

Town of Falmouth Community Development Operations Evaluation

Final Report

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THE CONSENSUS BUILDING INSTITUTE

WHO WE ARE

The Consensus Building Institute is a not-for-profit [501(c)(3)] organization based in Cambridge, Massachusetts. CBI provides a wide range of organizational services to government agencies, private companies, and non-governmental organizations involved in issues of public interest in New England, nationally, and internationally. CBI is notable in the field for several reasons: its ties to the highly regarded MIT-Harvard Public Disputes Program, its commitment to developing new tools and techniques tailored to the needs of each client, and its reliance on teams with extensive process skills and experience, substantive insight, and commitment to local communities and their stakeholders. CBI is experienced in working in multi-issue, multi-party environments where authority and responsibility is somewhat to highly diffused. CBI has experience working within and across organizations to analyze their effectiveness and determine how to improve collaboration, communication, and cooperation. CBI has worked in the land use arena for many years and through the Lincoln Institute for Land Policy, has offered courses in land use dispute resolution and advanced land use mediation across the U.S. (including in Maine). For more information on CBI's work, please contact us at:

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EXECUTIVE SUMMARY

BACKGROUND

In January 2007, the Town of Falmouth, Maine (the Town) retained the Consensus Building Institute (CBI) to conduct a comprehensive evaluation of all operations and procedures of the Falmouth Community Development Department and associated boards and committees. Together, CBI and the Town have engaged in a highly collaborative process to achieve the following objectives:

- Assess the current effectiveness of the Town's Community Development Department and broader land use planning systems, operations, and procedures, particularly from the multiple vantage points of internal and external stakeholders;
- Propose recommendations for improvements and efficiencies, based on findings from interviews and their analysis;
- Assist the Town and its various entities through facilitated dialogue to reach a shared vision and plan for revising and implementing these improvements.

The process was conducted from February – July 2007 and included the following actions: formation of an Advisory Committee; 35 confidential stakeholder interviews; a public forum; a web survey with 82 full responses, 45 partial responses (129 total); solicitation of comments from the Advisory Committee on findings and recommendations which guided refinements; and a formal presentation to the Town Council (Council).

The result of this process is an interests-based evaluation that reflects the concerns, priorities, and ideas of stakeholders who use, are impacted by, and participate in Falmouth's land use planning systems, including long-range planning, permitting, and enforcement.

SUMMARY OF FINDINGS

Through interviews, the web survey, the public forum, and input from Advisory Committee members, CBI heard a range of opinions and ideas about the Town's land use planning systems. The process surfaced specific aspects of the system that could be improved, but it also highlighted the Town's many assets. These assets include

- *Sophisticated, with progressive ordinances and planning initiatives* - The Town is quite sophisticated in its thinking and a leader in its land use management strategies;
- *Active planning* - The Town is committed to land use planning, from vision to implementation, and offers resources to fund planning in the Town, and employs best practices, cutting-edge technologies, and innovative tools;
- *Engaged, knowledgeable citizenry* - Perhaps one of Falmouth's biggest assets is its committed volunteers and active citizenry. It is a model of citizen participation;
- *Lack of litigation* - Falmouth has a remarkable lack of litigation around land use issues.

CBI's focus on specific aspects of the community development system that could be improved are concentrated in five categories: structure of planning process, planning tools, vision and comprehensive plan, application and permitting, and human resources. Findings in each of these categories include:

STRUCTURE OF PLANNING PROCESS

- *Sophisticated and dedicated volunteers and citizenry* - One of the Town's biggest assets is that it has a cadre of sophisticated and dedicated volunteers;
- *Major planning ideas come from diverse sources* - Also an asset, but then what comes next after an idea enters the land use system is complex and unclear;
- *Need for more clarity and communication by Council to boards/committees/commissions about roles, goals, and protocols* - Improve working relationships and make interactions more productive;
- *Need for clarity on future role of CPAC* – Currently a source of uncertainty and tension, an operating CPAC has pros and cons;
- *Council needs to balance control, authority, and coordination with inclusion and innovation* – Necessary to ensure transparency, innovation, and efficiency in Falmouth's approach.

PLANNING TOOLS

- *Ordinances are sophisticated, but complicated;*
- *Ordinance review procedure unclear* - Ordinances may come from many sources. While CBI believes this is an asset, the current system leads to confusion and lack of clarity of roles and responsibilities in regard to ordinance creation and development (not approval, which most everyone understands is the purview of the Council);
- *Many layers of guiding documents, some of which may be contradictory or incomplete* – There is a need to catalogue overlaps and offer a baseline for improving, updating, or modifying the Town's guiding documents.

VISION AND COMPREHENSIVE PLAN

- *Tension and uncertainty around balancing preservation of open space, preservation of private property rights, and promoting economic development;*
- *Diverse views and understanding of the Town's vision* – There is general agreement that the Town's vision includes “rural character”, but it is not clear what this means;
- *Disagreement on what to do with Town's Comprehensive Plan* - Some feel that the Town should proceed now with updating its comprehensive plan, while others would prefer to focus on what the Town has before proceeding with the comprehensive planning process.

APPLICATION AND PERMITTING

- *Town's permit review process can be unpredictable and sometimes overly cumbersome for applicants;*
- *Peer review process comes too late and may provide too many rounds (and dollars) of review;*
- *Desire for streamlined approval process* – Most want to consider options for streamlining the process without compromising the quality of the outcome.

HUMAN RESOURCES

- *General optimism about recent staff changes;*
- *Diverse opinions about possible positions, roles and responsibilities of Planning Director* – should the Town split the position into two positions – one focused on long-term planning and one focused on current operational responsibilities;
- *General agreement on characteristics and skills of an ideal Planning Director.*

SUMMARY OF RECOMMENDATIONS

Based on these findings and CBI’s professional experience with planning processes and best practices, CBI offers the Town 16 recommendations aimed at improving the efficiency of the Town’s land use planning system:

RECOMMENDATION	PAGE NUMBER
A. Take action to foster a shared understanding of the roles, responsibilities, and efforts of all the Town’s committees, commissions, and boards	14
B. Adopt sunset provisions for all Town committees	15
C. Take steps to clarify and communicate Council’s procedures for committee and board appointments	16
D. Explicate the Town’s subcommittee policies	17
E. Hold an annual land use and planning workshop	18
F. Council should reaffirm role of CPAC	19
G. Adopt a formal process for development and review of ordinances	20
H. Undertake a Comprehensive Plan update	23
H1. Convene long-term planning options and best practices workshop	24
H2. Conduct an independent review of planning tools	25
H3. Convene a facilitated, town-wide visioning process	26
I. Take action to make peer review process more predicable for applicants	27
J. Enhance opportunities for pre-application engagement	28
K. Give approval authority to Community Development Department for certain permits and processes	29
L. Create “Navigating the Process” manual for applicants	30
M. Create two senior positions for planning in the Town	31

CONCLUSIONS

Throughout this process, CBI found that the Town has an impressive cadre of engaged citizens, volunteers, and staff who are dedicated to the idea of good planning. Also impressive is the fact that the Town has been engaged in innovative and on-going planning for many years, which from CBI's experience is a rarity among New England communities. While the Town is certainly a leader in its planning efforts, like all communities it also faces challenges. The Town has a sophisticated set of ordinances and planning guidelines, however they are complex and can be hard for stakeholders to manage. The Town is also in a period of leadership transition, which has created some sense of uncertainty. However, this environment also offers an opportunity for realignment of priorities and reevaluation of roles and responsibilities.

As the Town moves forward with its planning process and considers the recommendations put forward in this report, it might consider some basic principles of a model planning system. These principles have been compiled by CBI and reflect our conceptualization of best practices and values, which is informed by decades of practice in the field of public policy and decision-making. It should be noted that planning is a dynamic process. While one might hope for a purely technocratic, linear approach where plans are made, executed, and adjusted, in reality, planning involves balancing often-competing science, values, and interests. A successful planning system is not without conflict. A successful planning system does harness and channel conflict so as to maintain relationships, increase deliberation, ensure inclusion and transparency, and reach stable decisions (For more information on sources of best practices, see *Appendix E*). In general, a model planning system should:

- **Serve the public interest** - First and foremost, a planning system should reflect the rights, will, interests, and vision of the community it supports
- **Engage and include citizens** - A fundamental element of democratic processes, communities should strive to educate and engage citizens in the planning process, as much as possible
- **Provide Flexibility** - Land use trends are dynamic, and a planning system should be able to adapt and grow without significant disruption to its users. It should also be open to exploring innovative tools and best practices as they evolve
- **Be efficient in terms of resources** - Town, citizen, and developers' resources, including financial and energy are limited. A planning system should be respectful of the limits of its resources and aim to use them efficiently
- **Be efficient in terms of time** - Delays and prolonged approval processes are costly for developers, can have cost consequences for the consumer, harm relationships, and are wasteful of staff, volunteer, and citizens' time. A system does not have to assume, by any means, frequent approvals. It does not need to reach a decision, whatever that may be, as efficiently as possible. However, it should be sensitive to stakeholders' time and not use delays as a "stall" tactic
- **Be transparent and predictable** – Reflections of good government, a planning system should be transparent and predictable for its users

- **Strive for sustainability** – While still a relatively new concept, a planning system should strive to achieve long-term sustainable quality of life for its citizens by balancing growth, individual rights, and its finite natural resources. The triple bottom line of social, economic, and environmental well-being is the newer order of the day among many cities and towns
- **Result in informed decision-making** – A planning system should produce outcomes that are the result of community wide best practices and best information

This process has revealed a clear commitment by Town stakeholders to land use planning best practices, and CBI's recommendations are designed to help the Town implement measures that will allow it to achieve its short-and long-term planning goals and become a model planning community.

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INTRODUCTION

In January 2007, the Town of Falmouth, Maine (the Town) retained the Consensus Building Institute (CBI) to conduct a comprehensive evaluation of all operations and procedures of the Falmouth Community Development Department and associated boards and committees. The Town has determined that it is in the best interest of the citizens, businesses, visitors, Community Development Department personnel, and associated Town Council (Council) boards, committees, and commissions to seek improvements to the integrated functioning of the various entities that have a part in reviewing and approving proposed permits, planning for the future, and other land use activities. CBI's work was advised by an ad hoc committee created by the Town Council, composed of Councilors, committee members, Town staff, and interested citizens.

Together, CBI and the Town have engaged in a highly collaborative process to achieve the following objectives:

- Assess the current effectiveness of the Town's Community Development Department and broader land use planning systems, operations, and procedures, particularly from the multiple vantage points of internal and external stakeholders;
- Propose recommendations for improvements and efficiencies, based on findings from interviews and their analysis;
- Assist the Town and its various entities through facilitated dialogue to reach a shared vision and plan for revising and implementing these improvements.

The result of this process is an interests-based evaluation that reflects the concerns, priorities, and ideas of stakeholders who use, are impacted by, and participate in the Falmouth land use planning system. This evaluation does not attempt to benchmark the Falmouth system, however it does offer a set of principles that inform CBI's findings and recommendations.

