	Spurwink Settlement	English Settlement	17th century
24 ME 076-003	Parrot Point	Native American Contact	17th century
25 ME 076-024	Battery 201	American Battery	20th century
26 ME 076-082	Safford Homestead	American Domestic	19th century

27  
28 In addition to the above sites, it is likely that additional historical archeological sites are  
29 located in Cape Elizabeth, especially along waterways and old roads. MHPC has prepared a  
30 map of Sensitive Archeological Areas, which includes likely sites, as well as actual sites where  
31 archeological artifacts have been collected. Areas adjacent to waterways are shown at a width  
32 of 50 meters. The general locations of actual sites are also shown. No professional historic  
33 archeological survey has been conducted to date in Cape Elizabeth.  
34

35 *Historic Buildings/Structures/Objects*  
36

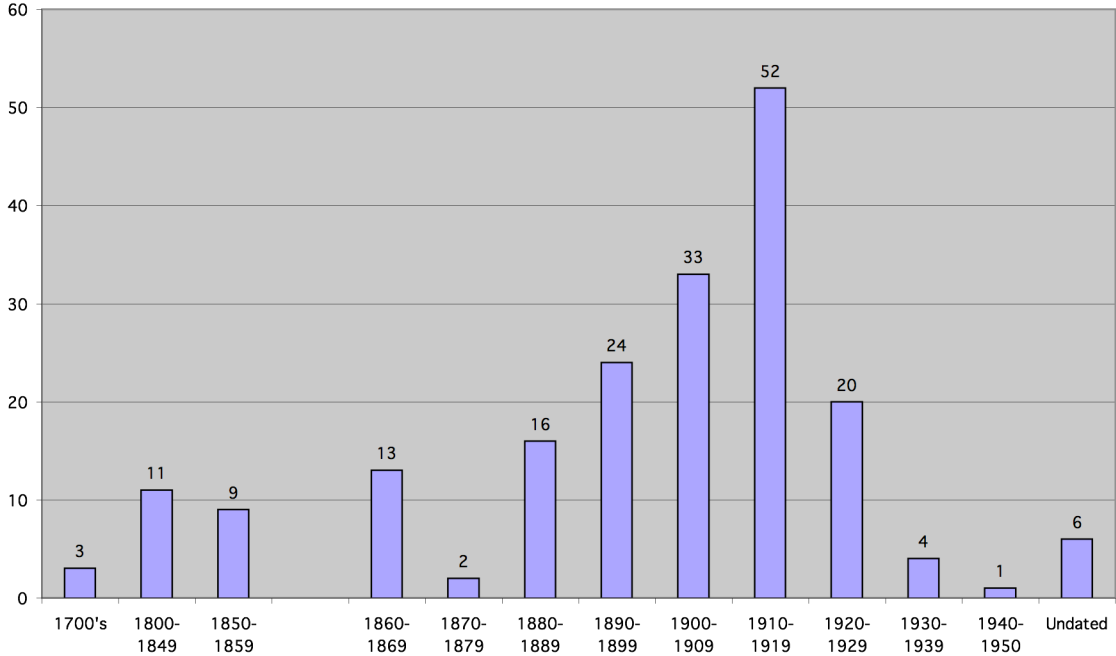
37 Cape Elizabeth has six sites that are listed on the National Register of Historic Places, which is  
38 administered by the Department of the Interior. Listing requires nomination of a site and  
39 finding that one or more of the criteria has been met. Once a property is listed, any alteration  
40 of the site *using federal funds* must comply with historic preservation guidelines. The following  
41 sites are listed on the National Register:  
42

43 Spurwink Congregational Church, Spurwink Ave (R06-8)  
44 Portland Head Light, Capt. Strout Circle (U48-2)  
45 C.A. Brown Cottage, 109 Delano Park (U07-13)  
46 Two Lights, Two Lights Rd (U15-54)  
47 Beckett's Castle, Singles Rd (U08-7)  
48 Dyer Hutchinson Farm, 1148 Sawyer Rd (R04-54)  
49  
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1 *Historic Structures Survey*

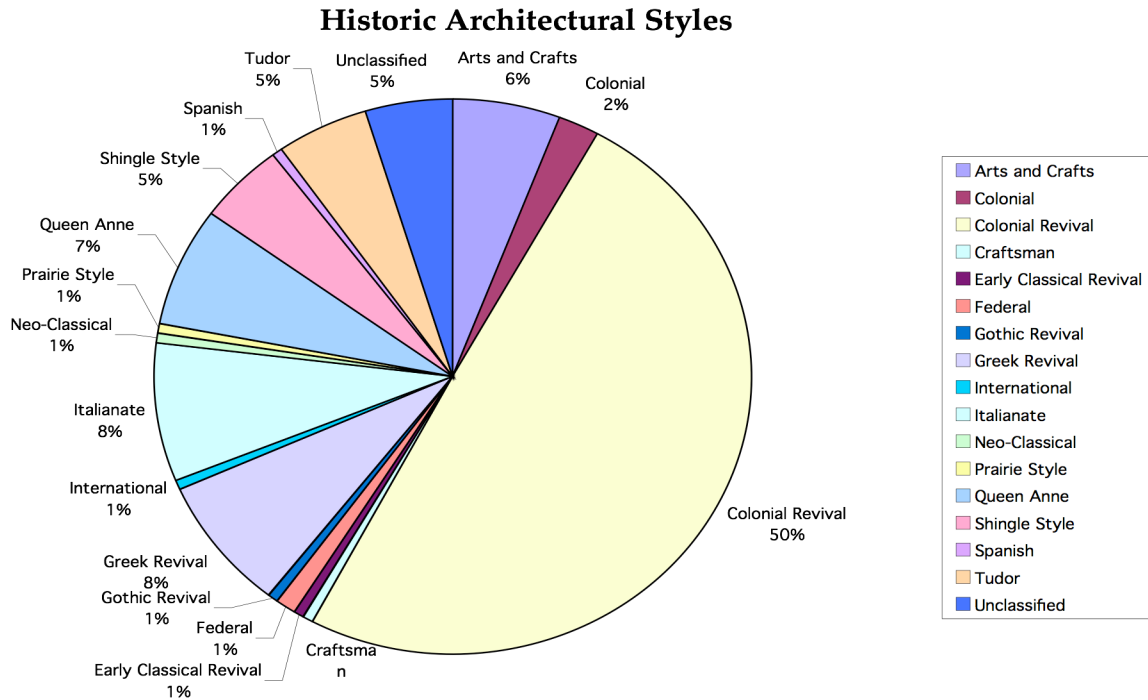
2  
3 In 1999, the Town of Cape Elizabeth commissioned Barba Architecture and Preservation,  
4 certified historic preservation consultants, to conduct a town-wide analysis of possible historic  
5 structures. Using National Register criteria, an initial survey of 750 structures was reviewed  
6 and categorized as significant, contributing, or non-contributing. One hundred and ninety-five  
7 structures were identified as significant and a brief summary of each structure’s historic  
8 character was prepared. Structures spanned 3 centuries and ranged from early colonial  
9 settlement homes to post-modern. Below is a chart displaying structures by age.

**Historic Structures by Date of Construction**



10  
11 Source: Historic Structures Survey, Town of Cape Elizabeth, 1999

12  
13 Although fifty percent of the structures were classified as colonial revival, the town also  
14 includes an impressive range of styles. Below is a chart showing the distribution of styles.  
15



1  
2 Source: Historic Structures Survey, Town of Cape Elizabeth, 1999

3  
4 Threats to and Preservation of Historic Resources

5  
6 Following the completion of the Historic Structures Survey, the Town drafted a Historic  
7 Preservation Ordinance. After an extensive public comment process including public forums,  
8 an opinion survey, historic structure survey posting on the website and public hearings, the  
9 Town chose not to adopt a historic preservation ordinance and eliminated private properties  
10 from the demolition delay provisions in the Zoning Ordinance.

11  
12 To date, the Town is unwilling to restrict private property rights by mandating preservation of  
13 historic buildings. The Town has advocated a position that private property owners can be  
14 relied upon “to do the right thing” and that the Town should undertake efforts that promote  
15 voluntary preservation of historic structures. From the completion of the Historic Structures  
16 survey in 1999 to August, 2006, one home identified as significant has been demolished.

17  
18 Some of the most important local historic structures, such as Portland Head Light and the  
19 Spurwink Church, are listed on the National Register and further protected through municipal  
20 ownership. The effort to adopt a historic preservation ordinance has also heightened  
21 sensitivity and stimulated private efforts. For example, the Delano Park neighborhood created  
22 their own neighborhood history book, and the Cape Courier, a local newspaper, regularly  
23 prints articles about town history. In addition, the Town Center District, unique in the Zoning  
24 Ordinance, includes design requirements that require compatibility with adjacent historic  
25 buildings.

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1 Cape Elizabeth Historical Preservation Society  
2

3 The Cape Elizabeth Historical Preservation Society (CEHPS), an independent, private, non-  
4 profit organization, stores and preserves historical town records and articles, as well as  
5 performs historical research. CEHPS occupies 950 sq. ft. of space in the basement of Thomas  
6 Memorial Library. Within this space is a 380 sq. ft. climate controlled room where historical  
7 records are stored.

8  
9 As of 2006, storage is approximately at 90% of capacity. In addition, workspace to research  
10 records is limited and no display space is available. In the next 15 years, CEHPS estimates that  
11 the amount of needed archive preservation space will double, resulting in a need for a total of  
12 2,000 sq. ft. of space.

13  
14 **Historic and Archeological Resources Goal**  
15

16 **Goal 1: The Town shall preserve local historical resources.**  
17

18 Recurring themes of rural character, preservation of farmland, and ties to the water, that are  
19 rooted in the earliest history of the town, continue to influence policy debates. Preserving the  
20 town's history not only tells us where we came from, but also is instructive in how we should  
21 proceed. Historical records have been successfully preserved through a partnership between  
22 Cape Elizabeth Historical Preservation Society and the Town. The town should continue to  
23 build on this partnership and its other historic preservation efforts.

24  
25 Implementation Steps  
26

- 27 73. Expand the space allotted to the Cape Elizabeth Historical Preservation Society for  
28 records preservation and research.  
29  
30 74. Require new development undergoing Site Plan or Subdivision Review that is located  
31 in sensitive archeological areas as shown on the Historic Resources Map to submit an  
32 archeological survey prepared by the MHPC or a qualified professional prior to a  
33 finding that the application is complete.  
34

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## REGIONAL COORDINATION

One Cape Elizabeth Town Council priority is to meet with elected officials in surrounding communities to discuss opportunities for regional cooperation and possible expenditure savings. Cape Elizabeth has a long history of partnerships with neighboring communities.

