



COMMUNITY DEVELOPMENT COMMITTEE

(Town Council Sub-committee)

Members Present

Claudia King, Chair
Russell Anderson

Staff Present

Nathan Poore
Amanda Stearns

Meeting Minutes

Monday, December 8, 2014

1. **Land Foundation Model and Falmouth Land Trust** – Presentation by Analiese Larson, Executive Director and Jed Harris, President

Chair King introduced the topic. The CDC recognizes that the efforts for open space preservation are related to the CDC's charge to move growth to the growth area. She also recognizes that the efforts and operations of the FLT are separate and apart from the Town but the committee would like to have an understanding of their work. Larson stated that she saw the committee had information on the Lincoln MA model. FLT does not have the Rural Land Foundation arm. FLT was founded 1981 and manages 46 parcels totaling some 1200 acres. About half is owned in fee, with the rest in easements. Many of the easements are over land owned by the town. The last large campaign was in 2002, to acquire Blackstrap Preserve. With the open spaces referendum passed by the town and the town's fairly aggressive purchasing program, the FLT has benefited by holding easements on much of that purchased land. During the last decade, people have gone to the town for a sale. FLT does have some projects in the works. Fundraising occurs when a project has been identified. Operating costs are also supported by fund raising and include administration, trail maintenance, and a legal defense fund. With the mission to maintain these protected lands in perpetuity, a solid foundation is essential for the Trust.

FLT works very closely with the town. Larson serves as staff to LMAC and Harris and Hemphill sit on LMAC. Communication and coordination of efforts has improved. Recent projects that have benefited from a tighter relationship include Mill Creek, Riverpoint, and Unitil.

The LMAC and FLT scoring sheets are similar but FLT focuses more at connectivity. Areas identified as low growth not as much a priority as connectivity. Perhaps input that CDC could have is to request that both the Town and FLT emphasize properties located in the Rural Area.

Larson noted that the RCOD is a great land use tool. Open space requirements were at 50%, and went down to 30%. Maybe it should be bumped back up in the Rural Area. Although it does not currently affect density it would restore the original requirement for open space. Stearns mentioned that while the RCOD does create open space it also nets out more lots as they can be clustered and reduced in size. It provides both for development and open space.

Larson mentioned Clapboard Island as another great example where FLT could assist. The Trust was a facilitator and worked with other groups to make the project a success

King applauded the FLT for their cooperation with other conservation groups.

Anderson asked about projects this year. Harris indicated that there were a few in the works. Some developers are conservation minded. Most are looking for tax benefits. It can be a protracted process but the conservation zoning has helped to create a relationship between the development community and FLT. Currently one project in the rural area is under negotiation.

King stated that as she understands it the property owner might go to the town or FLT. FLT only does fund-raising for particular projects. The town has financing available at any given time.

King inquired about the capacity of the FLT. Larson responded that there is not a real capacity but the number of parcels that would be of interest are few in number as large parcels are becoming less available.

King asked if the FLT would consider the model of the Rural Land Foundation, where the FLT would allow for or development some lots and then conserve the remainder.

Poore mentioned that the model is intriguing. The Town should have some discussion with FLT to determine which roles each can play. The Town has been successful at getting grants. Harris suggested that a revolving loan fund could be developed with proceeds from partially developed parcels.

Poore believes there are lots of benefits. It is a tool that does not affect property rights. It is part of the work to carry on the Greening of Falmouth. King inquired if this conservation/development method has a name. Poore responded that the tool would be project specific. In addition he suggested that the Council might adopt a resolution that supports the concept.

Harris mentioned that there are several lots are currently on a list that might be ripe for this model of conservation. Poore suggested the Town also has some land that would fit the model including property on Hadlock Rd. Proceeds could be designated for future purchase for conservation. Anderson asked how this is different from trading areas for development, just changing the location of development.

Anderson continued that selling lots for development that town already owns flies in the face of our conservation efforts. Poore responded that LMAC has parcels that could be sold, as they do not have conservation potential. If lots are sold it multiplies the purchase potential for high value conservation land.

King asked Larson and Harris if they had any suggestions for us to preserve land in the rural area. Larson mentioned that TDRs are being used successfully in other areas, mostly out west. Anderson stated that he believed TDRs to be off the table. Larson indicated that one method is to charge for density bonuses in the growth area and then those funds go into a bank to purchase open space. Anderson asked why someone would want to development rights. Stearns indicated that there has to be a market. A Town would need to establish a density increase program that could only take place if development rights are purchased. Anderson feels that we do not need to add any more incentives.

Larson suggested that points could be added to the scoring system for LMAC and the FLT for land in the rural area. This would support the goal of focusing open space purchases in the rural area.

2. Growth Permit Discussion, continued

a. Exemptions – review exemptions for Rural Area

Anderson clarified that the growth cap is 65 for single family and that the discussion was around creating a smaller cap for the rural area. He continued that this does not address the total growth in the community. The comp plan goal talks about a majority of all the growth occurring in the growth area. It is possible that we are already seeing a majority growth in the growth area.

It was summarized by Stearns that the town wide growth cap is 140, with 65 being single family housing, 10 being accessory cottages and 65 being multi-family units. Anderson is in favor of a cap in the rural area and to not remove the town wide cap.

Anderson continued that this is a learning process. Exemptions from the cap have a much greater impact on growth than previously thought. Stearns stated that the most growth that has occurred in recent years outside of the cap is in OceanView.

King suggested that the committee review the list of exemptions and determine if any should be removed from the rural area. The committee reviewed the list and made the following comments.¹

Replacement units – continue to be exempt in the Rural Area.

Congregate housing – allowed only in the RB

Elderly Boarding –permitted in RB no

Retirement community - no

Affordable housing² – no

Accessory apartments – not decided

None of the exemptions will apply in the rural area except for replacement units.

Caps will need to be decided for single-family, cottages and duplex/multi-family.

3. Approve Minutes – With a motion by Anderson and a second by King, the minutes of December 2, 2014 were unanimously approved.

4. Other Business - none

5. Adjournment – 10:15 a.m.

¹ In addition to the Farm and Forest District, the Rural Area includes portions of Residential B (around Highland Lake, Falmouth Road and Brook Road, OSRD (repealed but include Cornerstone), and the MUC (along turnpike spur).

² State defines Affordable Housing as “...a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 412, 50”