



Long Range Planning Advisory Committee (LPAC)

Wednesday, November 28, 2018
Meeting Minutes

Attendance

Name	Present	Name	Present	Name	Present
Sam Rudman	✓	Paul Bergkamp	✓	Claudia King <i>Council Liaison to LPAC</i>	✓
Sandra Lipsey	✓	Becca Casey <i>Vice Chair</i>	✓	Theo Holtwijk <i>Staff</i>	✓
Rich Jordan <i>Planning Board</i>	✓	Breana Gersen <i>Chair</i>	✓	Meredith Sells <i>Staff</i>	-

Councilors attending: Ted Asherman, Hope Cahan, Andrea Ferrante

Others attending: Fred Chase, Valentine Sheldon, Carolyn Lucet, Randy Cooper, William "Skip" Schirmer

Breana started the meeting at 6:06 pm. Everyone introduced themselves.

1. Confirmation of new Chair and Vice Chair.

Breana and Becca were confirmed as the new Chair and Vice Chair of the committee.

2. Review of Draft Minutes of October 11 and 24, 2018 Meetings

The draft minutes of the October 11 and 24, 2018 meetings were approved as written.

3. Review of Zoning Amendments since July 2016

The committee agreed to first take public comment.

Fred Chase handed out a map and stated that he felt the standards for the RD district on the west side of the Maine Turnpike should revert to the zoning prior to July 2016.

Valentine Sheldon asked what the basis was for the July 2016 zoning amendments, and if any impact studies had been done on population, school enrollment, sewer, and roads.

Andrea Ferrante felt that there were success stories that came from the July 2016 zoning amendments that should be told. She understood there were also issues that needed to be addressed.

Theo reviewed the handouts that he had prepared. They fell into several "buckets." In the first bucket were the Forum Highlights report, Forum Evaluation report, and a compilation of e-mail comments that Theo had received. In the second bucket were the current zoning rules for RA, RB, RD, Minimum Net Residential Area per Lot section, and the Rate of Residential Growth section. The third bucket contained development data: building permits issued between 7/11/2016 and 10/2/2018, building permits for projects made possible by the July 2016

zoning amendments, a map showing the locations of those projects, Planning Board approvals not included in the building permit data, and the Rate of Residential Growth for 2016 through 2018. A fourth bucket could contain site visits to some selected projects. And a fifth bucket contained a listing of the meetings and public input opportunities that had been held between the adoption of the Comprehensive Plan in February 2014 and the approval of the July 2016 zoning amendments, and the draft process that the committee had outlined earlier. That process envisioned that the Council could review recommendations in April 2019. Last Monday the Council expressed an interest for the committee to complete its work as soon as possible. Theo mentioned that an excellent background report to review is the April 27, 2015 report from LPAC and CDC concerning Year 1 Implementation of the Comprehensive Plan.

The committee reviewed the Rate of Residential Growth data. Theo noted that a lot of the growth is in some large projects, such as the redevelopment of the Plummer School, OceanView cottages, units at Ridgewood, and at Avesta's Blackstone project. He pointed out that none of the caps have been reached in 2016, 2017, and 2018, with exception of the accessory unit cap of 8 in the rural area this year. Staff recalled that the cap has been reached twice more before that, since its inception in 2000. Ethan noted that when the cap reached in the past it occurred in December and delayed the issuance of a building permit with a couple of weeks.

Sam stated that based on the concerns he heard the issue was with neighborhood character. Rich said that it appeared there were issues with big projects, but also with little ones. Paul felt that there was a qualitative issue to be addressed, a quantitative one, and one of communication. Claudia spoke to the urgency that the Council felt to address the RA district. She wondered if it made sense to study specific streets. Sandra agreed that there was a communication issue, but she saw it as an education issue. She stated that people seem to be concerned with impact on school enrollment. However, she anticipated that school enrollment will be impacted even as no development takes place, simply as older people without children, like herself and her husband, sell their homes to families that will have children in the school system. Paul noted that aging in place was a big part of the Comprehensive Plan. Sandra said that a second issue she observed is people's concern with taxes and how to keep them down. She wondered if this was outside the purview of the committee, but recognized that trade-offs were involved in these issues. Breana noted that infrastructure costs are reduced when serving development in the growth area. The committee agreed that the story of the comprehensive plan needed to be told to help explain the town's regulations at a broader level. Theo stated that the LPAC-CDC report contains language that helps to tell that story.