### Formal Agreements

As of FY 2006, the town has entered into formal agreements in several areas. With the City of South Portland, the town has contracted for a portion of the city's sewer treatment capacity. The current contract replaces a prior contract and represents a relationship dating back to the 1980s. More recently, the town and the City of South Portland have renewed a contract to share an Animal Control Officer in the Police Department. The Town also has a contract with the Portland Water District, a regional utility, to maintain sewer and water infrastructure in Cape Elizabeth.

More broadly, the Town is a member of ECO-Maine, a regional waste disposal company that includes over 20 towns and provides for waste disposal. The Town is also a participating member of the PATHS (Portland Area Technical High School) high school located in the City of Portland. The Town is also a founding member of the Greater Portland Council of Governments (GPCOG), an organizational structure from which numerous regional efforts are initiated.

The Town has also signed a joint letter with the City of South Portland and the Town of Scarborough to share a joint Public Safety Answering Point (PSAP/E911) answering center, which was precipitated by the state's intent to reduce the total number of PSAP answering points statewide. Approval of this proposal has not been granted by the Public Utilities Commission (PUC) as of September, 2006.

On September 11, 2006, the Town Council endorsed the Metro Regional Coalition, a group of municipalities including Portland, South Portland, Westbrook, Falmouth, Scarborough and Cape Elizabeth. The purpose of the coalition is to "strengthen existing relationships and understandings, identify areas of common interest, and evaluate possible collaborative initiatives."

### Regional organization under discussion

1 The Town remains open to opportunities to reduce costs in delivering services by  
2 taking advantage of efficiencies of scale. At this time, the town is in discussion with the  
3 City of South Portland regarding some joint operation of the Cape Cottage Fire Station  
4 on Shore Rd in Cape Elizabeth and the South Portland Willard Fire Station. Joint  
5 management of these two units has both advantages and challenges. The Cape Cottage  
6 Fire Station is old and in need of renovation. The Willard Fire Station is a better facility.  
7 The Willard Fire Station is currently owned by an independent fire company,  
8 consequently, the City of South Portland is working to have the deed transferred to the  
9 city.

10  
11 Another challenge is how to meld a professional fire fighter company that would be  
12 responding from South Portland with an on-call fire fighter company that exists in Cape  
13 Elizabeth. South Portland fire fighters would likely not be responding from the Willard  
14 Station, and Cape fire fighters would often be the first responders. Further, the  
15 willingness of citizens to volunteer for the Cape Cottage Fire Department may decline if  
16 they are relegated to the rear during fires.

17  
18 A second area under discussion is the possible regionalization of public heavy vehicle  
19 maintenance, precipitated by the City of Portland's possible construction of a new  
20 public works facility on Riverside Street. At this time, possible school bus maintenance  
21 is the primary focus as the school buses have the most common equipment across  
22 municipal boundaries.

#### 23 24 Ongoing Regional Coordination

25  
26 Many regional cost-sharing and cooperation programs have been integrated into how  
27 Cape Elizabeth routinely conducts business. The most prevalent are multiple joint  
28 purchase of supplies, vehicles and contracted services in all departments with several  
29 other municipalities and school districts. For example, the Cape Elizabeth School  
30 Department jointly bids photocopier purchase with other school districts and  
31 municipalities. Most of these efforts are under the auspices of GPCOG. This can range  
32 from the purchase of copier paper to consulting services to comply with new federal  
33 storm water rules (Interlocal Stormwater Working Group).

34  
35 The Public Works, Fire and Police Departments all have mutual aid and cooperation  
36 strategies that help to efficiently plow roads and provide fire and police protection. The  
37 Thomas Memorial library is a member of Minerva, a state cataloging system, and town  
38 residents are increasingly taking advantage of interlibrary loan.

39  
40 Less formal regional sharing of services often occurs on an ad hoc basis. For example,  
41 the Town of Cape Elizabeth operates an on-call water extrication team, the WETeam.  
42 This group has participated in several search and rescue operations along the Southern  
43 Maine coastline. In neighboring South Portland, a specialized Hazardous Materials  
44 Team exists which is available to Cape Elizabeth, obviating the need to create a separate  
45 Hazardous Materials Team in Cape.

46  
47 Finally, the Town is a member of the Greater Portland Council of Governments, the  
48 regional planning agency for the area. Town official and employees are members of  
49 numerous regional professional and planning groups that facilitate sharing of  
50 information and resources. The Town is also a member of PACTS, the Portland Area



1 Comprehensive Transportation Study, which conducts regional transportation planning  
2 and pass-through of transportation improvement funding.

### 3 Local Government Coordination

4  
5  
6 The Town of Cape Elizabeth enthusiastically embraces its identity as a small town.  
7 Community spirit is evident in the high level of volunteerism and private donations,  
8 which has helped to keep municipal costs down. At the same time, the Town is also  
9 committed to maintaining current levels of service rather than choosing to reduce costs  
10 when reduced services would result.

11  
12 In order to preserve services at the least cost, a One-Town Concept operates to reduce  
13 the budget for both the School Department and non-school departments. For example,  
14 the School Business Manager and Payroll clerk also perform those services for non-  
15 school departments. The Facilities Department is responsible for all town buildings,  
16 including the school campus, and is funded from both the school department and non-  
17 school department budgets. Similarly, the Information Technology Department is  
18 operated out of the school department with partial non-school department funding, but  
19 is responsible for technology needs town-wide. The Public Works Department, which is  
20 funded from the non-school department budget, is responsible for plowing the school  
21 campus and maintaining all athletic fields. The Town will continue to explore  
22 municipal efficiencies that provide high quality services at minimal cost.

### 23 **Regional Coordination Goal**

24  
25  
26 **Goal 1: The Town will pursue opportunities for regional cooperation, possible**  
27 **expenditure savings, and service efficiencies for Cape Elizabeth taxpayers.**

28  
29 Regional coordination has been integrated into town procedures and decision-making  
30 so that it is now considered standard practice for many government functions.  
31 Examples of this include waste disposal and sanitary waste treatment. The Town  
32 should remain poised to take advantage of new opportunities to regionalize services  
33 when cost-efficiencies are possible within appropriate levels of service quality and local  
34 control.

### 35 Implementation Steps

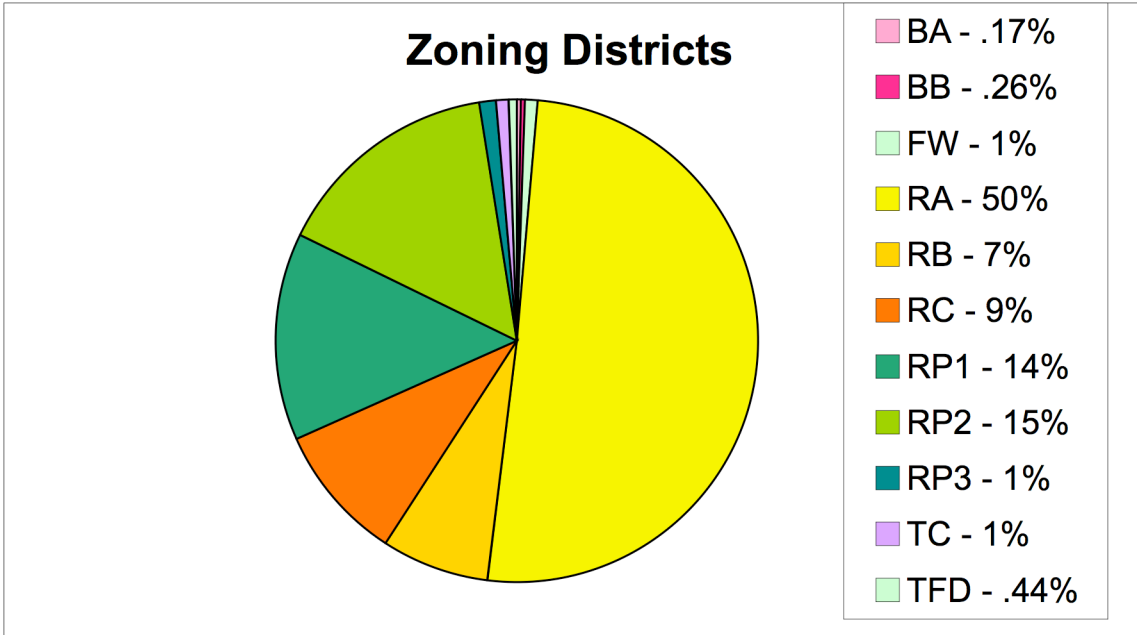
- 36  
37  
38 75. Continue discussions with the City of South Portland Fire Department regarding  
39 consolidation of the Willard and Cape Cottage Fire Stations in a manner than  
40 does not compromise the ability to provide fire protection to Cape Elizabeth  
41 residents.
- 42  
43 76. Pursue additional opportunities for regional delivery of services, cost sharing  
44 and opportunities for efficiencies and service improvements.
- 45  
46 77. Ensure that regionalization opportunities are incorporated into the annual  
47 budget process.
- 48

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**LAND USE**

Existing Land Uses

The predominant land use in Cape Elizabeth is overwhelmingly residential. Sixty-six percent of the town is zoned residential. 50% of the town is zoned for low-density (2 acre minimum lot size) residential use. The second highest land use classification is resource protection, accounting for 30% of the town’s land area. Of the remaining 4%, 1.5% is zoned for business uses. There is no industrial zoning. The remaining area is made up of the Fort Williams District and the Town Farm Districts, two special use districts regulating town owned land.



23  
24 Source: Town of Cape Elizabeth Official Zoning Map

Basic Geographic Areas

27  
28 In accordance with the Comprehensive Plan Rule, the town has been divided into the  
29 following 6 geographic areas:

- 30
- 31 •North Shore
- 32 •North Central

- 1 •Town Center
- 2 •Southeast
- 3 •Sprague
- 4 •Northwest

5  
6 Below is a summary of each area. See also the attached map.

7  
8 *North Shore*

9  
10 The North Shore area (458 acres) extends from the South Portland line southward along  
11 the coastline to Pond Cove, encompassing all the land between Shore Rd and the  
12 coastline and some of the land west of Shore Rd, closer to South Portland. This area  
13 includes most of the oldest neighborhoods in Cape Elizabeth. The lots are tightly  
14 clustered and reflect densities common during the early 1900s, when trolley cars  
15 connected this area to the City of Portland. This area is zoned for the densest residential  
16 development. The average lot size of the North Shore geographical area is 20,908 sq. ft.

17  
18 A small commercial area is located on Shore Rd on the South Portland line. This area  
19 includes the Cottage Farms Fire Station and one of the three service stations in town.  
20 The remainder of this area is residential.

