



TOWN OF CAPE ELIZABETH Meeting Minutes - Draft

MEETING: Ad-Hoc Housing Diversity Study Committee

DATE: August 28, 2023

TIME: 6:30 P.M.

PLACE: Town Hall, Council Chambers (Hybrid)

Present: Kevin Justh (KJ), Victoria Volent (VV), Stephanie Anderson (SA), Curtis Kelly (CK), Timothy Thompson (TT)

Absent: Katie Reeves (KR), Amit Omaz (AO)

Committee Support Staff: Kristina Musante (KM) K&J Strategic Solutions were present

Public Guests: 4 guests on Zoom and 4 guests in the audience

1. Call Meeting to Order

Meeting was called to order at 6:30pm.

2. Roll Call

Katie Reeves and Amit Omaz were absent. There was a quorum to continue meeting.

3. Public Comment

John Voltz had comments on the final report the committee is putting together. He would like to see a section about affordable housing and finance. The committee has learned a lot about financing especially with average housing costs, how much financing makes up and how it works out. Everything looking at has to do with building houses which is directly related to finance. It would be good to educate the public on different scenarios. John also wanted to discuss town-owned land. He mentioned the two letters that are in the agenda and hopes they will be included in the report. One had to do with

Gull Crest and it not being financially feasible or insurable. So in report hopes that feasibility and desirability are factors that will be mentioned. Lastly, on the comprehensive plan recommendations, to write it in conjunction with the introduction section of the trends and data. He requested checking the validity of the data as discussing our topics. Finally, mentioned looking at Comprehensive Plans from cities like Kennebunk and Cumberland who have built a lot of affordable housing and see how Cape Elizabeth could adopt their ideas. The final remarks were about casting this issue as a long-term issue, that is not a just one and done, it is going to need numerous solutions over time and monitoring.

Cynthia Dill mentioned is wanting to see a pairing of affordable housing with a capped landfill to look at Cumberland and Drown Hall School Project, which is adjacent to a capped landfill with a solar farm on it. Cynthia continued about the MaineHousing email, which mentioned considering higher density, which she felt was a bureaucratic answer. Cynthia was all for putting into the report that MaineHousing thinks Cape Elizabeth should increase density. Cynthia made clear she is doing something different in the existing law to get it done and meanwhile work on getting more density. Cynthia continued about an email the committee received about the Gull Crest feasibility, stating that Gull Crest shouldn't be considered as a location. Cynthia refuted the claim mentioning the ice rink, gardens, and public work employees and if there were health issues then it isn't something to not walk away from but acknowledge presumptions.

* During public comment the committee did have a zoom bomb incident, which was resolved quickly and the meeting continued.

4. List of Agenda Items

a. GPCOG presentation with Q&A

Matt Panfil, AICP CUD, Planning Director for the Greater Portland Council of Government (GPCOG), presented to the HDSC on potential housing services that may be available to Cape Elizabeth. Regional housing goals for GPOC were presented, discussed, and questioned by the committee. Panfil outlined the services and support available through GPCOG to include assessing communities, engaging communities, and assisting communities in executing housing plans. Panfil also outlined what other communities were doing in the state to assist with increasing housing. Panfil discussed with the committee incentives and regulations that may be used to assist with increasing and diversity housing options. Panfil discussed housing trusts and housing authorities in the area and how these entities may be used to expand housing.

GPCOG housing goals were stated to be 24,000 new homes by 2030 with 75% being located near jobs, schools, and services, with the priority being low to moderate income households. These goals were discussed and the likelihood of success was questioned by the committee. The committee also discussed with the presenter whether these goals were tied to state production goals. Additionally, TT requested from GPCOG information on housing authorities.