These principles have been compiled by CBI and reflect our conceptualization of best practices and values, which is informed by decades of practice in the field of public policy and decision-making. It should be noted that planning is a dynamic process. While one might hope for a purely technocratic, linear approach where plans are made, executed, and adjusted, in reality, planning involves balancing often-competing science, values, and interests. A successful planning system is not without conflict. A successful planning system does harness and channel conflict so as to maintain relationships, increase deliberation, ensure inclusion and transparency, and reach stable decisions (For more information on sources of best practices, see *Appendix E*). A model planning system should:

- **Serve the public interest** - First and foremost, a planning system should reflect the rights, will, interests, and vision of the community it supports
- **Engage and include citizens** - A fundamental element of democratic processes, communities should strive to educate and engage citizens in the planning process, as much as possible
- **Provide Flexibility** - Land use trends are dynamic, and a planning system should be able to adapt and grow without significant disruption to its users. It should also be open to exploring innovative tools and best practices as they evolve

- **Be efficient in terms of resources** - Town, citizen, and developers' resources, including financial and energy are limited. A planning system should be respectful of the limits of its resources and aim to use them efficiently
- **Be efficient in terms of time** - Delays and prolonged approval processes are costly for developers, can have cost consequences for the consumer, harm relationships, and are wasteful of staff, volunteer, and citizens' time. A system does not have to assume, by any means, frequent approvals. It does not need to reach a decision, whatever that may be, as efficiently as possible. However, it should be sensitive to stakeholders' time and not use delays as a "stall" tactic
- **Be transparent and predictable** – Reflections of good government, a planning system should be transparent and predictable for its users
- **Strive for sustainability** – While still a relatively new concept, a planning system should strive to achieve long-term sustainable quality of life for its citizens by balancing growth, individual rights, and its finite natural resources. The triple bottom line of social, economic, and environmental well-being is the newer order of the day among many cities and towns
- **Result in informed decision-making** – A planning system should produce outcomes that are the result of community wide best practices and best information

CBI's findings and recommendations will reflect the Town's successes in achieving many of these principles and identify areas where the Town could make improvements.

I. PROJECT PROCESS

CBI began initial consultations with the Town Manager, Town staff, and Town Council members in January 2007. Since then, the process has included the following:

February 2007	March & April 2007	early-May 2007	mid-May 2007	late-May 2007	June 2007	July 2007
a Formation of Advisory Committee	b. Stakeholder interviews	c. Public Forum at Falmouth Middle School	d. Web Survey	e. CBI present initial findings & solicit comments from Advisory Committee	f. CBI present draft report & solicit comments from Advisory Committee	g. CBI present final report to Council & discuss next steps

a. Formation of Advisory Committee (guiding body) - An Advisory Committee of three Town Council members who serve on the Community Development Committee, as well as others recommended by Council, was created to oversee the assessment process and offer input on project

tools and reports. All Town Council members were notified of Committee meetings and were invited to attend at their discretion. The Town Manager and Planning Department staff worked closely with CBI to administer the project. (*Appendix A – Advisory Committee*)

b. Stakeholder Interviews - CBI staff Patrick Field, Kate Harvey, and Jeff Edelstein conducted 35 confidential interviews with stakeholders identified by the Advisory Committee and Town staff. The interview protocol was developed by CBI based on initial conversations with the Town Manager, Community Development Department, and Advisory Committee. The interviews lasted about an hour, and interviewees shared their views and perspectives on how the Town's land use planning system is working and how it could improve. Individual responses are confidential. (*Appendix B - Interviews*)

c. Public Forum - A morning-long public event was held on Saturday, May 5 and offered interested citizens an opportunity to learn more about the project and offer their thoughts on the Town's planning process. The meeting was open to the public at large and facilitated by CBI. (*Appendix C – Public Forum*)

d. Web Survey - A qualitative survey was distributed by email on May 9 to the public at large and gave stakeholders an opportunity to share their views and perspectives on the Town's planning process. The survey was open from May 9 – May 18. CBI developed survey questions in collaboration with the Advisory Committee. CBI administered the survey through the online survey tool – Zoomerang.com. It was sent to a list of 328 individuals who were on the Town's website distribution list and the Planning Department's list of individuals who had been involved in some aspect of planning over the last few years. It was also made available on the Town's website. To guard against multiple entries made by a single respondent, survey respondents were allowed to submit one survey per IP address. There were 82 complete responses and 45 partial responses (129 responses total). Please note that this was not a random, statistically significant sampling of all Falmouth residents. Responses were collected by CBI without attribution (*Appendix D – Web Survey*)

e. CBI present & solicit comments from Advisory Committee on initial presentation – CBI presented a PowerPoint of findings and initial recommendations on May 17. Advisory Committee offered recommendations for areas to focus on more, additions, and changes.

f. CBI present & solicit comments from Advisory Committee – CBI presented a draft report of findings and initial recommendations on June 14. Advisory Committee members offered recommendations for areas to focus in on more, additions, and changes.

g. CBI present & discuss next steps with Council – July 23 and 24, 2007

II. RESEARCH THEMES

After initial conversation with the Town Manager and other Town staff, Town Councilors, and members of the Advisory Committee, CBI identified the following broad research themes:

a. Structure of Planning System - Focused on the roles and responsibilities of the Town's boards, commissions, departments, Council, committees, and subcommittees and their interactions with each other and the public.

b. Planning Tools – Focused on the use and effectiveness of the Town’s Comprehensive Plan, neighborhood plans, ordinances, and other land use and development guidelines.

c. Vision and Comprehensive Plan – Focused on the public’s perception of the Town’s land use vision and Comprehensive Plan.

d. Application and Permitting Process- Focused on the effectiveness of application and review processes including accessibility and procedures for working with the Community Development Department, Planning Board, peer review processes, and where decision-making authority resides.

e. Human Resources – Focused on the roles, responsibilities, and characteristics of Community Development Department staff.

III. CBI FINDINGS

When asked to describe the Town of Falmouth’s land use system in a word, some called it “leading edge,” “proactive,” “innovative,” “progressive,” “high quality,” “smart people,” “dedicated volunteers,” “strategic - Anchored in vision for community.” Some also called it “heavy,” “complicated,” “broken,” “disorganized,” “chaotic,” “too long,” “disjointed,” “poorly coordinated,” “unpredictable,” and “unfriendly to land owners.” In short, there are a range of views on the system, challenges to address, and strengths that should not be lost in any adjustments to the current approach.

Interviewees and survey respondents identified many assets of the current approach. A summary of these is listed below:

- *Sophisticated, with progressive ordinances and planning initiatives* - The Town is quite sophisticated in its thinking and a leader in its land use management strategies;
- *Active planning* - The Town is committed to land use planning, from vision to implementation, and offers resources to fund planning in the Town, and employs best practices, cutting-edge technologies, and innovative tools;
- *Engaged, knowledgeable citizenry* - Perhaps one of Falmouth’s biggest assets is its committed volunteers and active citizenry. It is a model of citizen participation;
- *Lack of litigation* - Falmouth has little litigation around land use issues.

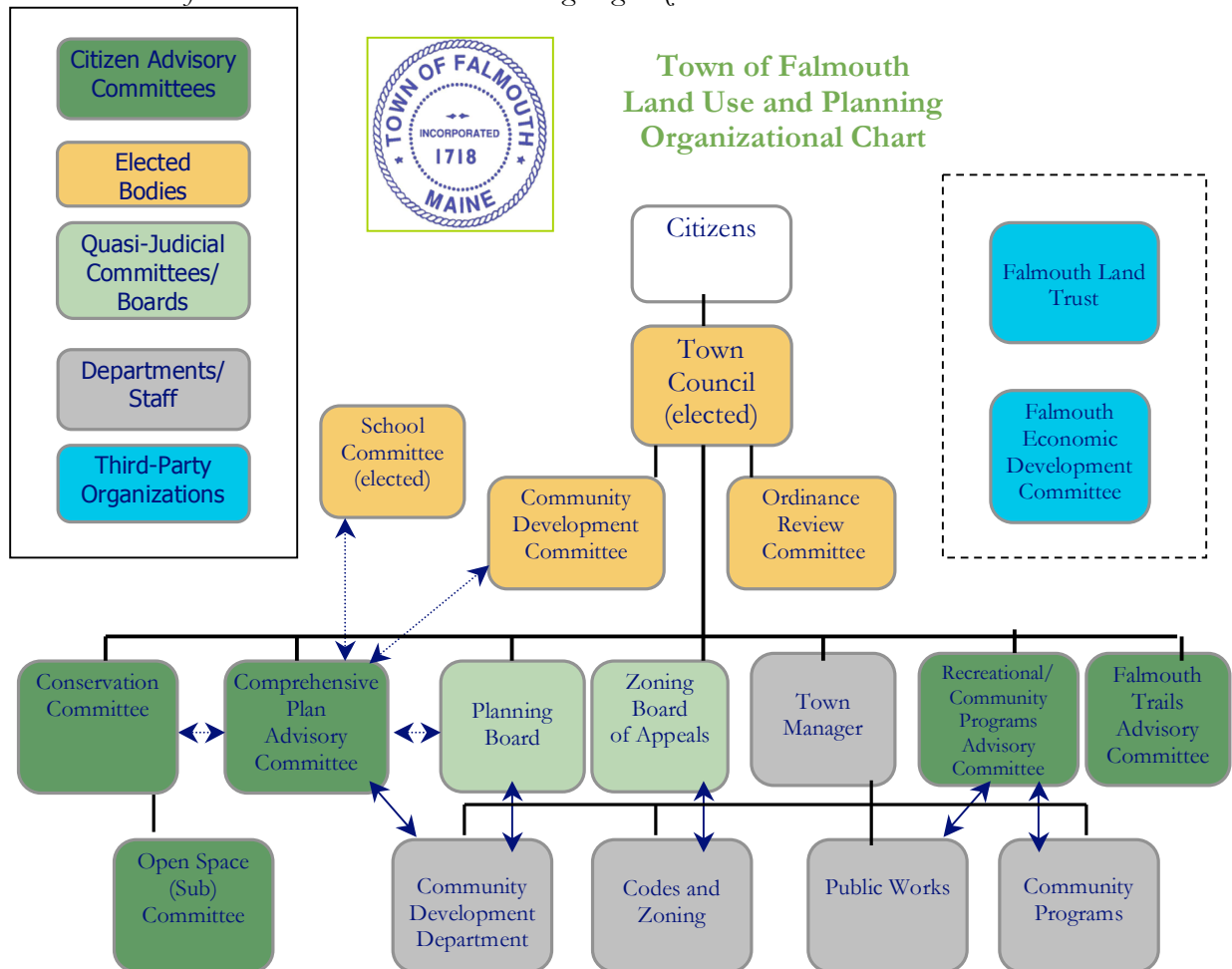
Webs survey respondents commented on a range of things that the Town is doing well in terms of planning and land use. From Town staff and volunteers - “Public Works Department is fair and responsive. Code Enforcement is fair and responsive. Planning staff is thorough and helpful” - to the development of specific areas - “Route One is more attractive”- and efforts to address diverse stakeholder priorities - “The Town of Falmouth is doing a fine job with regard to preserving land for future generations to enjoy while still being close to Maine's largest city,” “Newer buildings are looking much better and look like they belong in Maine,” “Trying to balance land owners and developers issues which they hadn't seem to be doing in the past.” (*For more web survey responses, see Appendix D – Web Survey*). The following sections describe our findings and analysis in more detail. Specific recommendations are offered.