21  
22 This area includes the most significant park owned by the Town, Fort Williams, and the  
23 only salt water beaches owned by the Town. Very little neighborhood public open space  
24 is included in this area.

25  
26 This area of Cape Elizabeth is very desirable with aggressive growth in property values.  
27 Opportunities for new development are limited, however, this area includes a  
28 significant number of undersized, nonconforming lots.

29  
30 *North Central*

31  
32 The north central area (2,316 acres) extends south of the north shore area to the Town  
33 Center and west to Spurwink Ave and Eastman Rd. This area is overwhelmingly  
34 residential and includes many of the “modern” neighborhoods built in the last half of  
35 the 1900s. Older neighborhoods, such as Queen Acres on State Ave, Pleasant Ave, and  
36 Mitchell Highlands, are more compact with smaller lots (.25 to .5 acres) in contrast with  
37 subdivisions created in the 1970s -1990s with lot sizes exceeding 2 acres. This area is  
38 zoned for the densest residential development and also includes a growth area zone (RB  
39 District) off Mitchell Rd and Route 77. The average lot size of the North Central  
40 geographical area is 71,214 sq. ft.

41  
42 The second of the town’s three service stations is located on Rt 77, as well as a dentist  
43 office and veterinary clinic. A small business area is also located on Spurwink Ave,  
44 which includes a medical office building and a fish and farm market. These businesses  
45 are nonconforming uses in a residential zone.

46  
47 This area includes significant public and private open spaces. Public spaces include  
48 Robinson Woods, Stonegate preservation area and Lions Field. Private spaces include  
49 the Robinson family land located south of Robinson Woods and the Purpoodock Golf  
50

1 Place holder for Geographic Areas Map

1 Club. This area also includes long stretches of wetlands that are located between Shore  
2 Rd and Mitchell Rd and between Mitchell Rd and Rt 77.

3  
4 This area is the primary location for infill growth. Most of the area is served by public  
5 sewer.

### 6 *Town Center*

7  
8  
9 The Town Center area is generally located at the crossroads of Route 77, Shore Rd and  
10 Scott Dyer Rd. It extends north along Route 77 to include compact residential  
11 neighborhoods and south to the intersection of Old Ocean House Rd and down Fowler  
12 Rd to include an earthworks business. Easterly, the Town Center extends a short  
13 distance up Shore Rd and westerly the entire length of Scott Dyer Rd.

14  
15 The Town Center includes the largest commercially zoned area in Cape Elizabeth. The  
16 commercial center also serves as the civic center, including the school campus, Town  
17 Hall, Library, Community Center, Police Station and Town Center Fire Station. Most of  
18 this area is zoned Town Center and the abutting residential neighborhoods are zoned  
19 RC, the densest residential zoning. The average lot size of the Town Center  
20 geographical area is 26,361 sq. ft.

21  
22 Immediately adjacent to the school campus are neighborhoods built in the 1940s -1970s  
23 which are compact and, for the most part, connected to the Town Center with  
24 sidewalks. The western edge of this area on Scott Dyer Rd includes an elderly housing  
25 complex (Village Crossings) and a condominium/subsidized housing complex  
26 (Colonial Village). To the southwest, there is the easternmost edge of a large wetland  
27 complex that extends to the Spurwink Marsh. Further south is one of two Business B  
28 Districts where an earthwork contracting business operates in a former gravel pit.

29  
30 The Town Center is also an intersection point for the primary north/south greenbelt  
31 trail connection.

32  
33 Public sewer is available for most of this area, although some properties are still served  
34 by private septic system.

### 35 *Southeast*

36  
37  
38 The Southeast area extends from the Town Center south along the coastline to Two  
39 Lights State Park and as far west as Great Pond and Fowler Rd. The primary zoning is  
40 low density, residential. One lot located on Old Ocean House Rd is zoned as RB,  
41 Growth area. Two small business districts are also located on Route 77. One, located at  
42 the intersection with Broad Cove, is a neighborhood scale business area. The second,  
43 further south on Route 77, is a BB District hosting the Inn by the Sea.

44  
45 The Southeast area includes the "modern" residential subdivisions, primarily of the  
46 1960s through the 1990s. Although the Shore Acres neighborhood dates back to the  
47 1910s, most of the housing in that neighborhood was constructed in the 1960s. The  
48 majority of the Shore Acres and Broad Cove neighborhoods are served by public sewer.  
49 The average lot size of the Southeast geographical area is 66,828 sq. ft.

50

1 Open Space in this area includes Two Lights and Crescent Beach State Parks. Town  
2 owned open space in this area has been obtained through development review as land  
3 has been set aside for public use when subdivisions have been approved.  
4

5 Alewife Brook, which drains Great Pond, extends across this area with associated  
6 wetlands. Adjacent to the brook is Alewife Brook Farm. This area also includes  
7 strawberry fields located adjacent to Two Lights Rd and Route 77.  
8

### 9 *Sprague*

10  
11 The Sprague area is essentially land that is owned by the Sprague Corporation. The area  
12 extends from the east side of Great Pond south to Crescent Beach and west to Fowler Rd  
13 and then along Route 77. The area south of Route 77 from Crescent Beach to the  
14 Scarborough line is owned by the Sprague Corporation. (A small number of parcels are  
15 owned by non-Sprague family members.) The average lot size of the Sprague  
16 geographical area is 727,289 sq. ft. or 16.7 acres.  
17

18 The area is zoned low density residential and is substantially encumbered by Resource  
19 Protection zoning around Great Pond and extending southwest to Little Pond and the  
20 ocean. Most of homes existing in this area are aligned along the coastline or Charles  
21 Jordan Rd. The bulk of the land is undeveloped fields and woodlands.  
22

23 Except for a portion of Crescent Beach that is leased by the State of Maine and an  
24 easement held by the Town along the northeastern side of Great Pond, there is no  
25 public open space in this area.  
26

27 No public sewer is available in this area. In addition, most of the Sprague Corporation  
28 land does not have a public water source for fire protection, although most areas now  
29 have public drinking water.  
30

### 31 *Northwest*

32  
33 The Northwest area is located west of Spurwink Ave, Eastman Rd and Fowler Rd and  
34 abuts the South Portland and Scarborough municipal boundary lines. The bulk of the  
35 area has been zoned as RB, Growth Area.  
36

37 Prior to the growth areas designation, the area was lightly developed along existing  
38 major roads. In the 1980s, however, a 50+ lot subdivision (Elizabeth Farms) was  
39 constructed west of Sawyer Rd and adjacent to the Spurwink Marsh. After designation  
40 as a Growth area, the Cross Hill neighborhood was constructed in 2000. The  
41 development included extension of public sewer to the growth area. Subsequently,  
42 additional subdivisions have been approved and are served from the same public sewer  
43 line originally extended to Cross Hill. Most of the subdivisions have been approved  
44 using cluster development standards that limit lot size to less than ½ acre. The average  
45 lot size of the Northwest geographical area is 5.4 acres, reflecting the large parcels that  
46 are still held in single ownership.  
47

48 The area also includes working farms, such as the Jordan Farm, the Maxwell Farm  
49 fields, and two tree farms. Over 350 acres of town owned land is located in this area,  
50 including the Spurwink Marsh, Town Farm, Gull Crest and Winnick Woods.  
51

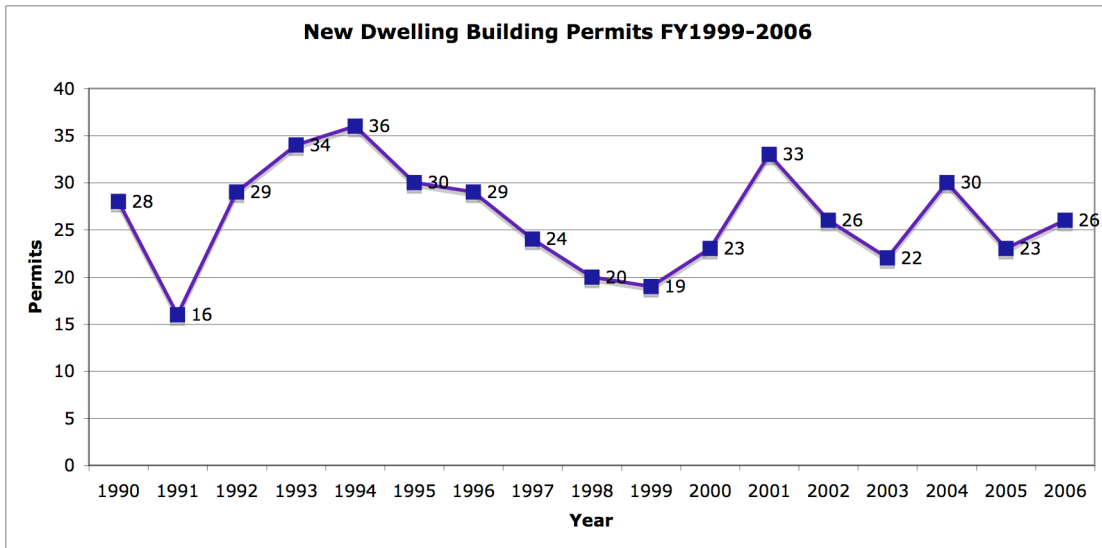
1 Place holder for Subdivision history Map

Growth from 1998 – 2006

Overall, most of the growth occurring from 1998-2006 (when computerized records make analysis of building activity easier) occurred in infill areas, defined as the RC District or adjacent to existing neighborhoods, or in Growth Areas.

The 1993 Comprehensive Plan predicted 534 new dwelling units in a ten year period. Growth was proposed to be located as follows: 10% in the RC District (the most dense residential district), 15% infill development in existing neighborhoods (both RC and RA residential districts) and the remaining 75% in the RA District designated growth areas (now rezoned as the RB District).

Over the time period 1990-2006 (a sixteen year time period) 448 dwelling units were actually built, significantly less than projected.



Source: Town of Cape Elizabeth Building Permit Data

So where did the new growth locate? How effective were the 1993 Comprehensive Plan policies and the ensuing land use regulations in directing new development to growth areas and away from rural designated areas? In the time period 1998-2006, 222 dwelling units were constructed and are distributed as follows:

**Distribution of Building Permits 1998-2006**

RC District	20%
Infill*	32%
RB District**	40%
RA District	8%

\*Infill is considered in or immediately adjacent to existing neighborhoods.

\*\*RB District is the zoning district created in 1997 and composed of designated growth areas, mostly former RA District land.



1 Place holder for Building Permit History Map

1 This analysis indicates that 92% of new growth in the immediately preceding 8-year  
2 period occurred in areas identified to accept new growth.