The presentation slides are attached.

b. Loomio Report from Judy Coby-George

Judy started the presentation mentioning that the discussion forum has been up for a little over two months. In that time, 8 questions have been asked with new questions every two weeks. There were 65 people that joined the forum, 19 of those made comments, with a total of 73 comments (not including the committee members). Judy reviewed the most popular questions that were answered using word clouds. Most people that answered felt that diversity of housing was important, but improving your community wasn't well enough designed so it made it hard to answer. Answers differed depending on the purpose of the type of housing, but felt diversity of housing improved the community. The second question on hurdles to supporting diversity/affordability people mentioned lot size the most, the zoning, uses, way people think about it, density all came up as well. Zoning issues and the cost of building housing were also mentioned. The third question on if they would like to see greater density in Town Center or another location, most people believed having greater density in Town Center made the most sense. It would be closer to schools and shops. The next question on design and development of housing maintains town's character overlapped a bit with the Town Center question. A lot of people mentioned European design and high density and heigh regulations. Judy also mentioned the rental vs homeownership question and most people stated the focus should be on building rental units. Then the last question about infrastructure, the developer should pay for that and be near existing so that it could be extended out. Judy answered questions from the committee, mentioning that the town has the forum for the next year so these questions can remain active. There were originally 9 questions, so Judy mentioned she would add it to the site along with a more general question of anything else residents wanted to mention that didn't come out in the survey or the forum. There was some debate about the number of participants. Although Judy said you always want more, that for the people that did respond they were actively engaged in the discussions. Judy mentioned that yes, more people responded with the Comprehensive Plan, but it was longer period of time and not over the summer. The people were also people the committee doesn't hear from a lot at the forums or by email, so it was beneficial.

5. Approval of Minutes from August 7, 2023 HDSC Meeting

Victoria Volent made the motion to accept the minutes, Tim Thompson seconded the motion. There was no further discussion. The minutes became finalized with a 5-0 vote.

6. Continue of Agenda Items

c. HDSC Final Report Outline- report from members.

Kevin Justh thanked Stephanie Anderson for her work on the ADU section. Since it was received that afternoon, the Chair felt moving the discussion to the next meeting so people could review it more thoroughly unless ready to discuss it now. There was one piece of feedback, maybe not have all the citing of legislation for the final report. SA would like to know if there are sections that should be included, that aren't and the section on recommendations for consideration for town council if policy considerations need to be included. SA mentioned how the survey will also inform a lot of this. KJ mentioned reviewing the April Memo with the supplemental options for review, did mention to review option for a second ADU. A member mentioned how some of the comments were premature, but another mentioned how everything is until the survey is returned. The committee and residents should review these documents in very broad terms until after the survey, that none of this information is set in stone yet. Member, VV, also mentioned the barriers section – the member asked if Stephanie looked at other communities, since the committee has heard from one person in Cape Elizabeth. SA mentioned she researched for hours and never quoted anyone, but let people know where they could find the information. VV then asked about 30-A MRSA § 4364-B statute and asked why these six were chosen from the large section of the statute. SA mentioned that these six were the most descriptive but as an attachment to the report can put the whole statute. A question and discussion arose about the number of ADU currently in Cape Elizabeth but since it is a conditional use permit, the number can fluctuate. The committee could figure out the number of approved permits, which could be 20-30, but the town doesn't currently count ADU. The committee felt it was important though to keep it that the Town doesn't currently know. VV mentioned having a tracker for the future to track the number of ADUs. VV also mentioned the ordinance about parking, that only parking space is required, not add additional. There was further discussion on barriers, such as size and family or close personal acquaintance. Some of those barriers though will go away on January 1 with LD2003, which is in the document.

d. April 6, 2023 Ordinance Committee Memo on options list to promote affordable housing.