A. STRUCTURE OF PLANNING PROCESS

Sophisticated and dedicated volunteers and citizenry - One of the Town’s biggest assets is that it has a cadre of sophisticated and dedicated volunteers. Most interviewees noted that the Town’s volunteers are an asset and play important roles in the Town’s land use planning system. As one interviewee noted, “There is a lot of energy in citizen committees. They are very dedicated with a lot of expertise.” Another commented on the Town’s “committed, motivated, professional, smart, engaged citizenry.” This level of sophistication and engagement may, in some cases, reduce the workload of key planning staff and volunteers - “The education level of applicants makes planning meetings easier”- and, in other cases, complicate efforts -“There may be too many cooks in the kitchen.”

Major planning ideas come from diverse sources – The Town’s land use planning system consists of several elected bodies, appointed boards with quasi-judicial authority, appointed citizen advisory committees to the Council, town departments, third-party advisory bodies, and the public. (Chart 1) Planning ideas may arise from citizens, Council members, CPAC, the Planning Board, Conservation Commission, or any number of sources. CBI concludes that this is an asset because it creates opportunities for broad citizen engagement in the planning system and creativity in planning initiatives, which ultimately lead to better planning outcomes. However, CBI believes that the system could benefit from more structure, including clarification of roles and responsibilities and a formalized review process for proposed ordinances and ideas.

Chart 1. Town of Falmouth Land Use and Planning Organizational Chart



Need for more clarity and communication by Council to boards/committees/commissions about roles, goals, and protocols – Several interviewees commented on a need for more communication between Council and the Town’s committees and boards. Many believed that more communication would improve working relationships and make interactions more productive. One interviewee observed, “it doesn’t seem like they (boards, Council, committees) are always on same page.” Many interviewees noted that they did not know what all of the other land use entities were doing, or even what they were intended to do -“I’m not sure how all of the committees are integrated into the planning process.” One web survey respondent noted, “My sense is that some of the committees serving at the will of the Council have overlapping duties and charges, and possibly competing interests.” The web survey and interviews also indicated that respondents had a mixed understanding of the roles and responsibilities of several of the Town’s land use planning bodies:

Do you generally understand the roles and responsibilities of the following Town Boards, Committees, and Departments regarding land use planning, permitting, and enforcement?		
	YES	NO
Recreation Activities/Community Programs Advisory Committee	64%	36%
Conservation Commission	59%	41%
Falmouth Trails Advisory Committee	57%	43%
Open Space Committee	50%	50%
CPAC	47%	53%
Ordinance Sub-Committee	41%	59%
Community Development Committee	28%	72%

(For more Web Survey results see Appendix D – Web Survey)

Several interviewees who served on committees or board suggested that they would like “a Council member to take greater interest” in their work. Several characterized their interactions with Council as “very sporadic” and “infrequent.” One noted, “there is tension about what is the role of the Council vis a vis the Boards/Committee.” Others indicated that the Town’s committees and boards would benefit from more clear procedures on annual reporting, budgeting, and creating work or communication plans - “We need to respect some kind of protocol.” A few expressed uncertainties about how committee members are appointed - “New members just show up at our meetings. No advanced notification, no background.” Others expressed mixed views about the use of subcommittees - “They take on life of their own,” - and- “They are a great way to get citizens involved.” Given the complexity of the Town’s system, CBI identifies a need to increase communication among the Town’s land use entities and adopt tools and procedures to coordinate their efforts.

Need for clarity on future role of CPAC – In interviews and in the web survey, the future role of CPAC in the Town’s planning system surfaced as an uncertainty and as a source of tension. CPAC was created to “advise the Town Council on specific actions the town should take to implement the comprehensive plan and to recommend revisions to the plan as they may be needed.” Several interviewees commented on the “valuable and important work” that CPAC has done since its inception. These interviewees noted that CPAC has been able to not only help prepare comprehensive plans, but to help implement them over time, providing knowledge, continuity, and follow-through. This is something often lacking in other towns’ land use planning efforts over time. “It’s good for the Town to have CPAC – an entity dedicated to thinking about long term vision for town.” Others, however, commented, “CPAC has no clear direction right now” and that it is “not as clear what (CPAC) should now be doing.” Some felt that CPAC was too independent of

Council's desires and interests to be currently effective, often extending its activities beyond its scope - "There's mission creep with CPAC." - and - "Council not always sure what is going on with CPAC." Others felt it was too attached to the previous Planning Director, thus was considered part of the "old regime." A few interviewees noted, "CPAC is sometimes seen as political." Many interviewees questioned, "Who should take the lead with vision and planning? Council? CPAC? Planning Department?"

The range of opinions about CPAC heard by CBI in interviews and web survey responses are summarized below as a list of the perceived *pros* and *cons* of continuing to support an operational CPAC.

PROS

- Hard working, dedicated volunteers
- Has made important contributions to the Town over many years (reports, surveys, studies, Charrettes, 1994 Comprehensive Plan, economic development study, Future Land Use Plan, Compact Development Study)
- Has historically conducted research for the Town on planning and land use issues
- Has capacity to focus on single issue at a time
- Diverse body, allows for diverse thoughts and inputs on future of Town
- Advises Council
- Institutional memory
- Implements as well as develops plans

CONS

- Seen by some as having a life of its own
- Overlap of responsibilities, should planning function reside with Community Development Department, Planning Board, Council
- Future direction of CPAC's work is currently unclear
- Implements as well as develops plans
- Complicated organizational and membership structure – many liaisons, term limits for all?
- Seen by some as part of the old regime
- Seen by some as having too many responsibilities and taking on too many initiatives

In this light, CBI identifies a need to clarify the role that CPAC should play moving forward, including what is its job; what responsibilities does it have to Council; how does it interact with Council and other committees; and how is it evaluated.

Council needs to balance control, authority, and coordination with inclusion and innovation – Interviews, informal conversations, and survey results overwhelmingly indicated that Falmouth is perceived (and proud) to be “innovative,” “active,” and “engaged in planning and community development.” Several sources noted that Falmouth is “leading edge” and a “leader” in its use of land use tools, technologies, and ideas. One interviewee noted that the Town has done “a good job historically in the sense of emphasis on good planning.” The same sources also indicated that many feel that the system is “disorganized,” “chaotic,” and “loosely knit.” Many interviewees noted that they perceived tensions or “power struggles” between land use entities, primarily between Council and the Town’s Committees. A few commented on a sense of “mistrust” between land use entities. CBI identifies a need for Council to balance its authority and control with inclusion and flexibility, in order to ensure transparency, innovation, and efficiency in Falmouth’s approach to land use planning.

B. PLANNING TOOLS

Ordinances are sophisticated, but complicated – Interviews, informal conversations, and survey results strongly indicated that Falmouth’s ordinances are complex. Many respondents indicated frustration with the Town’s ordinances -“The zoning is too cumbersome because of the inordinate amount of ordinances;” “Ordinances are often ambiguous and cause implementation problems;” “Conceptually, innovative and progressive, but very hard to read, interpret.” Others commented, “They are complex, but are comprehensive.”-and- “Yes, they are complex, but they help the Town achieve a better outcome.” Web survey responses also indicated mixed opinions about the Town’s ordinances:

Do you believe the current zoning and subdivision ordinances are: (check all that apply)	
Too prescriptive and rigid	32%
I don’t have enough information to know	24%
Consistent, for the most part	23%
Used, implemented, monitored, and enforced	23%
Understandable and implementable	18%
Too flexible and open to interpretation	18%
Clearly written	6%
<i>Total # of respondents</i>	<i>83</i>

CBI identifies a need to take some steps to ease the burden of interpreting and implementing the ordinances.

Ordinance review procedure unclear– Like major planning ideas, ordinances may come from many sources including Council members, committees, ad-hoc working groups, Town staff, boards, or others. CBI believes that this is an asset because it allows for a number of outlets from which diverse ideas and options can emerge. However the current system leads to confusion and lack of clarity of roles and responsibilities in regard to ordinance creation and development (not approval, which most everyone understands is the purview of the Council). Interviewees and survey respondents indicated that this confusion is compounded during the ordinance review phase. One respondent noted, “Currently, (ordinances) appear from anywhere, then, no distinct process is in place by which staff, planning board, or other appropriate folks, would review, comment, and then

finalize.” Another commented, “Ordinance revisions have become a discussion with the Council ordinance committee (three Councilors) and not thoroughly vetted.” CBI identifies a need to update the Town’s ordinance review procedures with clear roles for input by stakeholders including town staff, committees, and boards. A more clear, routinized review process is needed to minimize some current frustration with ordinance implementation and result in better products.

Many layers of guiding documents, some of which may be contradictory or incomplete – Review of the Town’s planning documents confirmed the multiplicity of guiding documents, including the Comprehensive Plan, neighborhood plans, ordinances with numerous overlay districts, design guidelines, and reports. CBI did not review the documents to test internal consistency, however many interviewees expressed frustration with “numerous inconsistencies and glaring omissions.” Another commented, “It is too hard to figure out the intent of the amount of overlay districts and constant additions to an already overburdened system.” CBI identifies a need to catalogue overlaps and offer a baseline for improving, updating, or modifying the Town’s guiding documents, including the Comprehensive Plan.

C. VISION AND COMPREHENSIVE PLAN

Tension and uncertainty around balancing preservation of open space, preservation of private property rights, and promoting economic development – Interviewees and respondents expressed strong and diverse opinions about their “priority” concerns. Priority concerns around land use and development included: preserving open space, maintaining (and increasing) land values, traffic and connectivity issues, commercial development, recreational resource development, affordable housing, the creation of a Town center (the municipal facilities are increasingly spread across Town), and protecting natural resources. Not unlike many other communities, there are clear tensions around balancing private property rights, promoting economic development, and promoting land and natural resource conservation.

Diverse views and understanding of the Town’s vision– Interviews, the public forum, and web survey results indicate that the Town’s citizens have diverse views about what the Town vision is, what it should be, and how it is implemented. One respondent noted, “The vision is clear, but has not been communicated in a long while.” Another commented, “There really is no long term vision.” Web survey results indicated that the majority of respondents were “not sure what the vision is.”