The committee agreed that a central question was if the implementation of the comprehensive plan was changing the character of neighborhoods. Sandra stated that the committee is tasked to help relieve the Council's pain, but that there would be bigger pain for the community if development were to happen anywhere. She felt that it was the committee's task to help communicate that. Breana wondered if this could be done through a Q&A type format. The committee agreed that core dimensional issues seem to be density and setback.

Paul articulated a possible three-prong approach for the committee: (1) telling the story of how existing infrastructure leverages efficient development patterns, (2) grounding the public on the development data – making sure people realize there is not a population explosion, and (3) addressing the qualitative issues – what are the five or six pain points. He suggested that the forum, emails, and site visits will help to uncover what pain patterns exist.

Councilors attending weighed in. Andrea stated that she was not in a rush to solve this. She saw education as a big issue to address. She cited the good that the zoning amendments accomplished in her neighborhood. She agreed that the situation at Old Powerhouse Road was an issue. She expected the committee to simply report to the Council on 12/10 where it is at and did not expect any major solutions at that time. Ted felt that the benefit

of the 12/10 Council meeting is to inform the public, not just the Council. Hope stated that the 12/10 meeting would show what was in the works. She noted that the map that showed the projects that have been made possible since the July 2016 zoning amendments does not show any lot splits that people may have made that have not yet been built upon. She stated that the public does feel a sense of urgency. She felt that the committee should look at the RA district first. She was interested to see a presentation at the 12/10 meeting that was illustrated and addressed the issue at a high level.

Sam asked the Councilors why it would not approve a moratorium to give the committee more time. He also asked if the Councilors had any suggestions for other outreach methods. Hope said that the Council did not want to resort to the moratorium tool at this time. She recognized that many voices go unheard in a process such as this one. She thought that staff could call people who live on affected streets to ask them what their concerns were and what they liked about living where they did.

Breana asked if there was any additional public comment. Randy Cooper stated that he recently had moved to Falmouth and that was a land use lawyer. He asked if the materials/handouts provided by Theo were going to be available to the public. Theo stated that all materials had been posted on the committee's website. Randy asked what the correlation, if any, was between the maximum impact of growth control limits and long-range planning for capital improvement and school growth, as the public meeting raised substantial concerns with growth impact on a great school system. He noted that the Comprehensive Plan assumed a "low growth" forecast of 50 units a year with 2.5 occupants. He felt that the growth control limits (including the exceptions) do not reflect that low growth forecast. He said that zoning rules and Comprehensive Plan did be related to each other. He asked if the development data had been analyzed to show if the increase in growth also resulted in an increase in the tax base. He suggested that when a project is approved by the Planning Board, a possible build-out schedule should be supplied and the impact on growth control caps should be projected. This data could then be compared to the ability of developer to make required site improvements with guarantee of building permits. He suggested that assumptions be made in capital improvement plans that anticipated the sale of homes by older people to young families. He felt that in in the Rural Residential area the conveyance of development rights should be considered in exchange for increased density in the Growth Area which is served by water and sewer, so that green areas can be kept green. He suggested that the Town analyze what the impact of one residence is on the community, such as vehicle trips per day, number of school children, tax base increase, water use, and sewer use. He recommended incorporating cluster incentives in rural areas.

Rich commented that with all the attention on the growth area, what the impact was on the rural area and what had been done to protect that. It was noted that in the last decade a lot of rural land had been protected by the Town and the land trust, which made it unavailable for subdivision development. It was also noted that the July 2016 zoning amendments included a differential growth cap, limiting the maximum amount of development that can occur in the rural area.

Valentine Sheldon stated that he was pleased to learn that the Town had growth limits in place and urged the committee to examine the situation at 154 Foreside Road.

Paul wondered if using Judy Colby-George's GIS modeling to examine the impact of different setbacks may be helpful.

Andrea urged the committee to study some good examples as well.

4. Other Business

There was no other business.

5. Next meeting

The committee agreed to shift its December meetings and meet on December 6 and 20, 2018 at 6:00 PM.

The meeting was adjourned at 8:22 PM.

Draft minutes prepared by Theo Holtwijk, December 3, 2018.