### 3 4 Expected New Growth

5  
6 Past growth, combined with physical limitations, is used to predict future growth. From  
7 the years 1998-2006, an average of 24.6 single family and condominium building  
8 permits per year have been issued. As with the preceding Comprehensive Plan,  
9 however, a straight projection based on past growth will likely be overstated. Therefore,  
10 the Town projects that 330 new dwellings will be built from 2007-2020. This is based on  
11 the assumption that the number of building permits from 2007 to 2017 will *average* 24 a  
12 year. Beginning in 2018, building permits are projected to decline to 22 permits annually  
13 through 2020. The assumed decline is based on the large percentage of land that is  
14 already developed, the reduced amount of developable land available, and the  
15 increasing difficulty in developing the remaining parcels.

16  
17 Where might these new dwelling units be built? Is there enough room to accommodate  
18 this new growth? The Comprehensive Plan Committee conducted a build-out analysis  
19 using the town geographic information system. The analysis evaluated existing lots  
20 based on the level of development allowed under current zoning. Where lots are  
21 located in Sewer Service areas, a minimum lot size of 7,500 sq. ft. was used (the  
22 minimum lot size for clustered developments in the RC District).

23  
24 Excluded from the land area calculation were wetlands depicted on the Official Zoning  
25 Map, floodplains and lots that are not vacant and are less than twice the minimum lot  
26 size. Town land or open space owned by the Land Trust, State of Maine or U. S.  
27 Government was also excluded. Lots that exceed twice the minimum lot size, even if  
28 there is a building on them, could still be considered developable land if sufficient land  
29 were available to create a second lot.

30  
31 For the remaining land, a development efficiency ratio was also used. Vacant land  
32 typically cannot be developed at 100% of its density. The physical shape of the land, the  
33 need to build roads, etc. means some land will not be conveyed into minimum lot sized  
34 lots. The analysis took this into consideration by discounting the land area of any  
35 potentially developable parcel by 15% to 50%. An analysis for the Town of Falmouth  
36 found that subdivisions had an efficiency of 70%, private way developments an  
37 efficiency of 30%. The analysis assumed that development would be more efficient in  
38 the TC, BA and BB districts because those districts are more developed areas and would  
39 be engineered more compactly. Overall, the analysis was geared to generate a more  
40 conservative analysis of how much land is actually developable.

41  
42 The build-out analysis indicated that approximately 1300 new housing units could  
43 potentially be accommodated on the remaining undeveloped land in Cape Elizabeth. Of  
44 the 1,300 units, approximately 390 are located on Sprague Corporation land and 42 are  
45 on the Purpoodock Golf Course. If these areas are removed, remaining land may  
46 maintain approximately 870 new dwelling units.

47  
48 The Comprehensive Plan Committee used the build-out analysis map and the projected  
49 dwelling units to identify the growth areas through the year 2020. The Committee  
50 identified 11 lots where they recommended that 10 or more units be constructed in

1 order to reduce the need for development of more land town-wide. The committee  
 2 identified approximately 90 individual existing lots that would be available for infill  
 3 development. The conclusions of the proposed build-out were then compared to  
 4 current zoning provisions. In most cases, existing land use policies facilitated the  
 5 committee's recommendations. Some adjustment and fine-tuning of density and public  
 6 sewer will be needed to achieve goals of clustering.

7  
 8 Cape Elizabeth has approximately 518 acres of undeveloped land in the RB District, the  
 9 zoning designation for growth areas. If the current zoning density is maintained, and  
 10 assuming a development efficiency rate of 50%, the undeveloped RB land could  
 11 accommodate 376 new units. Based on the projected growth of 330 units between 2007  
 12 and 2020, the existing growth areas should be sufficient to absorb new growth and  
 13 designation of additional growth areas will not be necessary. In addition, some infill  
 14 growth is expected to be accommodated in the RC and in or adjacent to existing  
 15 neighborhoods. If the RB District density is increased, the amount of land currently  
 16 zoned RB may be sufficient to absorb new growth through the year 2030 without  
 17 designating new growth areas.

#### 18 19 Overview of Existing Regulations

20  
 21 The predominant land use in Cape Elizabeth is single family residential. The town has  
 22 three residential districts.

23  
 24 [There are 43,560 sq. ft. in an acre. To simplify the discussion, 40,000 sq. ft. has  
 25 generally been assumed to be one acre. Actual determinations of compliance with  
 26 zoning are calculated using 43,560 sq. ft as equivalent to one acre.]

27  
 28 The Residence A District, covering 50% of the town, is low density residential (2 acre  
 29 minimum lot size). The Residence B District was created in 1997 to implement the  
 30 growth area recommendations of the 1993 Comprehensive Plan. It is a medium density,  
 31 mandatory clustering district which includes the large lots identified as growth areas.  
 32 The Residence C District is the densest residential district (1/2 acre minimum lot size).  
 33 It includes the oldest neighborhoods, many of which include lots that are smaller than  
 34 the minimum lot size of this "densest" residential zone.

35  
 36 A very small area of the town, 1.5%, is zoned commercial. The Town Center district is a  
 37 mixed use district, and the only district that has design standards. The Business A  
 38 District exists in 2 locations. The regulations are generic business zone standards that do  
 39 not reflect the character of these areas as small scale neighborhood business areas. The  
 40 Business B District is structured to host two medium size and resource related  
 41 businesses, the Inn by the Sea and an earthworks contractor. No industrial zones exist.

42  
 43 Thirty percent of the town is regulated by local wetlands zoning. The Resource  
 44 Protection 1 District protects the wettest, most fragile wetlands. Very little activity is  
 45 allowed in RP1 Districts or within the 250' wide RP1 Buffer. The Resource Protection 2  
 46 District protects less wet, less fragile wetlands. Some alterations are allowed with  
 47 Planning Board review and no mandatory buffer exists. The Resource Protection 3  
 48 District includes the coastal 100-year floodplain. Cape Elizabeth's rocky coastline  
 49 severely limits the area that is vulnerable to coastal 100-year floods.

50

1 Finally, zoning regulations include miscellaneous special use districts. These include the  
2 Fort Williams District and the Town Farm District, two open space areas owned by the  
3 Town. Overlay Districts include the Shoreland Zoning Overlay District, Great Pond  
4 Watershed Overlay District, and Tower Overlay District.  
5

1 Below is a summary of the residential and business Cape Elizabeth Zoning Districts.  
2

3 **Summary of Current Zoning for Residential Lots**  
4

<b>Zoning District</b>	<b>Min lot size</b>	<b>Rd frontage</b>	<b>Side Setback</b>	<b>Rear Setback</b>	<b>Min lot size clustered</b>	<b>Min lot size w/sewer/ clustered</b>	<b>Min lot size Multiplex</b>
<b>RA</b>	80,000 sq. ft.	125'	30'	30'	30,000 sq. ft.	30,000 sq. ft.	10 acres
<b>RB*</b>	80,000 sq. ft.	125'	30'	30'	20,000 sq. ft.	10,000 sq. ft.	10 acres
<b>RC</b>	20,000 sq. ft.	100'	20'	20'	n/a	7,500 sq. ft.	5 acres
<b>Town Center</b>	7,500 sq. ft.	50'	15'	15'			0
<b>BA</b>	15,000 sq. ft.	0'	25'	25'			0

\*This is the growth area. Subdivisions must be clustered in this district. Only 1 lot may be created without subdivision review. See Open Space Zoning or Clustering discussion below for density standards.

5  
6 *Smart Growth regulations*

7  
8 The 1997 Zoning Ordinance includes many of the land use development regulations  
9 that promote smart growth. **Smart growth** is a concept and term used by those who  
10 seek to identify a set of policies governing transportation and land use planning policy  
11 for urban areas that benefit communities and preserve the natural environment. Smart  
12 growth advocates land use patterns that are compact, transit-oriented, walkable,  
13 bicycle-friendly, and include mixed-use development with a range of housing choices.  
14 This philosophy keeps density concentrated in the center of a town or city, combating  
15 urban sprawl. Proponents of smart growth advocate comprehensive planning to guide,  
16 design, develop, revitalize and build communities that: have a unique sense of  
17 community and place; preserve and enhance natural and cultural resources; equitably  
18 distribute the costs and benefits of development; expand the range of transportation,  
19 employment and housing choices; value long-range, regional considerations of  
20 sustainability over a short term focus; and promote public health and healthy  
21 communities. (From Wikipedia, the Free Encyclopedia, en.wikipedia.org) Some of the  
22 land use regulations available to promote smart growth include Clustering, Transfer of  
23 Development Rights, Mandatory Affordable Housing, and mixed use commercial  
24 districts.

25 **Clustering** is called Open Space Zoning in the Cape Elizabeth Zoning Ordinance and  
26 focuses on the permanent preservation of land as part of new development. In order to  
27 calculate how much development can occur in an open space zoning subdivision, the  
28 owner starts with the gross land area and deducts from it 15% for roads, RP1 wetlands,  
29 floodplains, easements and isolated areas. The resulting "net residential acreage" is  
30 then divided by the density allowed, which varies based on the underlying district and  
31 whether the project will be served by public sewer.

1 Developments in the RB District must be designed using the Open Space Zoning  
 2 Standards. Using the RB District as an example, to determine the density allowed for a  
 3 single family subdivision served by on-site sewage disposal, the net residential acreage  
 4 would be divided by 60,000 sq. ft. to determine the number of lots. For RB District  
 5 subdivisions served by public sewer, the net residential acreage would be divided by  
 6 30,000 sq. ft. to determine the maximum density.

7 In clustered or open space zoning subdivisions, density and lot size are two separate  
 8 standards. Density determines how many lots will be allowed on a parcel. Lot size then  
 9 determines the size of individual lots. Continuing with the example of the RB District  
 10 sewer development, once the density ( number of lots allowed) is calculated,  
 11 individual lots are then created which must be a minimum of 10,000 sq. ft. In addition,  
 12 in order to keep the lots compact and maximize open space, the average size of the lots  
 13 must not exceed 15,000 sq. ft.

14 All open space zoning subdivisions must permanently preserve a minimum of 40% of  
 15 the gross land area. Of this area, at least 1/3 of the land must meet the requirements of  
 16 net residential acreage.

17 **Transfer of Development Rights (TDR)** is a development tool that has not yet been  
 18 used in Cape Elizabeth. TDR relies on the presence of a willing seller and willing buyer  
 19 agreeing on a price to sell development rights at the same point in time. It is unlikely  
 20 that this situation will occur often; however, TDR is a useful tool that makes it possible  
 21 to preserve some open space by allowing development to be “sent” from one lot to a  
 22 “receiving” lot. The receiving lot can then be developed at a density equal to both the  
 23 sending and receiving lot. The Cape Elizabeth TDR provision provides for a declining  
 24 benefit of density the further that development rights are transferred from the sending  
 25 lot to the receiving lot. Sending areas in Cape Elizabeth are agricultural fields, scenic  
 26 views and woodlands and are shown on the Official TDR Map.