The memo was posted later in the day. The memo is from the Ordinance Committee to Town Council on LD2003 Amendments. The Town Council then

charged HDSC with reviewing only the supplemental options to affordable housing and report back. The chair believes these are all the things the committee is looking at through various sections of the final report. There was discussion about how this document from April, never got to the committee until last meeting when it came up and have not had a lot of time to review it. A member mentioned how some of this information will be answered through the survey but also need to spend some time on this. The chair mentioned how these supplemental questions were part of the PowerPoint from Town Planner and Town Manager presentation to HDSC, so this isn't the first time they saw it, and have been discussed in different ways. There was numerous times confusion from a member on what the committee was actually charged with, the chair made it clear and the staff that HDSC was charged with only reviewing the supplemental options and reporting back. There was further discussion on size difference between 1800 and 1100 maximum size and Stephanie needs to know for the ADU section. The chair asked staff to ensure in the final report there is a separate section that these were referred to and the recommendations that go with it, so it may be in there twice.

e. Survey discussion

There was just an update that 371 surveys have been completed and 250 have been started but not completed. Texts did go out as a reminder. Starting August 30th emails will go out as reminders and after Labor Day phone calls. The end date looks good, but the final report won't be available until end of October but can give interim updates. A member mentioned that they heard if you start to fill the survey out but don't finish it they can't get back in. The question to the consultants if someone doesn't complete it can they start over fresh or is the committee losing the information. Also do we know where they stopped. The staff will follow up. There was discussion to beat the school survey which had 900 participants. There was also a question about preventing people from answering it multiple times. The staff will follow up. Also, the question of parameters on ensuring nonresidents don't fill it out. Also marketing of the survey was mentioned, but the date of placing an ad would be after the deadline.

f. Extension and meeting dates

The committee must send a formal request for an extension to Town Council for the 11th meeting. There are dates for upcoming meetings October 2, 16, 23, 30. November 20, 27. December 4 and 18. The committee decided on October 16 and 30th. Tentatively November 20th but wait to see from the two members who were not present to discuss that date, but hold the chambers. Then December 4 and 18. The committee decided to also look into Thursday availability for other rooms.

7. Staff Updates

No staff updates.

8. Reports and Correspondence

- a. Final Report Outline with assignments (attached)
- b. April 10, 2023 Ordinance Committee Memo on options list to promote affordable housing (attached)
- c. Cape Elizabeth request for John Egan to review Gull Crest Report (attached)
- d. Curtis Kelly email GPCOG (attached)
- e. Cynthia Dill email about Gull Crest Financial Feasibility email (attached)
- f. Final Approval for Survey email (attached)
- g. Postcard Update email (attached)
- h. Regan St Pierre Gull Crest Feasibility Study email (attached)
- i. Data Statement Email on Affordable Housing email (attached)
- j. Survey Link email (attached)
- k. Survey Launch email (attached)
- l. Survey Launch Update email (attached)
- m. Survey roll-out email (attached)
- n. Updated Town Council Report email (attached)
- o. Victoria Volent Email on MaineHousing contact email (attached)
- p. Survey live email (attached)
- q. Oliver Stephano name correction email (attached)
- r. Cynthia Dill email on Affordable Housing near capped landfill (attached)

- s. Victoria Volent email on Maine Housing Response and Density and Zoning

Next Meeting/Event

Announce Date/Time/Place

Items on the Agenda – Continued or New Items

- a) Monday, September 18 at 6:30PM in Town Hall, Council Chambers (Hybrid)
- b) Monday, September 25 at 6:30PM in Town Hall, Council Chambers (Hybrid)

Public Comment

John Voltz made a comment about current unit deficit in housing and the need to reduce the cost of housing to create a surplus. He noted that Cumberland County has grown between 8-11% since 1900. He also noted using ADU's to increase density as a policy tool should be considered. Rank proposals around the most effective and most desirable in term of increasing density. He noted that reducing minimum lot sizes will allow for a lot of change.

Al Romano stated that word cloud are not that helpful in analyzing the 19 respondents' exchange on Loomio. He encouraged members to read all the comments. He also asked about the use of the survey code three times and cautioned the abuse by bad actors.

Adjournment

The committee adjourned at 9:00pm.