Do you believe the Town’s long-term vision (10 to 20 years) for what it should become is: (check all that apply)	
Not sure what the vision is	74%
Developed and now being implemented	18%
Reflective of your vision for the Town	12%
Clearly communicated to the public	5%
<i>Total # of respondents</i>	
	79

Through interviews and conversation at the public forum, it seems that many agree the vision is “rural character” but there is little agreement and/or understanding about what that means. Participants at the public forum questioned how “rural character” is defined and understood. One individual noted that Falmouth “really isn’t rural, however it has controlled, managed development

complemented by efforts to preserve open space.” An interviewee commented, “People don’t know what rural is. Falmouth used to be rural, now they want sidewalks and parks. Rural doesn’t mean sidewalks and parks.” Many respondents to interviews and surveys noted that the Town vision includes preservation of open space and conservation, while others emphasized the need for economic development and preservation of private property rights.

Finally some noted that there is vision for neighborhood development, but not for the town as a whole. One respondent noted, “There is no TOWN vision that’s the Town’s biggest problem. Neighborhoods have been looked at in a micro way but we need to take a macro look at the town and come up with a town wide vision.” CBI identifies a need to resolve the uncertainty and/or confusion around the Town’s vision.

Disagreement on what to do with Town’s Comprehensive Plan – While many interviewees and respondents did not express strong opinions about next steps regarding updating the Town’s Comprehensive Plan, several felt that the Town should proceed now with updating its state mandated comprehensive plan. One interviewee referred to existing Town planning tools, including the Open Space plan, design guidelines, and studies and noted, “The foundation is already there. CPAC should start work on updating the Comprehensive Plan.” Others expressed concern with the current complexity of the Town’s guiding documents and recommended that the Town hold off on updating the Comprehensive Plan until other priorities have been addressed. Some observed that the current “plan-to-plan” approach to long-range planning does not work and creates guiding documents that do not help to implement the Town’s long-term vision. CBI identifies a need to clarify the purpose, timing and objectives of a Comprehensive Plan process and how it would relate to existing ordinances and the Town’s vision.

D. APPLICATION AND PERMITTING

Town’s permit review process can be unpredictable and sometimes overly cumbersome for applicants – Several interviewees expressed frustration with the Town’s permit review process. One interviewee commented that the process “doesn’t seem work for developers, staff or volunteers.” Another noted, “It is predictable to a point.” Another described the process as adversarial commenting, “I think a developer, town and its citizens want the same thing: a good project that meets the needs of all. However, the process is an adversary process with the developer fighting to do a project, interested neighbors fighting not to have change, and the town in the middle trying to balance both interests. That makes it difficult to have legitimate conversations about what would be best.” Others commented that the process is “excessively time consuming” and “prohibitive to small developers.”

However, one respondent noted, “It is confusing, cumbersome, and expensive, yet, they keep coming back and that is the price of doing business.” Many also felt that the application process produced “desirable” products. Web respondent expressed a range of views about the Town’s review, permitting, and enforcement processes:

Do you think the review, permitting, and enforcement processes for projects in Falmouth is: (check as many as applicable)	
Takes too long	46%
Cost too much	41%
Unpredictable	36%
Fair	30%
Transparent/out in the open	27%
Inclusive of diverse views	23%
Results in decisions consistent with zoning, master planning, and vision	20%
Efficient in terms of time	8%
Efficient in terms of cost	8%
	<i>Total # of respondents</i> 83

One interviewee noted the need “to balance predictability with flexibility.” Some commented, “The Planning Board tends to fixate on the minutiae of a submittal and has spent hours discussing detailed issues on very small projects. Those items should have been resolved by staff prior to the hearing,” and that Planning Board meetings are “too unpredictable.” Many felt that the Planning Board was doing its best with an overburdened agenda - “It is doing its best to interpret a complex ordinance.” Another noted, “I don't think they give the Planning Board enough time to review the applications before the meeting. This leads to inadequate knowledge of the applicants and too much time spent reviewing during the meeting.” CBI identifies a need to make the permit review process more predictable for applicants without compromising the quality of the final outputs.

Peer review process comes too late and may provide too many rounds (and dollars) of review – Most interviewees and respondents indicated that the peer review process produced a better outcome - “A peer reviewer can offer helpful suggestions during the conceptual phase of project development,” however, several commented on the timing of peer review, which they felt came too late in the process - “It’s good to get peer review in early.” Another commented, “There should be triggers early on, I don’t want to be hit with peer review at the 11th hour.” Several interviewees noted that the peer review process should be “a team approach” and not serve as a “deterrent to development.” Some stated that the peer review process often feels like “one more bite at the apple,” and should be more closely coordinated with Planning Board members’ comments and concerns. CBI identifies a need to review the process for peer review and when it occurs.

Desire for streamlined approval process – Many interviewees and respondents noted that the Planning Board, Community Development Department staff, and Zoning Board of Appeals are often faced with long agendas and project lists. Some questioned if there is overlap in efforts - “The Planning Board may discuss issues that the (Community Development) Department should have been able to sign off on.” Several respondents commented on the need to review decision-making authorities - “Planning staff need to be given more authority to pre-review projects ahead of time ...the Planning Board needs to be given more authority to make decisions and decide on waivers...Too much is being referred back to the Council.” Other interviewees noted that they would like to see “more earlier feedback on technical issues before we get to the planning board level.” Some expressed frustration with the unpredictability of Planning Board meeting-agendas, although most noted that the process has improved in the past few months. Several interviewees recommended a more streamlined approval process for frequent, and common non-conforming use issues that often end up facing a rigorous review at the Zoning Board of Appeals or Planning Board. Most interviewees expressed a general interest in streamlining the application review process. CBI

identifies a need to review the decision-making authority of the Town's application and permitting bodies and consider options for streamlining the process without compromising the quality of the outcome.

E. HUMAN RESOURCES

General optimism about recent staff changes – Many interviewees and respondents expressed optimism about the new Town Office staff and the general direction of planning initiatives. One respondent noted, “We are on the right track.” Others commented, “The general atmosphere has improved” and “There is more communication.”

Diverse opinions about possible positions, roles and responsibilities of planning entities – Interviewees and respondents had many ideas about the division of roles and responsibilities among the Town's planning entities. Some suggested that the role of visioning should rest with CPAC - “It's time for CPAC to get back to work.” Another commented, “The Council's job is to do policy implementation, budget, some members should be involved, but their business is so broad and diverse, can they really take on preparing the plans. They are more generalists and deal more with daily operations, as opposed to planning. Visioning and planning should be done by a steering committee.” Some also said, “Get that function out of the political arena; you want members not jockeying for votes.”

A few noted that they would like to see the position of Planning Director split into two roles a “visioning” position and an “administration position.” Several interviewees commented that visioning responsibilities within the Community Development Department should not take precedent over “efficient technical administration.” Many interviewees commented on the need for additional administrative staff in the Community Development Department. CBI identifies the need to evaluate possible options for the Community Development Department, CPAC, and other town entities.

General agreement on characteristics and skills that a Planning Director should have – Only interviewees were asked directly about the skills that they'd like a Planning Director to have, and there was general agreement among the interviewees about what they thought was important. General characteristics and skills included, “Frequent capable communicator,” “straight forward,” “collaborative,” “ability to be fair and impartial,” “technically skilled and innovative,” “experienced,” and “responsive to Council, departments, committees.” Most stressed the importance of hiring a capable communicator who can work transparently, openly, and effectively within the Town departments and across the Town with its numerous citizens. (For a ranking of characteristics see *Appendix C - Interviews*)

IV. CBI RECOMMENDATIONS

Based on these findings, CBI offers the Town a series of recommendations aimed at improving the efficiency and functionality of the Town’s land use planning system:

RECOMMENDATION	PAGE NUMBER
A. Take action to foster a shared understanding of the roles, responsibilities, and efforts of all the Town’s committees, commissions, and boards	14
B. Adopt sunset provisions for all Town committees	15
C. Take steps to clarify and communicate Council’s procedures for committee and board appointments	16
D. Explicate the Town’s subcommittee policies	17
E. Hold an annual land use and planning workshop	18
F. Council should reaffirm role of CPAC	19
G. Adopt a formal process for development and review of ordinances	20
H. Undertake a Comprehensive Plan update	23
H1. Convene long-term planning options and best practices workshop	24
H2. Conduct an independent review of planning tools	25
H3. Convene a facilitated, town-wide visioning process	26
I. Take action to make peer review process more predicable for applicants	27
J. Enhance opportunities for pre-application engagement	28
K. Give approval authority to Community Development Department for certain permits and processes	29
L. Create “Navigating the Process” manual for applicants	30
M. Create two senior positions for planning in the Town	31

More detail on these recommendations follows:

RECOMMENDATION A: TAKE ACTION TO FOSTER A SHARED UNDERSTANDING OF THE ROLES, RESPONSIBILITIES, AND EFFORTS OF ALL THE TOWN’S COMMITTEES, COMMISSIONS, AND BOARDS

PURPOSE

To facilitate evaluation of committee, board, and commissions’ annual progress and offer guidance for going forward; to facilitate communication between the Town’s land use planning bodies; to avoid committee overload; to plan for effective use of Town resources (staff, financial, space).

RATIONALE

CBI found that Council and the Town’s committees, commissions, and boards are not always informed and up-to-date on their respective activities and efforts. Improved communication and education for the Town’s land use planning bodies will create opportunities for efficiencies and better working relationships. As the governing body, Council should have tools to assist, monitor and evaluate committees, commissions, and boards in a consistent and transparent manner without feeling compelled to “over or micro” manage capable, engaged entities.

RECOMMENDATION DETAILS

- All committees and subcommittees should have the following (with copies in a single booklet or document kept in Town Hall)
 - *Clear mission*, approved by Council
 - *Current member list with contact information*
 - *Annual work plan*, including goals, budget, deadlines, expected outcomes, and expected staff support time requested, developed by the committee and approved by Council
 - *Active Council liaison*, with clear roles and responsibilities
 - *Roles and responsibilities manuals for new members and chairs*
 - *Sunset clause* (see Recommendation B)
- Establish a clear procedure or set of protocols for how Town committees and boards access Town staff. Given limited staff time and limited budgets, individual Councilpersons and board/committee members should have clear direction, as should staff, on what staff can be used for.
- Develop a strategy for informing the public on the roles and efforts of Town committees and boards. This may be in the Annual report, as a newsletter, or on the Town’s website.

RECOMMENDATION IMPLEMENTATION

NEXT STEPS	TOWN RESOURCES NEEDED
Template forms for work plan, budget, reporting, roles and responsibilities manuals, staff support time requests.	Council, with input from committee representatives and Town Manager
Set deadline/schedule for submission of reports	Council
Decide if/how to share reports with the public	Council, with input from Town Manager
Develop procedures for requesting and accounting for staff support time	Town Manager and Council, with input from Town staff
Offer periodic training for Town volunteers on leadership, running effective meetings, conflict resolution, and project management	Council

RECOMMENDATION B: ADOPT SUNSET PROVISIONS FOR ALL TOWN COMMITTEES

PURPOSE

To create a process for regular evaluation of committees and their goals; to create a tool for retiring any committee that has served its purpose.

