



## Long Range Planning Advisory Committee (LPAC)

**Thursday, October 22, 2015**  
**Minutes**

**Attendance:**

Name	Present	Name	Present	Name	Present
Paul Bergkamp	-	Kurt Klebe	√	Jim Thibodeau	-
Sam Rudman	√	Sandra Lipsey	√	Erin Mancini	√
Bill Benzing	-	Karen Farber, Council Liaison	√	Theo Holtwijk, Staff	√

Others attending: Claudia King, Bob Shafto, Ethan Croce

Sam started the meeting at 6:00 PM

**1. Review of Resource Conservation Zoning Overlay (RCZO) District**

LPAC was meeting to review several past Resource Conservation site plans to better understand how the RCZO rules work and also to hear from Bob Shafto, Open Space Ombudsman, and Ethan Croce, Senior Planner, what their impressions have been and what suggestions they may have for changes to the RCZO rules.

Sam asked if the RCZO exemption still required Planning Board approval. Ethan replied that this was a concession to property owners who were not developers, but wanted to create one lot for their children or in-laws. This is a one-time exemption that goes with the land and is not like the subdivision exemption that has a 5-year period associated with it.

Karen asked if Ridgewood Estates is a RCZO project. Ethan said that was an Open Space Residential Development (OSRD) project, but that those rules do not exist any more.

Several plans were reviewed. Kurt noted that preservation of rural roadside character was a big consideration. Ethan said that each development is unique and that the Planning Board has the flexibility to reorder preservation priorities. In some cases roadside preservation is important. In other cases homes are clustered along a road to preserve more on-site open space.

The committee discussed road connectivity of projects and the reservation of paper streets and the effect that roads can have on wildlife fragmentation.

Erin asked when a DEP review comes in if wetlands are involved, before or after Planning Board approval. Ethan says that the DEP review typically comes after sketch plan

presentation to the Planning Board, but before final approval by the Town. He noted that wetland surveys are done up front.

Karen asked if the RCZO rules result in changes to the originally presented plans. Ethan said that most applicants meet with staff to work out any issues. There is a requirement in the ordinance to do so, but not all applicants follow up on that.

Kurt asked if paper streets are calculated in the net residential area. Ethan said no. Theo asked if the location of paper streets is coordinated with the land suitability across the property line. Sam suggested that this coordination should be done and that permission should be asked of the abutter to enter the property to do a proper evaluation. Kurt felt that there should be an abutter meeting requirement.

Ethan reviewed who typically holds the open space that is being created. This could be a homeowner's association, the Falmouth Land Trust, or the Town. In the case of the homeowner's association the open space is not accessible by the public. Bob noted that the Land Trust only accepts title to open space if there are environmental values that are of an overriding interest.

Kurt noted that the current rules allow for all sorts of infrastructure and structures to be placed in the open space. Bob commented on the fact that many small open space areas are not being managed. He referred to those small areas as "measles." The objective, Bob said, is to obtain more and better connections between parcels of public open space land.

Ethan reviewed the Foreside Arbors plan. In that case a subdivision had been created, but after the RCZO rules were in place, the reduced requirements allowed infill development that otherwise could not have been created.

The committee discussed the open space requirement of 50% that was changed in 2011 to 30%. Karen asked what the implication of that has been. Ethan recounted that the original RCZO rules were intended to be density neutral, but that, thanks to waivers on dead end road lengths, it has allowed for more density than pre-RCZO. Ethan felt that the 50 to 30% change has resulted, not in more house lots, but in larger house lots and less open space.

Bob noted that the objective had been land conservation, but that the increase in development has actually resulted in more people. Karen mentioned the environmental impact of impervious surfaces that has come with that. The committee recognized that the RCZO rules had accomplished many good things, but could not do everything. Ethan noted that in many cases there had been less road infrastructure than with conventional projects. Bob added that there had been smaller lots created as well.

The committee discussed possible rules changes. Bob suggested that perhaps in the Growth Area there could be an open space fee in exchange for density, where the fee could be used to protect open space elsewhere. The committee wondered if certain zoning districts and/or multifamily projects should be exempted from RCZO rules. Projects such as Applegate, Colonial Village and Bayside were originally approved as garden apartments.

Kurt suggested increasing the open space set aside in the rural area and incentivizing growth in the growth area. He noted that what Bob had suggested was some form of transfer of development rights.

Sandra wondered if the rules applying to multiplexes were flexible enough, especially if housing market conditions change. She anticipated more smaller and attached buildings in the future. Erin added that the current rules promote sprawl of multiplex buildings.

Karen wondered what would be lost if there were no RCZO rules in growth area. She felt that some neighborhood values may be lost and that open spaces with wetlands act as natural sponges.

Claudia asked to what extent wetlands could be filled. Ethan explained how the net residential area calculation worked and how the Planning Board can shape a project. Bob wondered if going from 30 to 50% open space it would result in fewer lots. Ethan said that this would not be the case.

Bob noted that open space protection from a wildlife perspective makes sense if blocks of 250 acres or more can be preserved. He recognized that there may be other reasons to protect smaller parcels of open space.

Kurt argued to have the same RCZO rules everywhere, but with exceptions. Sandra suggested having a RCZO Growth and RCZO Rural. Claudia mentioned that Freeport has open space tiers of 10, 30, and 60% required set asides. Karen said that the RCZO seemed to drive where houses are located on a parcel. Erin commented that builders in the rural part of Falmouth want at least 1 acre house lots.

Bob said he felt that going from 50 to 30% open space was a mistake. He wondered what the long range vision of the town was. He knew it was not “New Jersey.” If the town wanted to preserve rural character then certain lands needed to be off-limits. More open space connectivity was still needed as well as larger open space parcels. He recognized that owners needed value for their property, but that over the years the budget for open space acquisitions had been reduced. He felt that the support for that had been waning and that the Town needed an open space acquisition strategy.

Sam asked Ethan what suggestions he had. Ethan wondered what the goals of the RCZO were. He suggested that perhaps 60% required open space was appropriate and that the dead end road waiver by the Planning Board in rural areas could be looked at.

Sandra noted that trend to build more compact, the emphasis on growth versus rural areas, limits on infrastructure, such as sewer, and the growth permit limitations will help to keep Falmouth what it is. She suggested that what the committee needs next is a few value statements to help underscore its recommendations.

Karen stated that it is clear that some aspects of RCZO are not working as well as they could. The committee agreed to think about it some more between now and the next meeting and to see if it can arrive at some recommendations.

**2. Review of Draft Minutes of August 13 and September 17, 2015 Meetings**

The draft minutes of August 13 and September 17, 2015 meetings were approved as written.

**3. West Falmouth Sewer Master Plan**

Theo said that staff had received the draft West Falmouth Sewer Master Plan and that a joint review by LPAC and CDC was scheduled for December 10.

**4. Other Business**

There was no other business.

**5. Next Meeting**

The next meeting is scheduled for November 19. [Note: This was later changed to November 24.]

The meeting was adjourned at 8:15PM.

Draft minutes prepared by Theo Holtwijk, November 6, 2015