



Long Range Planning Advisory Committee (LPAC)

Thursday, August 25, 2016 Minutes

Attendance:

Name	Present	Name	Present	Name	Present
Paul Bergkamp	-	Kurt Klebe	√	Breana Gersen	√
Sam Rudman	-	Sandra Lipsey	√	Becca Casey	√
Tom McKeon	-	Ned Kitchel, Council Liaison	√	Theo Holtwijk, Staff	√

Theo started the meeting at 6:03 PM.

1. Review of Draft Minutes

The draft minutes of the August 11 meeting were approved as written. Theo stated that the prior minutes erroneously stated that the July 14 minutes had been approved. This should have referred to June 23.

2. Review of Street Standards

Theo gave brief recap of the materials he had distributed: the list of street feedback that the committee had been discussing and the draft report he had prepared. He explained the reasoning behind the draft findings and recommendations.

Kurt felt that the Planning Board seemed to be able to balance the Town's standards with the flexibility of waivers quite well. Sandra commented that the developer feedback had been that the Town was rigid and that the ordinance was out of date. She thought this meant that the Town could do a better job of communicating to developers that flexibility exists in the ordinance. Becca commented on her experience at the Planning Board and said that the Board regularly approved waivers especially regarding road connectivity. Sandra felt it was important to convey that the Board should be encouraged to look at the specifics of each individual application. Kurt thought that this spoke to item 4 of the findings. Becca wondered if the consideration of granting waivers should also be tied to the two themes that the draft report laid out. Kurt stated that waivers should not be the expectation of developers, and that they should be expected to meet the criteria, that the ordinance standards were the default. Becca agreed with that.

The committee discussed a few cases where waivers were granted to allow a developer to access more suitable land for development. Ned felt that developers know their way around the ordinance and how and when to apply for waivers. He liked the flexibility that the Planning Board currently has.

Theo asked if the committee wanted to look more closely at the waiver criteria and ways in which this could be more clearly communicated, or that it felt that this level of review was sufficient. The committee felt that this level was sufficient, and that, if the Council wanted the committee to, it could look at the criteria for all waiver provisions at a later date.

Breana asked clarification of finding 2 relative to finding 6. Theo said that the clarification of 6 is stated in item 7. The committee agreed to make it clear that it distinguished between dimensional standards (item 2) and technical construction standards (items 6 and 7).

Sandra was interested to know who would be responsible for developing the clarifying language. Theo said that typically, upon Council acceptance of the committee's reports, the Council charged the CDC to come back with proposed ordinance language. CDC typically would seek help from the Community Development Director to do so. Theo expected that such would become a specific Council Work Plan item.

Ned asked if Ethan was the staff person who attended Planning Board meetings. This is indeed the case. He asked how waivers and approvals are typically codified and how much time that takes upon PB approval. Becca explained how that typically works. Ned asked how long Planning Board meetings typically were.

As next step Theo will prepare a red line incorporating the clarifications discussed and send that to the committee. Kurt made a motion to accept the draft report with the clarification regarding criteria in item 4 and adding "technical" in item 6. Sandra seconded it. The motion passed 4-0.

If anyone has any last comments on the revised report, they should Theo know.

3. Review of Resource Conservation Zoning Overlay District

Theo reviewed the handouts. The chart represents where the committee left things off. The zoning amendments are excerpts from the ones approved in July 2016. Theo explained that it may be best to see what effect the new zoning has on development. As densities have increased, there may not be a need for a bonus density. As setbacks were reduced, there may not be a need to offer more flexibility in that area. The issue of applying RCZO to all residential development has already received committee consensus. That leaves just one issue to be decided: the percentage of net residential area that projects have to set aside (on top of the unbuildable area). Theo had a separate handout to address that issue. He reviewed the handout.

The basic proposal for consideration is to bring the 30% back to 50% in the rural area. It used to be 50% town wide. In the growth area the idea is to exempt small projects, those with one or two lots or a project area of 1 acre or less, as those would result in hardly useable open space. Projects larger than that would be required to set aside 30% NRA.

The proposal adds a new element called Density Trade Option. This is an option that developers can choose to use, but are not required to. It would allow them to provide less open space, but turn that amount of land into additional density for their project, in

exchange of payment of a open space fee. Theo provided a hypothetical example of how that could play out.

Kurt said he like the base concept (30 to 50% in rural area; keeping it at 30% in growth area, and exempting small projects). He felt that the trade option idea could be hard to articulate to others and might be subject to considerable scrutiny in a public process.

The committee wondered what typical lot costs were in Falmouth for small lots in RA.

Breana suggested that regarding the use of the fee of the trade option include a sending and receiving area, similar to transfer of development rights programs. Theo suggested that the sending area of the fee could be the growth area, and the receiving area could be the rural area – the area where open space acquisitions or enhancements would use the fee. Becca felt that made sense as there are more opportunities for open space acquisition in the rural area. Ned said that the Council has an open space acquisition fund that it is trying to build up, so that the Town can respond rapidly when opportunities come up. These are designated funds and can only be used for open space acquisitions.

Kurt felt that the trade option should be run by the Council as it was ultimately a political decision. Sandra liked the trade option and said it fitted the collaborative aspect of the work, linking the encouragement of growth in growth area with the preservation of the rural area. She felt that it moved the comprehensive plan towards reality. Kurt liked the rural-growth linkage as well.

Theo asked the group if it felt that rolling out the trade option now would be too soon. He wondered if it was better to wait and see how the zoning amendment played out and come with a simpler RCZO proposal. Kurt said he was interested to find out if the trade option existed anywhere else. The idea came from Sam originally. Theo said he would try to find out. Kurt felt that if the Council liked the idea, it could ask the committee to study it more and work out some of the specifics, such as the timing of the fee payment.

Breana wondered if a different fee amount could be used in the rural area. Others commented that they only saw the fee applying to the growth area.

Using the committee's direction, Theo will prepare a similar short report and send that to the committee.

4. Next Meeting

The next committee meeting is scheduled for September 8, 2016. Theo cannot be there, but will check with Sam to see if he can open and close doors.

5. Other Business

As the committee is nearing the completion of the Street Standards and RCZO review, it discussed its possible next assignment: The Greening of Falmouth v2.0. This is an update of the 2006 Open Space Plan. The current idea is to have an ad hoc merging of LMAC and LPAC for that assignment. A meeting will be scheduled with the Council liaisons and chairs of these two committees, the Town Manager, Open Space Ombudsman, Director of Parks and Community Programs and Theo to see how that could work and if a proposal can prepared

for Council consideration. The committee thought that was a very good idea and looked forward to working on such an assignment.

There was a brief discussion on how well the Council has been working with the Comprehensive Plan and LPAC through its work plan and assignment of specific tasks, so the committee and Council stay in synch with each other. The committee agreed with that assessment.

The meeting was adjourned at 7:36 PM.

Draft minutes prepared by Theo Holtwijk, August 26, 2016