RATIONALE

CBI found that the Town has a complex land use planning system, with many volunteer committees and no clear process for periodic evaluation of their effectiveness and need. Sunset clauses ensure that no committee “outlives” its useful purpose. They also require that Council actively track the value, purpose, and term of its committees through a predictable and transparent process.

RECOMMENDATION DETAILS

- Start dates and reauthorization dates would be assigned for all committees that are not mandated by state law (the Planning Board and ZBA, for instance)
- If Council does not explicitly reauthorize, the committee is retired
- Council would evaluate committees periodically (bi-annual)
- There would be formalized procedures on:
 - How to start committees
 - When to disband committees
 - How to develop and change mission

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Develop language for adopting the use of sunset provisions	Council, with input from committee representatives
Determine sunset clause length	Council, with input from committee representatives
Develop criteria for evaluation of Committees	Council, with input from committee representatives
Develop procedures for starting, disbanding, evaluating, developing, and changing missions	Council, with input from committee representatives

RECOMMENDATION C: TAKE STEPS TO CLARIFY AND COMMUNICATE COUNCIL’S PROCEDURES FOR COMMITTEE AND BOARD APPOINTMENTS

PURPOSE

To ensure balanced and effective membership on Town’s committees and boards; to ensure transparency in the appointment process.

RATIONALE

CBI found that committee and board members were not clear on how Council evaluates and appoints new members to their committees. Transparency and collaboration in the appointment process will create opportunities to improve the effectiveness of committees and boards.

RECOMMENDATION DETAILS

- Council would maintain authority to appoint members to committees and boards as the need arises. However, their evaluation of candidates and applicants to committees and boards should be transparent and well communicated. Recommended process should include:
 - Step 1: The Council develops, in collaboration with the committees and boards, a general “criteria” for membership of each existing committee or board. Criteria would be designed to help committees and boards fulfill their mission and goals, and may be based on demographic representation, geographic representation, or expertise requirements.
 - Step 2: Committees and boards advise Council when new members are needed due to resignation or end of term, and what criteria of those identified in Step 1 may need to be considered in particular (for instance, a scientist is missing from the Conservation Commission).
 - Step 3: Council, through the Town manager, notifies citizens of a membership need, criteria for membership, application process, and deadlines. Council evaluates member candidates.
 - Step 4: Council appoints new members. Council may recommend that candidates attend a meeting of the committee or board.

RECOMMENDATION IMPLEMENTATION

NEXT STEPS	TOWN RESOURCES NEEDED
Assess membership needs of each committee and board	Council, with input from committee and board representatives
Develop criteria for board/committee membership	Council, with input from committee and board representatives

RECOMMENDATION D: EXPLICATE THE TOWN’S SUBCOMMITTEE POLICIES

PURPOSE

To simplify the structure of land use and planning system; to clarify roles and responsibilities of Town’s planning bodies.

RATIONALE

CBI found that the Town has a complex land use planning system, with many volunteer committees and unclear policies on the formation and evaluation of committee subcommittees. As the governing body, Council should have tools to assist, monitor and evaluate subcommittees. Council must also have tools to ensure that no subcommittee “outlives” its useful purpose.

RECOMMENDATION DETAILS

- The formation and disbandment of all standing subcommittees should be approved by Council (Committees and Board may form ad hoc working groups from time to time for specific work on specific issues within a relatively short duration of time)
- Subcommittee members may be recommended by a Committee chair but must be approved by Council
- Each subcommittee must have, as all Committees:
 - *Clear mission*, approved by Council
 - *Current member list with contact information*
 - *Annual work plan*, including goals, budget, deadlines, expected outcomes, and expected staff support time requested, developed by the subcommittee in collaboration with it’s committee sponsor and approved by Council
 - *Sunset clause* (see Recommendation B)

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Develop language on Town’s subcommittee policies	Council, with input from committee and board representatives

RECOMMENDATION E: HOLD AN ANNUAL LAND USE AND PLANNING WORKSHOP

PURPOSE

To educate new committee, board members, and Town citizens about the Town’s planning system; to update Town volunteers and citizens on recent planning activities; to create a shared understanding of the Town’s direction in land use and planning.

RATIONALE

CBI found that the Town’s committees, commissions, boards, and citizens are not always informed and up-to-date on their respective activities and efforts. Additionally, there is no formalized introduction or overview of the Town’s land use planning system for new volunteers. Improved communication and education for the Town’s land use planning bodies (new and old) and citizens will create opportunities for efficiencies, foster better working relationships, and encourage ongoing citizen participation in local government.

RECOMMENDATION DETAILS

- Convene an annual workshop, facilitated by the Planning Director, Town Manager or outside facilitator
- Council should attend, participate actively, but not run the workshop
- Review previous year activities, goals, and changes
- Offer roles and responsibilities guide to new members or chairs
- Offer updates on recent activities, new ideas, and upcoming issues
- Share annual workplans and goals
- Offer skills building session, as appropriate

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Decide if and when to hold annual workshop	Council, with input from committees, boards, and Town staff
Develop agenda for workshop	Town Staff or volunteer committee, with input from Council, committees, and boards
Coordinate logistics and materials including workplans, member lists, goals, roles and responsibilities, etc.	Town Staff or volunteer committee, with input from Council, committees, and boards
Decide if/how workshop report will be shared with the general public	Town Staff or volunteer committee, with input from Council, committees, and boards

RECOMMENDATION F: COUNCIL SHOULD REAFFIRM AND REFINE ROLE OF CPAC

PURPOSE

To clarify roles and responsibilities of Town’s planning bodies; to promote efficiencies and transparency in the development and implementation of the Town’s long-term planning initiatives; to alleviate tensions regarding CPAC’s role in the Town’s planning system

RATIONALE

CBI found that CPAC has provided a long-term continuity and focus to planning in the Town that is relatively rare among New England communities. However, CBI also found that past events and recent changes in Town staff have fostered a lingering sense of uncertainty and tension about the future role of CPAC. As the Town’s governing body, Council is responsible for the overall management of the Town, of which planning is one part. Given its broad agenda and time constraints and the able role that CPAC has played over the years, Council should delegate (with clear direction and within clear bounds) the task of Comprehensive Planning to CPAC, while using appropriate tools to assist, monitor and evaluate CPAC and its membership without “micromanaging” its process.

RECOMMENDATION DETAILS

- If Council is to reauthorize all committees (Recommendation B), CBI recommends that Council reauthorize CPAC to advise Council on Town’s Comprehensive Plan
- Chair of CDC serves as Council Liaison to CPAC
- CPAC and Council work together to develop a workplan for the next year, which would include preparing for next Comprehensive Plan development and implementation
- CPAC and Council discuss membership. CBI proposes that CPAC simplify and reinvigorate its membership, perhaps to include a business representative or developer. CPAC may not need all of the liaison members it currently has. Furthermore, CPAC should balance more effectively the expertise, institutional memory, and continuity of long-term members with the energy, new ideas, and new viewpoints of new members. For instance, Council might strive for a generally new membership to begin each Comprehensive Plan (5 to 7 years) with only a few long-term members remaining in place to provide experience and continuity
- After each comprehensive plan, CPAC membership is re-evaluated
- CPAC should only pursue projects beyond the scope of Comprehensive Plan only at the clear discretion and direction of Council

RECOMMENDATION IMPLEMENTATION

NEXT STEPS	TOWN RESOURCES NEEDED
Council authorization/re-affirmation	Council
Evaluate membership	Council with CPAC
Develop workplan, budget	CPAC with approval from Council
Develop timeframe for work on Comprehensive Plan in coordination with CBI recommendations	CPAC with Council

RECOMMENDATION G: ADOPT A FORMAL PROCESS FOR REVIEW AND DEVELOPMENT OF ORDINANCES

PURPOSE

To establish more comprehensive evaluation of new and modified ordinances; to promote transparency and consistency in ordinance review; to promote efficient use of Town resources

RATIONALE

CBI found that ordinances can arise from anywhere, but once they get to Council, the process for reviewing and developing them, including how and to what extent Town resources are engaged, is unclear, at best. Additionally, CBI found that the current process does not ensure that all relevant stakeholders, including the Town Attorney, Community Development Department, Planning Board, and Code Enforcement Officer, are given appropriate opportunity to comment on the ordinance before it is voted on by Council, which can result in unintended implementation problems. Given the complexity of the Town’s existing ordinances and the already heavy workload of Town resources, a more clear and thorough process would help to develop, review, and vet ordinances.

RECOMMENDATION DETAILS

- Develop an “Ordinance Review Checklist” to accompany all ordinance proposals

SAMPLE ORDINANCE REVIEW CHECKLIST

Proposed Ordinance Title _____
Date Submitted _____
Council Sponsor _____

Goal of Ordinance _____

Has this proposal or a similar one been made in the past? Yes No If yes, when? _____
Mandated by Law: Yes No

The review of this proposal should include (check all that apply):

<input type="checkbox"/> Code Enforcement Officer	<input type="checkbox"/> Community Development Department
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Planning Board
<input type="checkbox"/> CPAC	<input type="checkbox"/> Recreation Advisory Committee
<input type="checkbox"/> Department of Public Works	<input type="checkbox"/> School Committee
<input type="checkbox"/> FTAC	<input type="checkbox"/> Town Attorney
<input type="checkbox"/> Landscape Architect	<input type="checkbox"/> Town Manager
<input type="checkbox"/> Library Committee	<input type="checkbox"/> Traffic Engineer
<input type="checkbox"/> Open Space Committee	<input type="checkbox"/> Waterfront Committee
	Other _____