27 **Mandatory Affordable Housing** is previously discussed in the Housing Chapter.

28 **Mixed used commercial developments** are featured in the Town Center District and  
 29 discussed in the Economy Chapter.

### 30 Undersized Lots

31  
 32  
 33 The Town Council referred to the Comprehensive Plan Committee a request to review a  
 34 possible change in policy regarding the minimum size of nonconforming lots.

35  
 36 Legal nonconforming lots are smaller than the current minimum lot size but were in  
 37 compliance with land use regulations, if any existed, at the time they were created. The  
 38 minimum size of a buildable nonconforming lot is 10,000 sq. ft. whether served by  
 39 public sewer or on-site septic systems. The Town reviewed the number of lots  
 40 potentially buildable if the minimum lot size was reduced to 7,500 sq. ft. or 5,000 sq. ft.  
 41 In both cases, the provision of public sewer was mandatory.

42  
 43 The analysis identified vacant lots exceeding either 7,500 sq. ft. or 5,000 sq. ft. It did not  
 44 consider multiple contiguous lots of less than 5,000 sq. ft. that could be merged to meet  
 45 the minimum lot size. Of those lots, lots that could be made unbuildable due to  
 46 wetlands as they are depicted on the Official Zoning Map were deleted. Lots not located  
 47 in sewer service areas were deleted. A few additional lots were deleted where other

1 restrictions to development were known, such as conservation easements. The analysis  
 2 indicated that  $\pm$  41 lots might become buildable if the minimum lot size were reduced to  
 3 7,500 sq. ft. If the lot size were reduced to 5,000 sq. ft.,  $\pm$  72 lots might become buildable.  
 4

5 The committee noted that making these lots buildable advanced goals of infill  
 6 development, increased the value of the lots and could potentially be a stimulus for  
 7 construction of affordable housing. At the same time, the committee acknowledged that  
 8 neighborhoods may strenuously oppose the development of these lots. The committee  
 9 concluded that it would not recommend that the nonconforming minimum lot size be  
 10 reduced.  
 11

## 12 Future Trends

13  
 14 The following development trends are anticipated:  
 15

- 16 1. Predominantly single family. The overall character of the town is the typical  
 17 single family suburban development. This type of development will continue to  
 18 dominate. The style of single family subdivision lot development, however, will  
 19 continue the current pattern of more compact, clustered subdivision lots paired  
 20 with preservation of large, contiguous areas of open space. Clustered  
 21 subdivisions dominate in all three zoning districts.  
 22
- 23 2. Public sewer. Hand in hand with clustering of subdivisions has been the  
 24 expansion of public sewer. Almost all new subdivisions have been designed with  
 25 public sewer systems. Further extension of the public sewer system will  
 26 continue, both because higher densities make it a necessity and also because it is  
 27 considered more environmentally responsible.  
 28
- 29 3. Less development. Cape Elizabeth is a mature suburb with a severely restricted  
 30 amount of remaining land available for development. In most cases, this land has  
 31 been passed over many times as too physically challenging to develop.  
 32 Eventually, some of these parcels will be developed, but difficulty, inventory  
 33 shortage and cost will slow the current rate of development.  
 34
- 35 4. Increased multifamily units. From 1990-2006, fewer than 20  
 36 multifamily/condominium units have been built in Cape Elizabeth. With the  
 37 pressure to accommodate new development on the few remaining developable  
 38 parcels left, higher density, multifamily development should increase. The aging  
 39 of the population and accompanying desire to move out of single family housing  
 40 should also make some multifamily development desirable.  
 41
- 42 5. Teardowns. Teardowns are homes on lots where the buyer of the property finds  
 43 value only in the land and tears down the existing structure and builds a new,  
 44 often larger and more valuable structure. Cape Elizabeth's commanding ocean  
 45 views, proximity to Portland, and "bargain prices" for southern New England  
 46 buyers all contribute to the teardown of some homes in established areas and  
 47 construction, often, of much larger homes. This trend is expected to continue.  
 48 The Committee considered teardown activity as consistent with the typical  
 49 upgrading of old neighborhoods experienced by the town. Teardown activity

1 does increase the tax base without increasing the amount of open space  
2 developed by the town.

- 3  
4 6. Business District coalescence. The Town Center District was a shift in the  
5 approach used to regulate commercial activities. It has been well received. The  
6 Business A District now needs a similar reorganization into a neighborhood  
7 business district. The business districts will likely experience some  
8 redevelopment and character enhancement, however, no significant expansion of  
9 business areas is expected. This is due to Cape Elizabeth's physical peninsula  
10 configuration as a destination rather than a pass-through community.

### 11 **Land Use Goals**

- 12  
13  
14 **Goal 1: The Town shall continue to promote clustering of proposed new**  
15 **development in identified growth areas, increase open space and discourage**  
16 **development in other parts of town.**

17  
18 New development is often controversial and opposed by neighbors and residents.  
19 Nonetheless, some new development will occur as property owners sell their land. An  
20 estimated 330 new housing units may be constructed between 2007 and 2020. When  
21 new development is proposed, it should be clustered on the lot and in areas of town  
22 where availability of utilities, such as public sewer, makes higher densities possible. In  
23 this way, a minimal amount of total land will be developed to accommodate anticipated  
24 new housing. Any policies that discourage clustering or create incentives for sprawl-  
25 type subdivisions should be revised so that land use policies uniformly encourage  
26 clustering.

### 27 Implementation Steps

- 28  
29  
30 78. Maintain the current, large lot size and low density requirements in the RA  
31 District, which includes 50% of the town, to ensure a range of choice for  
32 residents.
- 33  
34 79. Increase the density of the RB District, which includes 7% of the acreage of the  
35 town, with Open Space zoning, where public sewer is available, from 30,000 sq.  
36 ft. to 20,000 sq. ft per lot, and increase the Open Space Zoning open space  
37 requirement from 40% to 45% in the RB District.
- 38  
39 80. Review the design of open space in the Open Space Zoning provisions to  
40 maximize the amount of open space in a single contiguous parcel and discourage  
41 narrow strips, except when strips are necessary for trail connections.
- 42  
43 81. Make the Open Space Impact Fee not applicable when a subdivision is designed  
44 in compliance with the Open Space Zoning Regulations, which include a  
45 separate open space requirement.
- 46  
47 82. Eliminate the cap on the number of units per building allowed for multiplex  
48 developments located in the RC and RB Districts. Create design standards for  
49 buildings exceeding 5 units and a maximum height limit that is greater than the  
50 current 35' height limit. This will be available only in conjunction with the



Agricultural TDR (# 85), developments targeted to 55 and older (# 15) or an affordable housing overlay district (#19).

- 83. Reduce the minimum lot size required for multiplex housing in the RC District from 5 acres to 3 acres and eliminate the minimum lot size for multiplex housing in the RB District.
- 84. Overhaul the Subdivision Ordinance to align state and local subdivision standards of review.

**Goal 2: The Town shall add land use regulation options that preserve community character.**

Community character, which ranges from the compact neighborhoods along Shore Rd to the open stretches of the Spurwink Marsh, is cherished by residents. Open space, in particular working farms, is fundamentally tied to the identity of Cape Elizabeth. The Town and the Land Trust have been successful in preserving open space through purchase. In the next decade, however, it is uncertain what financial resources will be available.

Preservation of open space through development review has also been a successful technique. Zoning and development regulations that preserve open space can be expanded, in particular to preserve remaining agricultural lands, and are not dependent on the availability of public/ nonprofit financial resources.

Implementation Steps

- 85. Create a Transfer of Development Rights Agricultural Bonus that increases the number of development units transferred from farm fields by one-third.
- 86. Continue to allow the development of infill lots at current nonconforming minimum lot size requirements.

**Goal 3: The Town shall require that development in the RB District be served by public sewer.**

The RB District has been created to accommodate anticipated growth outside of infill areas. The ability of the RB District to absorb growth without new development expanding to other areas is limited when public sewer is not extended to the development. The public sewer system has capacity and the Town Sewer Ordinance allows the Town Council to extend sewer service areas to growth areas.

Implementation Steps

- 87. Designate the RB Districts as Sewer Service Areas.
- 88. Require new subdivision development in the RB District to be served by public sewer.

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**Implementation Timeframe  
And  
Responsible Party**

The list below includes all the goals and implementation steps included in the previous chapters. Chapters are NOT listed in order of priority, but rather in the order of the State Planning Office Checklist. For each implementation step, a time frame for implementation and entity responsible for implementation are indicated as required by State Comprehensive Planning Rules.

Implementation steps are designated either Ongoing, Short-term or Long Term. Steps that are designated as ongoing either have already been accomplished, or are part of routine practice. Short-term should be implemented within 3 years of adoption of the plan. Long-term should be implemented in more than 3 years but before the term of the plan is completed in 2020.

Implementing entities are the boards and commissions or town staff that would likely undertake the majority of the effort for implementation. Where a step is ongoing, the Town Council is identified as the implementing authority because it would require a policy shift to cease implementing that step and the Town Council sets policy. It should also be noted that, in almost all cases, final approval or action will be needed by the Town Council even when another body is identified as responsible for implementation. For example, the Planning Board is identified as the implementing authority for many ordinance changes because it would draft the text changes. Final approval of ordinance changes, however, rests with the Town Council.

**Economy Goals**

**Goal 1: The Town Center shall be promoted as the primary commercial area of Cape Elizabeth and shall be developed consistent with the Town Center Master Plan to meet the needs of residents and visitors currently attracted to the Town’s natural resources and recreational opportunities.**

Located in the town geographic center where Ocean House Rd intersects with Shore Rd and Scott Dyer Rd, the Town Center includes the K-12 school campus, Town Hall, Police and Fire Stations and the largest aggregation of commercial structures and businesses. The importance of the Town Center was officially recognized when the Town Council appointed a committee to create a Town Center Master Plan, adopted the Town Center Master Plan in 1993 (hereby appended to this Comprehensive Plan) and then created the Town Center Zoning District in 1995.

