

**Town of Cape Elizabeth
Ordinance Committee Minutes **DRAFT****

June 15, 2015

5:45 p.m., Town Hall

Present: Jamie Wagner, Chair
 Caitlin Jordan
 Jessica Sullivan

Staff: Maureen O'Meara

The minutes of the January 16, 2015 minutes were amended and approved.

Public Comment

No member of the public chose to speak.

Land Use Amendments

Councilor Wagner recognized Planning Board Chair Peter Curry and invited him to participate.

Councilor Wagner asked committee members how they wanted to proceed to review the amendments. The committee agreed to go page by page through the text amendments.

Beginning with page 1, Ms. O'Meara explained the proposed changes to the Sewer Service Area map, which is part of the Sewer Ordinance.

Councilor Wagner asked if the map committed the town to fund sewer expansions. Ms. O'Meara said that sewer extensions are almost always paid for by a developer. The map does not commit the town to any funding and the current ordinance explicitly protects the town from any funding commitment.

The committee asked if the properties to be added to sewer service areas were close to existing sewer lines. Ms. O'Meara reviewed the location of sewer lines for each parcel on the map. The committee agreed to move to the next item.

The committee reviewed the change to the Subdivision Ordinance Impact Fee provision (page 2). They confirmed the impact fee would apply when a development was not clustered.

The committee moved to the revisions to the multiplex housing definition (page 3). Ms. O'Meara explained that this definition includes almost all the current design requirements for multiplex housing and is essentially being replaced with four pages of multiplex design requirements. Councilor Wagner suggested the committee move to review of the proposed design standards.

Beginning on page 18, the committee began review of subsection E, Multiplex Housing Standards. Councilor Wagner confirmed these standards do not apply to the Town Center District and potential new development in that district.

The committee reviewed the open space standard that increases the minimum open space from 40% to 45%. Ms. O'Meara explained how net residential acreage is calculated and that the land deducted is not included in the 1/3 of 45% requirement.

The committee discussed the building size limit of 7,500 sq. ft. building footprint. Ms. O'Meara shared an example comparing a 3-lot subdivision on 3 acres and a multiplex development on 3 acres. Committee members asked Mr. Curry how the Planning Board chose 7,500 sq. ft. He said the Planning Board looked at a few example buildings and also considered the size of single family homes, but that this number could be changed. Committee members noted other buildings in town, other condominium projects and that the current regulations allow four units per building and four units could have a larger footprint than 7,500 sq. ft.

Ms. O'Meara reviewed the population trend of an increasing senior population. Seniors seeking multiplex housing often are looking for 1-level living. The maximum building footprint limit is important because if there are multiple floors, an elevator is probably needed. A question was raised about how many units would be needed to support an elevator. Ms. O'Meara reported this information had been a goal of the multi-unit feasibility study, but had not been obtained.

The committee then moved to the Public Water and Sewer section. They discussed the 15% bonus if a sewer line has to be extended more than 1/4 mile. What is the base density and how would that work? Why allow more density if the project is less than 20 units. Ms. O'Meara generally reviewed how density is calculated. A smaller project would be less able to absorb the sewer construction cost. Councilor Sullivan concurred that connection to the public sewer was better for the environment.

The committee proceeded to the Site Design Standards. Open space must be designed with Sec. 19-7-2, which has been revised. Councilor Wagner moved review to that section (p. 14).

The committee began review of subsection D, Open Space Design Standards. Committee members discussed the preservation of large contiguous parcels of land as a

higher priority than buffer strips, but that there is tremendous pressure from abutting neighborhoods for buffer strips. Ms. O'Meara noted this was a recommendation of the Future Open Space Preservation Committee (FOSP). Councilor Sullivan said that she and Councilor Jordan served on that committee. Councilor Wagner suggested that a narrow strip with a greenbelt trail could be allowed. Staff was directed to make the text on page 15, lines 1-4 more clear on this.

The committee generally agreed that connectivity of open space was important.

The committee reviewed the Preservation Priorities subsection. These priorities reflect the recommendations of the FOSP Committee. Councilors Sullivan and Jordan confirmed that a process using dots to vote on open space priorities was used. Ms. O'Meara noted that most properties will meet their 40% open space preservation requirement with the wetland priority and other lands will not be preserved.

Public Comment

No members of the public wished to comment.

Next Meeting

The next meeting of the Ordinance Committee will be held on Monday, July 13th, from 5:30 p.m. from 6:45 p.m.

The meeting adjourned at 6:45 p.m.