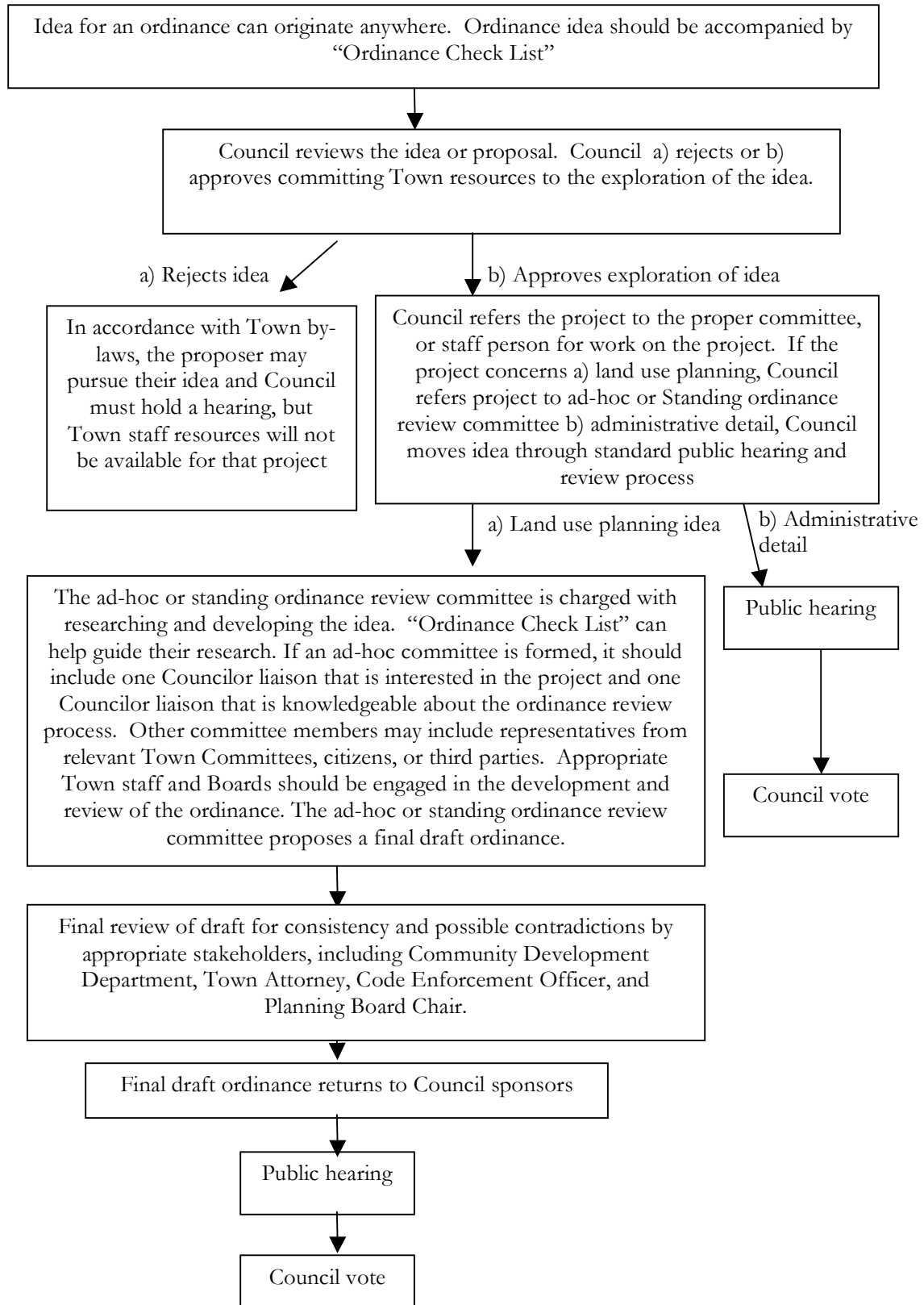
Estimate of Town Resources you will need to develop this proposal:
Staff name _____
Hours _____
Financial Support _____

Proposed Deadline for Review _____

Contact Information _____

RECOMMENDATION DETAILS CONT.

- Develop a more formalized ordinance review process (proposed process below)



RECOMMENDATION IMPLEMENTATION

NEXT STEPS	TOWN RESOURCES NEEDED
Discuss and approve proposed ordinance review process	Council, with appropriate input
Develop Ordinance Check List	Council, with appropriate input
Test ordinance review process	Council

RECOMMENDATION H: UNDERTAKE A COMPREHENSIVE PLAN UPDATE. THE PROCESS SHOULD INCLUDE A BRAINSTORMING/SCOPING WORKSHOP (H1), AN INDEPENDENT REVIEW OF THE TOWN'S PLANNING TOOLS (H2), AND A VISIONING PROCESS (H3)

PURPOSE

To develop a Town-wide vision; to update the existing comprehensive plan as required by state law; to simplify and streamline guiding documents, ordinances, and avoid duplication and contradictions.

RATIONALE

The Town is due to update its state mandated Comprehensive Plan, however, CBI also found a need to catalogue the Town's ordinances and land use planning tools so that areas of overlap and contradiction may be identified and improved. CBI recommends that the Town coordinate its Comprehensive Plan update process with a visioning process, and a ordinance and land use planning tools catalogue effort so that the next Comprehensive Plan does not add to the complexity of the Town's land use planning tools, rather helps to clarify and supplement them.

RECOMMENDATION DETAILS

- Conduct a brainstorming/scoping workshop on comprehensive planning options to identify a potential firm(s) for assistance with the Comprehensive Plan update (see Recommendation H1)
- Retain a planning firm to undertake the work
- Use firm to catalogue comprehensive plan, master plan, neighborhood plans, and design guidelines and identify gaps and outdated information in order to set stage for revision of Comprehensive Plan (see Recommendation H2)
- Undertake a Town visioning process (see Recommendation H3)
- Conduct a detailed ordinance review to identify non-compliance with existing comprehensive plan and neighborhood guidelines, internal inconsistencies, complexity, and lack of clarity
- Prepare the Comprehensive Plan with appropriate public participation. Ultimately, as part of the revision of the Comprehensive Plan, potentially rewrite ordinances for greater clarity, simplicity, visualization, and consistency with the updated Comprehensive Plan

RECOMMENDATION IMPLEMENTATION

NEXT STEPS	TOWN RESOURCES NEEDED
Convene brainstorming/scoping workshop (see H1)	Council, with support from Town staff
From information gleaned in workshop, prepare RFP and interview applicants	Planning Department and Town Manager
Select firm and develop a process to undertake review of existing planning documents (H2), visioning process (H3), and review and streamlining of ordinances	Council, with input from an ad-hoc committee, or standing committees, boards, and Town staff

RECOMMENDATION H1: CONVENE A LONG-TERM PLANNING OPTIONS AND BEST PRACTICES WORKSHOP WITH FIRMS THAT OFFER COMPREHENSIVE PLAN UPDATE PROCESS ASSISTANCE

PURPOSE

To create shared base of knowledge for key land use decision-making stakeholders and the public on long-term planning options, tools, best practices, and possible next steps.

RATIONALE

CBI found that Town citizens are engaged in their Town’s development, proud of the Town’s innovative planning system, and interested in employing best practices, tools, and processes. With many new and innovative tools available, a workshop will help the Town to evaluate process options, formulate a participatory, yet effective strategy, and “interview” possible third-party assistance candidates.

RECOMMENDATION DETAILS

- Convene panel of experts on land use planning, ordinance and visioning tools.
- The panel of experts would address:
 - What is a comprehensive plan?
 - What is visioning?
 - What are the latest innovations in presenting ordinances in a clear, useful, visual fashion?
 - How long will a comp plan update take? What resources are needed?
 - How to involve the public?
 - What innovative tools are available?
 - What best practices and trends can Falmouth take from other communities?

RECOMMENDATION IMPLEMENTATION

NEXT STEPS	TOWN RESOURCES NEEDED
Decide to hold workshop. Appoint organizing body	Council, with input from CPAC, Planning Department, and other appropriate stakeholders
Identify experts, develop agenda	Workshop organizing body

SUPPLEMENTARY RESOURCES

- Tools for long-range planning and visioning *Appendix E*
- Firms with technical capacity to catalogue tools *Appendix E*

RECOMMENDATION H2: CONDUCT AN INDEPENDENT REVIEW OF PLANNING TOOLS

PURPOSE

To simplify guiding documents and avoid duplication and contradictions; to inform next Comprehensive Plan and other long-term planning processes.

RATIONALE

CBI found that the Town’s ordinances and planning documents are sophisticated, yet complex. A catalogue of the Town’s ordinances and land use planning tools would identify areas of overlap and contradiction and help the town evaluate what it already has and what it needs. This process should be done in concert with the Comprehensive Plan update in order to avoid duplication of efforts and to provide a solid foundation on which to build the Comprehensive Plan.

RECOMMENDATION DETAILS

- Based on results of the long-term planning workshop (H1), hire a third-party expert or use Town resources to catalogue comprehensive plan, master plan, neighborhood plans, and design guidelines
- Conduct a detailed ordinance review to identify non-compliance with existing comprehensive plan and neighborhood guidelines, internal inconsistencies, complexity, and lack of clarity
- Prepare the Comprehensive Plan with appropriate public participation
- Rewrite ordinances for greater clarity, simplicity, visualization, and consistency with the updated Comprehensive Plan

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Select third party to catalogue planning tools	Council, with input from committees, boards, and Town Manager
Streamline ordinances and approve changes, in concert with the Comprehensive Plan update process	Council, with input from an ad-hoc committee, CPAC, boards, and Town staff

RECOMMENDATION H3: CONVENE A FACILITATED, TOWN-WIDE VISIONING PROCESS

PURPOSE

To affirm and detail the Town’s long-term vision; to build a shared understanding of a Town vision on which to build the next Comprehensive Plan.

RATIONALE

CBI found that there are diverse views and understanding about the Town’s vision and tension and uncertainty around balancing preservation of open space, preservation of private property rights, and promoting economic development. A clear vision is an important foundation of an implementable Comprehensive Plan.

RECOMMENDATION DETAILS

- Convene facilitated, Town re-visioning process, detailing and honing “rural character,” and what that means visually, over time, and in terms of land use, property values, possible land uses, and property rights
- Explore issues of traffic and connectivity, commercial development, open space, and regional collaboration
- Develop list of priorities and ideas that citizens would like to see addressed in the next Comprehensive Plan

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Retain a planning firm, as outlined in H1	Council, with input from CPAC, Planning Department, and other appropriate stakeholders
Design and implement participatory, town-wide visioning process	Workshop organizing body
From vision, revise Comprehensive Plan and supporting documents to help achieve that vision	Council, CPAC, Planning Department, other Town committees/bodies, public

SUPPLEMENTARY RESOURCES

- Tools for long-range planning and visioning *Appendix E*

RECOMMENDATION I: TAKE ACTION TO MAKE PEER-REVIEW PROCESS MORE PREDICTABLE FOR APPLICANTS

PURPOSE

To make the peer review process more predictable for applicants; to make peer review process efficient for applicants, Community Development Department, and Planning Board; to ensure continued quality project outcomes.

RATIONALE

CBI found that while most feel that the peer review process produced a better outcome, many feel that it comes too late in the process and can be prohibitive to developers. Delays and prolonged approval processes are not only bad for developers, but can have cost consequences for the consumer, harm relationships, and create inefficiencies for Town volunteers.

RECOMMENDATION DETAILS

- Convene a facilitated workshop with Community Development Department, Planning Board, and applicants, and Peer Reviewers to discuss how they can coordinate peer-review recommendations. Recommended options include:
 - Develop project criteria that will trigger peer-review
 - Give Community Development Department authority to strongly recommend peer-review during the project development phase. Applicants will know before Planning Board meeting what will need to be peer-reviewed and what will not need to be peer reviewed
 - Mandate that peer review comments be submitted to the Planning Board prior to Planning Board meeting, to the greatest extent possible
 - Planning Board requires additional “mid-process” peer review only in unique circumstances

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Convene workshop	Town staff and Planning Board with oversight by Council
Revise peer review process according to outcome of workshop and implement changes	Town staff and Planning Board with oversight by Council

**RECOMMENDATION J: ENHANCE OPPORTUNITIES FOR PRE-APPLICATION PROCESSES
ENGAGEMENT**

PURPOSE

To aid applicants and engage abutters early in the design, application, and permitting process.