1  
2 The Master Plan calls for an identifiable Town Center that includes a village feeling,  
3 mixed retail uses targeted to residents, a pedestrian inviting environment, a common  
4 meeting place, visual vitality, and linkages to the Town's open space and school assets.  
5

6 With the adoption and gradual implementation of the Town Center Master Plan, the  
7 reconstruction of sidewalks with street trees and pedestrian lighting, Town residents  
8 have embraced the vision of the Town Center. Individual property owners have  
9 invested in the beautification of their property and new development, consistent with  
10 the Master Plan vision, has been proposed. This overall evolution of the Town Center  
11 should continue.  
12

### 13 Implementation Steps

- 14
- 15 1. Continue to implement the Town Center Master Plan.  
16 **Ongoing - Town Council**  
17
  - 18 2. Construct sidewalks throughout the Town Center.  
19 **Ongoing - Town Council**  
20
  - 21 3. Develop mixed use buildings that include commercial uses on the first floor and  
22 allow residential uses on upper floors.  
23 **Long Term - Planning Board**  
24
  - 25 4. Require master plans for large town center parcels that demonstrate compliance  
26 with Town Center Zoning.  
27 **Long Term - Planning Board**  
28
  - 29 5. Consider opportunities that will create a village green adjacent to Ocean House  
30 Rd.  
31 **Long Term - Town Council**  
32
  - 33 6. Complete implementation of the Town Center Storm Water Plan.  
34 **Short Term - Town Council**  
35

### 36

### 37 **Goal 2: The Neighborhood Commercial areas (BA and BB Districts) shall be designed** 38 **to meet the needs of the adjacent neighborhoods.** 39

40 Somewhat overshadowed by the Town Center, the neighborhood commercial areas  
41 include some of the local businesses most affectionately and loyally patronized by town  
42 residents. The zoning regulations for these districts, however, have not been  
43 comprehensively updated. The regulations are not in step with promoting mixed uses  
44 in the business districts that also protect the integrity of the adjacent residential  
45 neighborhoods. The regulations should be updated. In addition, public sewer should be  
46 available to business zones to most efficiently use the land area and avoid converting  
47 residential land to business zoning.  
48  
49  
50

1 Implementation Steps  
2

- 3 7. Review and revise the BA District regulations to create neighborhood scale  
4 commercial areas. If necessary, develop separate standards that are tailored to  
5 the two distinct BA districts. The review should include:

- 6  
7 •Creating design standards consistent with small scale, neighborhood  
8 commercial areas;  
9  
10 •Evaluating whether smaller setbacks from neighborhoods are appropriate to  
11 promote pedestrian connections;  
12  
13 •Review parking requirements;  
14  
15 •Incorporating more mixed use of residential and commercial by increasing the  
16 density of multi-family housing and limiting commercial uses to the first floor;  
17  
18 •Reviewing the boundaries of the BA District; and  
19  
20 •Evaluating adding a business district where existing businesses are located in a  
21 non-business district.

22 **Short Term - Planning Board**  
23

- 24 8. Allow the RP1 250' buffer to be reduced to 100' for properties in the BA and BB  
25 Districts where the property is served by public water and public sewer if the  
26 applicant establishes that the reduction will not have a harmful impact on  
27 adjacent wetlands.

28 **Short Term - Planning Board**  
29

- 30 9. Designate BB Districts as Sewer Service Areas.

31 **Short Term - Town Council**  
32  
33

34 **Goal 3: The Town recognizes that in-home businesses are an important part of the**  
35 **local economy and those needs must be balanced with the expectations of**  
36 **residential neighborhoods.**  
37

38 Implementation Steps  
39

40 A growing number of residents, in part due to the technological advances provided by  
41 the internet, are choosing to operate businesses from their homes. This expansion of the  
42 economy was accommodated by changes to the 1997 Zoning Ordinance that allowed  
43 businesses with low impact as a permitted use. Operating a business from a single  
44 family neighborhood has sometimes conflicted with the expectations of home owners  
45 for the quiet enjoyment of their property. The town regulations need to continue to  
46 balance these sometimes competing needs.  
47

- 48 10. Continue the town approach of home business and home occupation regulation  
49 that allows low-impact home businesses to operate by right.

50 **Ongoing - Town Council**

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- 11. Continue day care regulations that allow day care in all districts with review by the Town.  
**Ongoing - Town Council**

**Housing Goals**

**Goal 1: The Town should promote a diversity of housing types to accommodate residents of all age groups and household sizes.**

An overwhelming majority of the housing stock is single family homes. While, at first glance, this appears to be what residents want, the lack of a variety of other housing types is frustrating other goals important to residents. Population trends show that the town is aging. As residents age and they need or desire to transition out of traditional single family housing, their opportunities to remain in Cape Elizabeth are extremely limited. New condominium development and rental, multifamily housing construction are flat. Congregate housing on Scott Dyer Rd does provide an option for residents who seek some support services.

For younger residents or residents experiencing lifestyle changes who cannot afford to buy single family housing, rental housing availability is also very low. The construction of new multi-family housing would provide opportunities for younger residents to remain in the community, and could also provide some housing for workers in the business districts.

Implementation Steps

- 12. Encourage the development of multi-family housing units in mixed use buildings located in the town business districts.  
**Ongoing - Planning Board**
- 13. Increase the permitted density of multi-family housing units in mixed use buildings located in the business districts.  
**Short Term - Planning Board**
- 14. Review the minimum lot size and setback requirements for multi-family and attached single family dwellings (condominiums) to determine if they are creating obstacles to developing a variety of housing types.  
**Short Term - Planning Board**
- 15. Evaluate establishing a density bonus for 55 and older restricted developments.  
**Short Term - Planning Board**
- 16. Retain the current regulations providing for the construction of mobile homes and mobile home parks in accordance with state law.  
**Ongoing - Town Council**

- 1 17. Retain the accessory dwelling unit regulations that provide for small apartments  
2 to be integrated into single family homes.  
3 **Ongoing - Town Council**  
4

5 **Goal 2: The Town should increase the amount of affordable housing through**  
6 **methods that minimize administrative burdens on town administration.**  
7

8 Implementation Steps  
9

- 10 18. Retain the Mandatory Affordable Housing Provisions that require affordable  
11 housing to be incorporated into major subdivisions, amend the existing program  
12 to add an asset limitation, and increase the appreciation return to homeowners.  
13 **Ongoing - Planning Board**  
14  
15 19. Create an affordable housing overlay district where public sewer can be  
16 provided that permits a mix of market rate and low-income affordable housing  
17 at a density greater than the existing “underlying” zoning allowed.  
18 **Long Term - Planning Board**  
19  
20 20. Waive all fees, including but not limited to building and all other construction  
21 fees, sewer fee and street opening fees, for low-income, affordable housing units.  
22 **Short Term - Town Council**  
23

24 **Transportation Goals**  
25

26 **Goal 1: The Town shall have a safe transportation system that meets the needs of**  
27 **both residents and nonresidents.**  
28

29 Recent data shows that no location is a high accident area. The comprehensive plan  
30 survey identified the Route 77/Shore Rd/Scott Dyer Rd intersection and Spurwink Ave  
31 as areas needing improvement. Whenever road construction projects are considered,  
32 Town residents have expressed a desire to support road improvements only if they do  
33 not detract from the character of the road.  
34

35 Implementation Steps  
36

- 37 21. Reconstruct Spurwink Ave.  
38 **Short Term - Town Council**  
39  
40 22. Implement the installation of a traffic signal and related realignment at the  
41 intersection of Route 77/Shore Rd/Scott Dyer Rd.  
42 **Short Term - Town Council**  
43  
44 23. Install a traffic signal at the intersection of Route 77 and the High School  
45 entrance.  
46 **Short Term - Town Council**  
47  
48 24. Develop a Traffic Calming policy that determines when and where traffic  
49 calming measures should be utilized on existing and proposed streets.  
50 **Short Term - Town Council**

- 1
- 2 25. Promote connectivity between neighborhoods when it benefits public safety,
- 3 traffic circulation and/or developments with a neighborhood character.

4 **Ongoing - Planning Board**

5

6 **Goal 2: The Town shall continue to coordinate with regional transportation**  
 7 **providers, the Community Services Program and the School Department to**  
 8 **provide public transportation for the elderly, the handicapped, and other town**  
 9 **residents between Cape Elizabeth and Portland/South Portland.**

10

11 Public transportation service in Cape Elizabeth is available through town contracted  
 12 services with a regional transportation provider and a limited shuttle program to Mill  
 13 Creek, the Maine Mall and Downtown Portland operated by the Community Services  
 14 Program. Especially as the population ages, it is important that some option to driving  
 15 be available to residents.

16

17 Implementation Steps

- 18
- 19 26. Continue to support a regional transportation provider program than provides
- 20 bus service for the handicapped and elderly.

21 **Ongoing - Town Council**

- 22
- 23 27. Monitor the need to expand the Community Services Shuttle Program as needed.

24 **Ongoing - Community Services Department**

25

26 **Goal 3: The Town shall promote the expansion of the sidewalk network and**  
 27 **bikeways in a manner that promotes public safety and preserves the character**  
 28 **of Cape Elizabeth roads and neighborhoods.**

29

30 New sidewalk construction has occurred primarily in the Town Center and in new  
 31 developments. The construction includes a 5' wide grassed esplanade, planted with  
 32 street trees, that separates the sidewalk from the street. Sidewalks not only create a safe  
 33 facility for pedestrians, but also a neighborhood feel by transitioning between the public  
 34 space of the street and the private yards of adjacent single family homes.

35

36 Bikeways' primary function is to provide a safe facility for bike riders, on or off-road.  
 37 The physical beauty of Cape Elizabeth naturally attracts bike riders, however, the  
 38 character of many roads includes minimum traveled way widths and little to no paved  
 39 shoulders.

40

41 Implementation Steps

- 42
- 43 28. Continue construction of sidewalks in the Town Center and in new
- 44 developments.

45 **Ongoing - Planning Board/Town Council**

- 46
- 47 29. Prepare a town-wide pedestrian, sidewalk and cycling master plan. The plan
- 48 shall include an evaluation of the town's capacity for year-round maintenance.

49 **Short Term - Town Council**

- 1 30. Study the potential for creating an off-road path adjacent to Shore Rd that would  
2 be designed with sensitivity to the character of Shore Rd and in collaboration  
3 with property owners abutting Shore Rd.  
4 **Short Term - Town Council**

5  
6 **Public Facilities Goals**

7  
8 **Goal 1: The Town shall continue the work of the last decade to assess, renovate and**  
9 **construct public facilities that make it possible to deliver the quality of**  
10 **services that residents expect and fund.**

11  
12 The Town has accomplished a significant number of public facility improvements in the  
13 last decade. This effort has positioned the town to deliver quality services to residents in  
14 efficient modernized buildings without the need for additional structure improvements.  
15 Two exceptions to this may be the Thomas Memorial Library and the Cape Cottage Fire  
16 Station. The generally good condition of most municipal buildings, however, does  
17 indicate an emphasis on maintenance rather than new construction.

18  
19 As the town conducts maintenance and new construction, it should take advantage of  
20 new techniques and technologies that employ “green construction” or “low-impact”  
21 principles. Use of energy efficient materials and alternative fuels should also be  
22 evaluated for their adaptability to the range of old and new buildings and vehicles used  
23 by the town.

24  
25 Implementation Steps

- 26  
27 31. Appoint a committee to formally assess the physical plant and programming  
28 needs of the Thomas Memorial Library.  
29 **Short Term - Town Council**  
30  
31 32. Include funding in the annual Capital Improvement Plan to maintain all Town of  
32 Cape Elizabeth buildings in good condition.  
33 **Ongoing - Town Council**  
34  
35 33. Develop a model and generate updated school enrollment projections that  
36 accurately reflect the influence of in-migration and assess how school facilities  
37 will support projected school enrollment.  
38 **Short Term - School Board**  
39  
40 34. Increase the amount of waste that is recycled.  
41 **Short Term - Recycling Committee**  
42  
43 35. Educate the public to reduce the total amount of waste generated.  
44 **Ongoing - Recycling Committee**  
45  
46 36. Continue to improve energy efficiency in Cape Elizabeth Town buildings,  
47 incorporating “low impact” construction principles, and explore using  
48 alternative fuels for buildings and vehicles.  
49 **Ongoing - Town Council**  
50



- 1 37. Form a committee to explore and the costs and benefits to residents of providing  
2 town-wide WiFi internet access.

3 **Long Term - Town Council**  
4

5 **Goal 2: The Town shall pursue partnerships with other municipalities, utilities and**  
6 **other groups to maximize the efficient use of public facilities and personnel**  
7 **and minimize infrastructure costs, while maintaining service levels.**  
8

9 In order to stretch public funds to provide services within constrained budgets, many  
10 groups are now eager to combine projects and needs, and adjust schedules to take  
11 advantage of savings. The Town is pursuing these opportunities and should continue to  
12 do so.

13  
14 **Implementation Steps**  
15

- 16 38. Continue discussions with abutting communities regarding how to handle E911  
17 and other Police Dispatching.

18 **Ongoing - Town Council/Police Department**  
19

- 20 39. Continue discussion with the City of South Portland regarding the possible  
21 sharing of fire protection responsibilities in the Shore Rd area.

22 **Ongoing - Town Council/Fire Department**  
23

- 24 40. Establish a standard policy for notifying all area utilities in advance of road  
25 construction projects to encourage the upgrade of the town's utility  
26 infrastructure as opportunities arise. When undertaking upgrades, the electric,  
27 telephone and cable utilities are encouraged to place utilities underground.

28 **Short Term - Public Works Department**  
29

- 30 41. Work with the Greater Portland Council of Governments and the County  
31 Government Public Health Initiative to provide Town public health/emergency  
32 planning advice.

33 **Short Term- Town Council**  
34

- 35 42. Enter into public/private partnerships when private financing is offered to fund  
36 Town goals and public facility needs.

37 **Ongoing - Town Council**  
38

39 **Fiscal Capacity Goals**  
40

41 **Goal 1: The Town shall continue to fund the Capital Improvement Plan.**  
42

43 The Town and School update the Capital Improvement Plan every year. CIP funding  
44 has made it possible to replace equipment and rebuild infrastructure in a cost efficient  
45 manner that minimizes large fluctuations in the tax rate. When the Town began  
46 experiencing repeated failure of its oldest sewer lines, a large scale replacement  
47 program was funded by borrowing the amount of a retiring bond. This approach to  
48 comprehensive fiscal management should be further enhanced by combining the school  
49 and town CIP budgets.  
50

Implementation Steps

43. Develop a unified town/school CIP.  
**Short Term - Town Council/School Board**

44. Expand the CIP to a ten-year time frame.  
**Short Term - Town Council**

**Goal 2: The Town will continue to balance residents' request for services with residents' request to minimize property taxes.**

Town residents have supported improvements to municipal facilities over the last decade. They have rejected a statewide referendum effort to cap property taxes (Palesky) in 2004, and a statewide spending cap (TABOR) in 2006. At the same time, however, residents have expressed concern that property taxes are too high, especially for the growing number of retirees. Methods to both reduce costs and raise revenues will need to be considered.

Implementation Steps

45. Evaluate a shift to user fees to partially fund services in place of increases in the property tax. Examples could include pay per bag for trash disposal, library cards, and fees for athletic field use.

**Short Term - Town Council**

46. Expand the tax base with appropriate businesses that are compatible with community character.

**Long Term - Town Council**

### **Recreation and Open Space Goals**

**Goal 1: The amount of publicly accessible open space should be increased in order to preserve the current local standard of open space of 118 acres per 1,000 population.**

A major reason residents choose to live in Cape Elizabeth is the open space and physical beauty of the community. In the last decade, the Town, in cooperation with the Cape Elizabeth Land Trust, has increased the local standard of open space from 24 acres per 1,000 population to 118 acres per 1,000 population. The Town should take steps to preserve this standard as the population slowly increases and to increase the standard as resources allow.

Implementation Steps

47. Continue the Open Space Zoning and Open Space Impact Fee requirements for new development that require that open space be set aside.

**Ongoing - Town Council**

- 1 48. Purchase land or conservation easements when there is an opportunity to  
2 preserve unique or significant open space, especially where it can be added to  
3 the Greenbelt Trail system.

4 **Ongoing - Town Council**

- 5  
6 49. Partner with the Cape Elizabeth Land Trust, public and private organizations,  
7 State and Federal agencies, private land owners, and other key stakeholders to  
8 preserve open space and trails permanently that define our rural, community  
9 character.

10 **Ongoing - Town Council**

- 11  
12 50. Encourage the State of Maine to acquire permanent public access to Crescent  
13 Beach beyond the expiration of the lease in 2010.

14 **Short Term - Town Council**

- 15  
16 51. Maintain a dialogue with major landowners regarding their future plans and  
17 discuss methods for preserving significant open space for recreation.

18 **Ongoing - Town Council/Conservation Commission**

19  
20 **Goal 2: The Town shall maximize the responsible use of town open space through**  
21 **implementation of the 2001 Greenbelt Plan, Fort Williams Master Plan, Gull**  
22 **Crest Master Plan and Winnick Woods Master Plan, which plans are hereby**  
23 **incorporated by reference.**

24  
25 The Town has prepared master plans to promote orderly use and limited development  
26 of the town's significant open space resources. The Greenbelt Plan attempts to pull  
27 those land parcels and many smaller parcels and easements into a cohesive trail  
28 network. As these master plans are implemented, town residents will be able to more  
29 fully enjoy the resources the town currently owns.

30  
31 Implementation of the master plans has been most often restricted by lack of funding. In  
32 some cases, the town has been able to supplement existing funds with grants and  
33 donations. In other cases, significant volunteer efforts have significantly reduced costs.  
34 In the future, this type of multifaceted approach will be needed to implement the  
35 master plans.

36  
37 Implementation Steps

- 38  
39 52. Promote volunteer efforts such as Cape Trails Day and student trail events to  
40 construct and maintain trails.

41 **Ongoing - Conservation Commission**

- 42  
43 53. Continue to fund the purchase of materials to construct boardwalks and bridges,  
44 especially as a match when volunteer labor is available.

45 **Ongoing - Town Council**

- 46  
47 54. Continue to seek grant funding and partnerships with like-minded groups to  
48 implement the above master plans.

49 **Ongoing - Conservation Commission/Fort Williams Advisory Commission**

50

- 1 55. Review the master plans overseen by the Conservation Commission and the Fort  
2 Williams Advisory Commission every 7 years, to insure that the plans are being  
3 implemented appropriately.

4 **Long Term - Conservation Commission/Fort Williams Advisory Commission**  
5  
6  
7

- 8 56. Hold a public forum with trail users to develop a policy regarding conflicts  
9 between trail users.

10 **Short Term - Conservation Commission**  
11

12 **Goal 3: The Town shall support the high level of resident participation in**  
13 **Community Services Programs and the high quality of the town's recreational**  
14 **facilities.**  
15

16 Like most municipal departments, Community Services is highly rated in the telephone  
17 survey. In addition to programming within the Community Center, Community  
18 Services manages the community pool and scheduling of athletic fields. While no large  
19 expansion in facilities is anticipated as the program evolves with population changes, in  
20 the long term some facility expansion and adjustment may needed.  
21

22 Implementation Steps  
23

- 24 57. Explore the need for additional athletic fields, gym activity space, and outdoor  
25 lighting for recreation areas.

26 **Long Term - Town Council/Community Services Department**  
27

28 **Marine Resources Goal**  
29

30 **Goal 1: The Town shall manage marine resources to protect commercial fishing and**  
31 **access and also to provide for recreational boating.**  
32

33 Marine resources support commercial fishing, noncommercial fishing and recreational  
34 boating. Facilities are managed to assign first priority to commercial fishing. Some  
35 expansion of commercial fishing could be accommodated. At the same time,  
36 noncommercial fishing and recreational boating now occur and can continue to occur  
37 without a negative impact on commercial fishing.  
38

39 Implementation Steps  
40

- 41 58. Continue to reserve and improve the Kettle Cove boat ramp for commercial  
42 fishing, WETeam, and other emergency access.

43 **Ongoing - Harbor Master**  
44

- 45 59. Study the need for and the potential location of an additional boat ramp and  
46 parking facilities for all users.

47 **Long Term - Town Council**  
48

- 49 60. Evaluate the need for and feasibility of public access (including parking) to shell  
50 fishing beds for licensed, commercial fishermen.

1           **Long Term - Town Council**

2  
3                                   **Water Resources Goals**

4  
5 **Goal 1: The Town should retain its local Shoreland Zoning and Great Pond**  
6 **Watershed Overlay District regulations that require preservation of vegetated**  
7 **buffers and restrict activity in shoreland areas, resulting in no degradation of**  
8 **adjacent water bodies.**  
9

10 As a mature suburb, Cape Elizabeth is more densely developed than most other Greater  
11 Portland suburbs. Rather than resulting in declines in local water quality, the location of  
12 clustering of development and preservation of buffers as required by local regulations  
13 is preserving water quality. Preservation of naturally vegetated buffers is less expensive  
14 than design and construction of pre-treatment structures, such as settling ponds and  
15 phosphorus control facilities. In addition, "low-tech" vegetated buffer requirements  
16 result in less administrative burden to inspect.  
17

18 Implementation Steps

19  
20 61. Update the local Shoreland Zoning requirements to be consistent with new state  
21 Mandatory Shoreland Zoning requirements which take effect in 2008.  
22 **Short Term - Planning Board**

23  
24 62. Retain the Great Pond Watershed Overlay District.  
25 **Ongoing - Town Council**

26  
27 63. Initiate an educational effort to reduce the occurrences where land owners have  
28 altered vegetation in buffer areas in a manner that degrades water quality.  
29 **Short Term - Conservation Commission**

30  
31 64. Take advantage of new technologies and funding opportunities to eliminate the  
32 remaining overboard discharges.  
33 **Long Term - Town Council**

34  
35 65. Investigate, in cooperation with private land owners, adopting names for  
36 unnamed bodies of water to aid in public awareness.  
37 **Long Term - Town Council**

38  
39 **Goal 2: Periodic water quality testing should continue and be expanded to monitor**  
40 **local water quality in order to identify potential problems in the early stages**  
41 **and also to assist in priority setting for infrastructure policy and**  
42 **improvements.**  
43

44 Very little water quality data are generated, except as funded by the Town. As funding  
45 permits and opportunities arise, the Town should look to itself as the primary collector  
46 of water quality testing data necessary to stop possible water quality degradation at its  
47 earliest stages.  
48

49 Implementation Step

- 1 66. Expand the periodic water quality testing of Great Pond to a town-wide program
- 2 that includes identifying standard water quality testing sites throughout town
- 3 which are tested every 5 -10 years on a standard set of parameters.