RATIONALE

CBI found that the Town’s application and permitting process is complex, and while most agree that it is thorough and produces good outcomes, its complexity can be prohibitive and frustrating to applicants, especially small or new applicants. CBI also found that there is general agreement among citizens and developers that early neighborhood/abutter consultations are helpful, and that they save costs, time, and relationships in the long-run. Enhanced pre-application process engagement opportunities will ensure that the Town’s application and permitting process continues to produce good outcomes, while fostering collaborative relationships and maximizing cost and time efficiencies.

RECOMMENDATION DETAILS

- Create a “one stop shop” for applicants. Create process that allows applicants to discuss projects informally with key decision-makers at the same table prior to formal submittal including: Community Development Department staff, other Town departments, potential peer reviewers, or other relevant players (while ensuring adherence to ex parte rules). This could be by-appointment or informal depending on staff resources
- For certain kinds of larger projects, require neighborhood/abutter consultation prior to formal application submittal

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Revise ordinances accordingly to allow for and encourage pre-application consultation with neighborhoods and abutters.	Town staff and Planning Board with oversight from Town Council

SUPPLEMENTARY RESOURCES

- Neighbor-abutter consultation processes *Appendix E*

RECOMMENDATION K: GIVE APPROVAL AUTHORITIES TO COMMUNITY DEVELOPMENT DEPARTMENT FOR CERTAIN PERMITS AND PROCESSES

PURPOSE

To streamline project design and application process; to reduce burden on approval system.

RATIONALE

CBI found that there is widespread agreement that a more streamlined permitting and approval process could be beneficial for applicants as well as the Town Planning Board and Community Development staff, who are faced with long agendas and task lists. Delays and prolonged approval processes are not only bad for developers, but can have cost consequences for the consumer, harm relationships, and create inefficiencies for Town volunteers and staff.

RECOMMENDATION DETAILS

- Convene process with Planning Board, Town staff, Council, and applicant representatives to determine which project details can be approved by planning department. Options include:
 - Authorize Community Development Department to approve certain conforming use project details
 - Consider a streamlined process (via Planning dept. or truncated Planning Board review) for “small” projects
 - Authorize subsection of Planning Board, Community Development Department or other entity to sign-off on design-related requirements
 - Allow staff to “halt” projects that are not adequately prepared from appearing before Planning Board

RECOMMENDATION IMPLEMENTATION

NEXT STEPS	TOWN RESOURCES NEEDED
Convene workshop (may be done as same time as peer review workshop) or consult one-on-one with various Boards and stakeholders	Town staff, Planning Board with oversight by Council and Town Manager
Revise process(es) and ordinances, as necessary, given outcome of consultation	Town staff, Planning Board, and Town Council

RECOMMENDATION L: CREATE “NAVIGATING THE PROCESS” MANUAL FOR APPLICANTS

PURPOSE

To help applicants (new or inexperienced) know what to expect from Falmouth’s permitting and planning process.

RATIONALE

CBI found that the Town’s application and permitting process is complex, and while most agree that it is thorough and creates good outcomes, its complexity can be prohibitive and frustrating to applicants, especially small or new applicants. CBI also found that the Town has many checklists and aide documents, that can be coordinated, with some new materials, to form a comprehensive “how to” guide. Transparency and predictability will make the Town’s permitting and application process more user friendly.

RECOMMENDATION DETAILS

- Update existing documents
- Place emphasis on accessibility for smaller projects and local landowners
- Manuel to include:
 - Key contacts, committees/boards/commissions/departments
 - Check-list of forms
 - Flow charts of process
 - Expected timeframes
 - FAQs
- Offer updated tools on the Town’s website

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Assess existing documents and outreach materials	Town staff
Develop new materials as needed	Town staff

SUPPLEMENTARY RESOURCES

- Sample manual *Appendix E*

RECOMMENDATION M: CREATE TWO SENIOR POSITIONS FOR PLANNING IN THE TOWN

PURPOSE

To ensure that both the Town’s long-term planning initiatives and ongoing operational responsibilities are supported; to promote transparency in Town planning efforts by separating the visioning and operational functions of the Planning Director; to ensure clear lines of authority within the Community Development Department and with Town Manager, Council, and others.

RATIONALE

CBI found that the Town and its impressive cadre of volunteers are actively engaged in planning and implementation of its vision. CBI also found that the Town has a sophisticated, yet complex set of tools to guide its planning and visioning processes. Given the complexity of the Town’s planning system, the growth that it continues to experience, the importance of both long-term planning and day-to-day planning, and the diversity of its volunteers, CBI believes that a single senior planning position is not sufficient to ensure that the Town’s planning goals are realized.

RECOMMENDATION DETAILS

Rather than hire a single, replacement Planning Director, the Town would hire a Chief Planner as well as a Senior Planner to conduct day-to-day operations of the Department, in collaboration with the existing Assistant Planner and Administrative Assistant staff that the Town already employs.

1) *Chief Planner* (oversight and long-range planning) would be responsible for general oversight of the Department, reporting to the Town Manager, Council, and committees/boards, and engaging primarily in long range planning. More specifically, this person’s chief focus would be the Town’s the long-term planning and vision initiatives including Town committee and board volunteer efforts, would serve as staff liaison to Town’s planning bodies (CDC and CPAC), would participate in ordinance development and review processes, would organize citizen participation opportunities and efforts, and would supervise Community Development Department operational staff. This managerial position requires strong leadership, visioning, and communication skills.

2) *Senior Planner* (operations and permit process) – would be responsible for the management of the pre-application processes. Specifically, this person’s responsibilities would include review land use applications, assist applicants with the development of their project, ensure conformity with guiding documents, review and help update ordinances as needed, make recommendation, presentations and interface with the Planning Board. This senior position requires strong technical and planning skills.

RECOMMENDATION IMPLEMENTATION

<u>NEXT STEPS</u>	<u>TOWN RESOURCES NEEDED</u>
Develop job descriptions for the two positions	Council and Town Manager, with input from Town staff and town committees
Conduct job search and retain new employees.	Town Manager, with input from Council, Town staff and town committees

SUPPLEMENTARY RESOURCES

- Sample positions *Appendix E*

VI. CONCLUSIONS and NEXT STEPS

Throughout this process, CBI found that the Town has an impressive cadre of well-intentioned and sophisticated citizens, volunteers and staff who are dedicated to the idea of good planning. Also impressive is the fact that the Town has been engaged in innovative and active planning for many years, which from CBI's experience is a rarity among New England communities. While the Town is certainly a leader in its planning efforts, like all communities it also faces some challenges. The Town has a sophisticated set of ordinances and planning guidelines, however they are complex and can be hard for stakeholders to manage. The Town is also in a period of leadership transition, which has created some uncertainty. However, this environment also offers an opportunity for realignment of priorities and reevaluation of roles and responsibilities.

As the Town moves forward with its planning process and considers the recommendations put forth in this report, it might consider the basic principles of model planning system set forth in at the beginning of this report. A model planning system should:

- **Serve the public interest** – First and foremost, a planning system should reflect the rights, will, interests, and vision of the community it supports
- **Engage and include citizens** - A fundamental element of democratic processes, communities should strive to educate and engage citizens in the planning process, as much as possible
- **Provide Flexibility** – Land use trends are dynamic, and a planning system should be able to adapt and grow without significant disruption to its users. It should also be open to exploring innovative tools and best practices as they evolve
- **Be efficient in terms of resources** – Town, citizen, and developers' resources, including financial, time, and energy are limited. A planning system should be respectful of the limits of its resources and aim to use them efficiently
- **Be efficient in terms of time** – Delays and prolonged approval processes are costly for developers, can have cost consequences for the consumer, harm relationships, and are wasteful of staff, volunteer, and citizens' time. A system does not have to assume, by any means, frequent approvals. It does not need to reach a decision, whatever that may be, as efficiently as possible. However, it should be sensitive to stakeholders' time and not use delays as a "stall" tactic
- **Be transparent and predictable** – Reflections of good government, a planning system should be transparent and predictable for its users
- **Strive for sustainability** – While still a relatively new concept, a planning system should strive to achieve long-term sustainable quality of life for its citizens by balancing growth, individual rights, and its finite natural resources. The triple bottom line of social, economic, and environmental well-being is the newer order of the day among many cities and towns
- **Result in informed decision-making** – A planning system should produce outcomes that are the result of community wide best practices and best information

The result of this collaborative CBI – Town of Falmouth assessment process is an interests-based evaluation that reflects the concerns, priorities, and ideas of stakeholders who use, are impacted by, and participate in the Falmouth land use planning system. To assist the Town in its evaluation of next steps, CBI offers an *estimate* of the level of effort and Town resources that implementation of each recommendation might require (*Chart 2 CBI Implementation Tool*). It is important to note that these are merely estimates and could change as resources or other factors change. This is simply a tool to help the Town evaluate which recommendations the Town can undertake in the shorter and longer terms.

Chart 2. CBI Implementation Tool			Level of Difficulty			Parties that Need to Be Involved					
Recommendation	Page #	Output Type	Least	More	Most	Council	Town Manager	Town Depts	Town Com'tee	Third Parties	Public
A. Shared understanding of the roles, responsibilities	21	Process change; Form	X			X	X	X	X		
B. Sunset provisions for all Town committees	22	Ordinance	X			X	X	X	X		
C. Procedures for committee & board appointments	23	Process change; Possible ordinance change	X			X	X	X	X		
D. Subcommittee policies	24	Process change; Possible ordinance change	X			X	X	X	X		
E. Annual land use & planning workshop	25	Workshop	X			X	X	X	X	(X)	X
F. Council should reaffirm role of CPAC	26	Process Decision	X			X	X	X	X		
G. Development and review of ordinances process	27	Process change		X		X	X	X	X		
H. Comp Plan update	30	Process			X	X	X	X	X	X	X
H1. Long-term planning options and best practices workshop	31	Workshop	X			X	X	X	X	X	X
H2. Independent review of planning tools	32	Report		X		X	X	X	X	X	

CONT.			Level of Difficulty			Parties that Need to Be Involved					
Recommendation	Page #	Output Type	Least	More	Most	Council	Town Manager	Town Depts	Town Com'tee	Third Parties	Public
H3. Facilitated, town-wide visioning process	33	Process			X	X	X	X	X	X	X
I. Make peer review process more predictable	34	Facilitated dialogue; Possible process change		X		X	X	X	X	X	
J. Enhance opportunities for pre-application engagement	35	Ordinance change; Process change		X		X	X	X	X	X	X
K. Give approval authority to Community Dev'pt Dept for certain permits and processes	36	Facilitated dialogue Ordinance change; Process change			X	X	X	X	X	X	
L. "Navigating the Process" manual	37	Manuel		X		X	X	X	X	X	
M. Two senior positions for planning in the Town	38	Org Change		X		X	X	X	X		

Falmouth Community Development Operations Evaluation

APPENDICES

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|

APPENDIX A

ADVISORY COMMITTEE

Will Armitage
Cathy Breen
Julie Burnes
Anthony Calcagni
Hugh Coxe
Ned Kitchell

Bill Lunt III
Lissa Robinson
Hugh Smith
Andy Vamvakias
Joe Wrobleski

Town Staff
Ethan Croce
Nathan Poore
Amanda Stearns

ADVISORY COMMITTEE

The Advisory Committee will include the three Town Council members of the Community Development Committee as well as others recommended by the Town Council to the Town Manager. All Town Council members will be notified of Advisory Committee meetings and are invited to attend at their discretion.