4 **Long Term - Town Council**

5  
6  
7 **Critical Natural Resources Goal**

8  
9 **Goal 1: The Town’s critical natural resources are clustered together in areas that**

10 **currently enjoy strict local protection from alterations and impacts. This**

11 **current regulatory structure, which includes Resource Protection regulations,**

12 **Shoreland Zoning and Floodplain Management, should be maintained.**

13  
14 Critical resources in Cape Elizabeth are focused in the major wetland areas. Alteration

15 of these wetland areas is restricted, not only by state, and, in some cases, federal

16 regulation, but also by local regulations that prohibit new home and road construction.

17 The critical resource analysis highlights the layers of functions incorporated within

18 these fragile natural areas. Available data suggest that current management is adequate

19 to protect these areas. Therefore, as new development occurs, continued application of

20 existing policies and regulations should be adequate to preserve critical natural

21 resources.

22  
23 Implementation Steps

- 24  
25 67. Maintain the current stringent local wetland regulations as they apply to
- 26 residential uses, including the RP1 Buffer at the 250’ width.

27 **Ongoing - Town Council**

- 28  
29 68. Retain the current, stringent Resource Protection Regulations, Shoreland Zoning
- 30 and Floodplain Management Ordinance, and update as needed.

31 **Ongoing - Town Council/Planning Board**

- 32  
33 69. Confirm that the existing Resource Protection permit process delineates
- 34 significant vernal pools.

35 **Short Term - Planning Board**

36  
37 **Agriculture and Forestry Goal**

38  
39 **Goal 1: The Town shall support the continuation of farming and management of**

40 **woodland areas by working with farmers and land owners to provide for**

41 **financial rewards and preservation of significant agricultural and forestry**

42 **areas.**

43  
44 Farming is intrinsically tied to the identity of Cape Elizabeth. Town residents have

45 expressed strong support to preserve farming as part of the Town’s character. Further,

46 town residents have supported municipal funding for farming preservation efforts and

47 participate in community supported agriculture programs operated by some farms.

48 Nonetheless, the economic viability of farming, especially with Cape Elizabeth land

49 values, is challenging. While the town cannot reverse regional, state and national trends

1 that have pressured local farms, it can work to mitigate negative impacts in recognition  
2 of the importance of local farms to community character.

3  
4 Implementation Steps

5  
6 70. Develop an agricultural profile, in conjunction with farmers, that assesses the  
7 economic, cultural, and resource stewardship value of agriculture in Cape  
8 Elizabeth, and which includes quantitative and qualitative research, identifies  
9 the critical challenges facing local agriculture, and develops recommendations to  
10 address these challenges.

11 **Short Term - Town Council**

12  
13 71. Identify and modify town regulations that hamper the flexibility needed to make  
14 farming economically viable. This review shall include, at a minimum:

- 15 •Minimum lot size for fish and farm markets;
- 16
- 17 •Temporary buildings needed for worker housing;
- 18
- 19 •Agriculture related accessory buildings and uses;
- 20
- 21 •Agriculture definition;
- 22
- 23 •Agriculturally related produces and uses;
- 24
- 25 •Restrictions on the percentage of non-farm/non-local produce that may be sold  
26 in farm markets.

27  
28 **Short Term - Planning Board**

29  
30 72. Educate farmers and woodland owners of the full benefits available under the  
31 State Farm and Open Space Law and the Tree Growth Law.

32 **Ongoing - Town Assessor**

33  
34 **Historic and Archeological Resources Goal**

35  
36 **Goal 1: The Town shall preserve local historical resources.**

37  
38 Recurring themes of rural character, preservation of farmland, and ties to the water, that are  
39 rooted in the earliest history of the town, continue to influence policy debates. Preserving the  
40 town's history not only tells us where we came from, but also is instructive in how we should  
41 proceed. Historical records have been successfully preserved through a partnership between  
42 Cape Elizabeth Historical Preservation Society and the Town. The town should continue to  
43 build on this partnership and its other historic preservation efforts.

44  
45 Implementation Steps

46  
47 73. Expand the space allotted to the Cape Elizabeth Historical Preservation Society for  
48 records preservation and research.

49 **Long Term - Town Council**

- 1 74. Require new development undergoing Site Plan or Subdivision Review that is located  
2 in sensitive archeological areas as shown on the Historic Resources Map to submit an  
3 archeological survey prepared by the MHPC or a qualified professional prior to a  
4 finding that the application is complete.

5 **Long Term - Planning Board**  
6  
7

8 **Regional Coordination Goal**  
9

10 **Goal 1: The Town will pursue opportunities for regional cooperation, possible**  
11 **expenditure savings, and service efficiencies for Cape Elizabeth taxpayers.**  
12

13 Regional coordination has been integrated into town procedures and decision-making  
14 so that it is now considered standard practice for many government functions.  
15 Examples of this include waste disposal and sanitary waste treatment. The Town  
16 should remain poised to take advantage of new opportunities to regionalize services  
17 when cost-efficiencies are possible within appropriate levels of service quality and local  
18 control.  
19

20 Implementation Steps  
21

- 22 75. Continue discussions with the City of South Portland Fire Department regarding  
23 consolidation of the Willard and Cape Cottage Fire Stations in a manner than  
24 does not compromise the ability to provide fire protection to Cape Elizabeth  
25 residents.

26 **Ongoing - Town Council/Fire Department**  
27

- 28 76. Pursue additional opportunities for regional delivery of services, cost sharing  
29 and opportunities for efficiencies and service improvements.

30 **Ongoing - Town Council**  
31

- 32 77. Ensure that regionalization opportunities are incorporated into the annual  
33 budget process.

34 **Ongoing - Town Council**  
35

36 **Land Use Goals**  
37

38 **Goal 1: The Town shall continue to promote clustering of proposed new**  
39 **development in identified growth areas, increase open space and discourage**  
40 **development in other parts of town.**  
41

42 New development is often controversial and opposed by neighbors and residents.  
43 Nonetheless, some new development will occur as property owners sell their land. An  
44 estimated 330 new housing units may be constructed between 2007 and 2020. When  
45 new development is proposed, it should be clustered on the lot and in areas of town  
46 where availability of utilities, such as public sewer, makes higher densities possible. In  
47 this way, a minimal amount of total land will be developed to accommodate anticipated  
48 new housing. Any policies that discourage clustering or create incentives for sprawl-  
49 type subdivisions should be revised so that land use policies uniformly encourage  
50 clustering.



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Implementation Steps

78. Maintain the current, large lot size and low density requirements in the RA District, which includes 50% of the town, to ensure a range of choice for residents.

**Ongoing - Town Council**

79. Increase the density of the RB District, which includes 7% of the acreage of the town, with Open Space zoning, where public sewer is available, from 30,000 sq. ft. to 20,000 sq. ft per lot, and increase the Open Space Zoning open space requirement from 40% to 45% in the RB District.

**Short Term - Planning Board**

80. Review the design of open space in the Open Space Zoning provisions to maximize the amount of open space in a single contiguous parcel and discourage narrow strips, except when strips are necessary for trail connections.

**Short Term - Planning Board**

81. Make the Open Space Impact Fee not applicable when a subdivision is designed in compliance with the Open Space Zoning Regulations, which include a separate open space requirement.

**Short Term - Planning Board**

82. Eliminate the cap on the number of units per building allowed for multiplex developments located in the RC and RB Districts. Create design standards for buildings exceeding 5 units and a maximum height limit that is greater than the current 35' height limit. This will be available only in conjunction with the Agricultural TDR (# 85), developments targeted to 55 and older (# 15) or an affordable housing overlay district (#19).

**Short Term - Planning Board**

83. Reduce the minimum lot size required for multiplex housing in the RC District from 5 acres to 3 acres and eliminate the minimum lot size for multiplex housing in the RB District.

**Short Term - Planning Board**

84. Overhaul the Subdivision Ordinance to align state and local subdivision standards of review.

**Short Term - Planning Board**

**Goal 2: The Town shall add land use regulation options that preserve community character.**

Community character, which ranges from the compact neighborhoods along Shore Rd to the open stretches of the Spurwink Marsh, is cherished by residents. Open space, in particular working farms, is fundamentally tied to the identity of Cape Elizabeth. The Town and the Land Trust have been successful in preserving open space through purchase. In the next decade, however, it is uncertain what financial resources will be available.

1  
2 Preservation of open space through development review has also been a successful  
3 technique. Zoning and development regulations that preserve open space can be  
4 expanded, in particular to preserve remaining agricultural lands, and are not dependent  
5 on the availability of public/nonprofit financial resources.  
6

7  
8 Implementation Steps  
9

10 85. Create a Transfer of Development Rights Agricultural Bonus that increases the  
11 number of development units transferred from farm fields by one-third.

12 **Short Term - Planning Board**  
13

14 86. Continue to allow the development of infill lots at current nonconforming  
15 minimum lot size requirements.

16 **Ongoing - Town Council**  
17

18 **Goal 3: The Town shall require that development in the RB District be served by**  
19 **public sewer.**  
20

21 The RB District has been created to accommodate anticipated growth outside of infill  
22 areas. The ability of the RB District to absorb growth without new development  
23 expanding to other areas is limited when public sewer is not extended to the  
24 development. The public sewer system has capacity and the Town Sewer Ordinance  
25 allows the Town Council to extend sewer service areas to growth areas.  
26

27 Implementation Steps  
28

29 87. Designate the RB Districts as Sewer Service Areas.

30 **Short Term - Town Council**  
31

32 88. Require new subdivision development in the RB District to be served by public  
33 sewer.

34 **Short Term - Planning Board**  
35



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