The Advisory Committee will:

- Regularly inform the full Town Council on the progress and work of the evaluation process;
- Help the Town Manager refine and focus the scope of work;
- Provide advice to the Consensus Building Institute (CBI) on draft interview protocols, survey designs, and interviewee suggestions;
- Review data (compiled by CBI without attribution by individual) and offer comments, analysis, and insights;
- Advise CBI on draft process recommendations that would guide a facilitated dialogue.

The Town Manager and/or Town Planner will:

- Oversee the CBI contract;
- Provide information, documentation, and support in an on-going fashion;
- Provide logistical support in terms of addresses, emails, and so forth, to the extent possible.

All final recommendations from CBI will be directed to the Town Council in full for their discussion, consideration, and adoption, if appropriate. Though CBI will seek extensive input, in order to ensure the independence and non-partisan nature of the evaluation, all work products will be the ultimate and sole responsibility of CBI.

APPENDIX B: INTERVIEWS

LIST OF INTERVIEWEES

		Affiliation
Willie	Audet	Falmouth Economic Development Committee
Cathy	Breen	Council
Anthony	Calcagni	Planning Board
Hugh	Coxe	Comprehensive Plan Advisory Committee
Ethan	Croce	Assistant Planner
Terry	Dewan	Landscape Architect, Applicant's Agent
Al	Farris	Town Code Enforcement Officer
Ann	Goggin	Council
Anne	Gregory	Town Assessor
Tony	Haynes	Council
Michael	Jacobson	Business Owner
Ned	Kitchel	CDC Project Coordination Committee
Joe	Laverriere	Engineer, Applicant's Agent
David	Libby	Council
Stephen	Mohr	Landscape Architect, Applicant's Agent
Julie	Motherwell	Citizen
Tony	Muench	Landscape Architect, Applicant's Agent
Richard	Olson	Former Council
Jeff	Perry	Engineer, Applicant's Agent
Jennifer	Phinney	Town Information Systems Administrator
Bill	Plouffe	Town Attorney
Nathan	Poore	Town Manager
Lissa	Robinson	Conservation Commission
Bill	Robinson	Falmouth Trails Advisory Committee
Bonny	Roden	Council
Bob	Shafto	Conservation Ombudsman
Hugh	Smith	Comprehensive Plan Advisory Committee
Amanda	Stearns	Interim Town Planner
George	Thebarga	Former Town Planner
Jim	Thibodeau	Engineer, Applicant, Applicant's Agent
Eduard	van Loenen	Business Owner, Developer
Faith	Varney	Recreation Advisory Committee
Skip	Varney	Community Programs
Jeffrey	Walker	Falmouth Trails Advisory Committee
Joe	Wrobleski	Council

INTERVIEW PROTOCOL

1. What is your role in the Town planning process?
2. What are the three biggest challenges facing the planning, zoning, and permitting process in Falmouth?
3. What do you think the Town does well in terms of planning, zoning, and permitting?
4. Do you understand the roles, responsibilities and authorities of the following Town Boards and Committees: Why or why not?
 - Town Council's Community Development Committee (CDC)
 - Town Council's Ordinance Committee
 - Comprehensive Plan Advisory Committee (CPAC)
 - Planning Board
 - Falmouth Trails Advisory Committee (FTAC)
 - Conservation Commission
 - Recreation Activities/Community Programs Advisory Committee
 - Town Planning Department
5. Is there any important role or responsibility that is not covered by a standing committee or board? Is there any overlap in their roles and responsibilities?
6. In your view, how well do the Towns boards, committees and departments work together to design and implement planning and development policies? What challenges do they face?
7. Do you have any suggestions for addressing these challenges?
8. How does the Town's ordinance review process work? Do you have suggestions for how it could be improved?
9. Do you think that the Town has a clearly communicated vision? If yes, what is it?
10. Do you think Town residents are informed and educated enough about the Town's planning process, from visioning to master planning to application review?
11. Where in the planning process should the public get involved? How?
12. How might the Town assist in improving, participation, understanding and information?
13. Do you think the permitting and application process works well? How could it be improved?
14. What skills or characteristics should the Town Planner have?
15. Name three phrases or words that come to mind when you think about planning in Falmouth.

INTERVIEW RESULTS Q14. WHAT SKILLS OR CHARACTERISTICS SHOULD THE TOWN PLANNER HAVE?

Diplomatic/ Facilitative	Someone who makes everyone feel like he/she is on their side
	Diplomatic and know how to diffuse conflict
	Collaborative process experience
	Can bring people together or at least bring legitimacy to process
	Diplomat
	Be able to deal with diverse opinions
	Be able to help applicants make a better project
	Cooperative
	More of a team player
	Talented, but who can cool people off
	Open to all perspectives and backgrounds
People Person	Approachable
	Be able to deal with all kinds of people, personality wise
	Very people oriented
	People person
	People person
	High people skills
	Be able to work with people in multiple capacities
	Amiable
	Accessible
	Friendly to all constituents
	Good bedside manner, say no carefully
	Good with people
	Good working with people
	Personable
	Able to talk with all people
Communicator	Good communicator
	Good at explaining why someone can't do something
	Communication skills
	Good communicator
	Good communicator
	Able communicator
	Good communicator - orally and written
	Good communicator
	Good communicator – both with staff and with public
	Communicative

Educator	A good educator
	Be able to educate public, Council, and applicants
	be skilled at educating and providing information
Straightforward	Direct
	Clear
	Straightforward
	Straightforward
	Straightforward
	Not opaque
	Transparent
Honest/Fair	Candor, honesty
	Honest, integrity
	Fair
Non-judgmental	Open-minded
	Non-judgmental
	Non judgmental
	Thick skin
	Strong leader
	Hard head
Firm	Be firm, but kind
	Have a spine
	Have a backbone
	Be able to stand up for what is fair
	Firm
	Personable, but firm
Listener	Good listening skills
	Sensitive listener
	Willingness to listen
	Willing to listen
	Good listener
Detail Oriented	Systematic and attention to detail
	Detail oriented
	Detail oriented

Highly Technical - understand Planning Tools, Ordinances, and Technical Language	
	Knowledge of planning software and processes
	Innovative, top in their field
	Highly technical. Credentials to talk with landscape architects, engineers, and other technical professionals.
	Be familiar with multiple planning tools
	Technically skilled
	Top of profession
	Good knowledge of ordinances
	Know how to write, understand ordinances, understand law
	Have understanding of ordinances
	Understand very progressive, tremendous capacity in community, complex and sophisticated ordinances, not a simple system, very complicated, system workable under the right conditions.
	Knowledge, bright – clear on ordinances
	Knowledgeable about technical tools and web-based applications
Knowledgeable about trends in planning/Innovative	
	Keeps up with new ideas and trends
	Knowledgeable of what is happening in other innovative communities
	Technical adept, knows what is happening elsewhere.
Experience in Other Communities	
	Not necessarily from New England
	Well experienced
	Should look beyond local area, for example could come from Portland, OR
	Familiar with communities like Falmouth
	Practiced in principles of land use, in Maine would be helpful
	Has worked in other communities
	Experience in like community, with similar levels of development
	Experience in planning process in more than one community
	Good experience working with committees
	Come from an open-space background
	Strong land use background
	Savvy on what is happening in other communities

Motivated/ Leader	Motivated -gets things done
	Motivated
	Gets things done
	Is a driver, set's the tone
Specific Skills/Beliefs	Innovative around conservation
	Trail advocate
	Advocate for Smart growth
	Not opposed to development. Will help facilitate development
	Aggressive vision for Rt 1 development
Visionary	Visionary
	Visionary –keep vision on track
	Innovative
	Forward looking
Administrator	Technocrat
	Technical, a good administrator with technical skills
	More of a reviewer of a plans, than a visionary
	Effective administrator
	Not too much of a visionary, more of an administrator
	Need a plan reviewer more than a visioning planner (CPAC's role)
	Technical, a good administrator with technical skills
Other	Could be Full time, or part time, share with another Town, regional approach, Yarmouth, Freeport, staffing.
	A balance of social and technical skills
	Should be two people
	No big egos

APPENDIX C

May 5, Public Forum Meeting Summary

Falmouth Community Development Forum

Public Workshop

May 5, 2007, 8-11am

Falmouth Middle School

Attendees

Amanda Stearns
Colleen Myers
Eydie Pryzant
Cathy Breen
Julie Motherwell
Charles de Sieyes
Mel Dickenson
Ralph Sama
Susan Howe
Susan Love
Anthony Calcagni
Ann Goggin
Les Patel
Nathan Poore
Patrick Field
Ona Ferguson

Overview of the Falmouth Planning Process - Nathan Poore, Town Manager for the Town of Falmouth, presented the current structure of the planning process in the town, noting that it can be changed in the future.

Topics to be discussed – Patrick Field introduced the topics that participants would focus on:

- Structure of Committees and Town Entities
- Town Ordinances and Zoning Bylaws
- Town Vision and Plan (bigger, longer term planning efforts)
- Permit Application Process (what is it like to be a land owner, developer or abutter going through the approval process)
- Public Input Opportunities

Considering land use planning and decision-making in Falmouth, what words come to mind?

- Development philosophy
- Confusing
- Are you planning or reacting?
- Clean water
- Disingenuous
- Progressive
- Balancing development with preservation of character of town (four people said this)
- Diverse income groups
- Conflict of interests between the planning department and the citizens in the past, may have changed now (two people said this)
- Great opportunity to be more inclusive on all of these topics (ex: big development went in on Cumberland/Falmouth line, and nobody really knew about it – but that area is critical habitat)

Large Group Discussion Themes

A. The impacts of ecosystem and land conservation on the individual landowner

- Can lower property values
- Can infringe on private property rights
- Can lower individuals' savings/investments

Suggested Actions

- Discuss interests of relevant stakeholders early on
- Town should adopt a principle of maintaining/enhancing property rights values: if you have a right that will be limited on x parcel of land, you should be given y piece of land over there to compensate that person for the loss of their land value – tradable development rights
- Reimburse landowners for allowing wetlands to exist rather than developing
- Public education on rights, opportunities
- Collaborate with Department of Environmental Protection
- Town should explore flexibility in its ordinances based on different qualities of a parcel of lands.

B. Community input and local development

- Not always clear what process is for developing (or conserving areas)

Suggested Actions

- Require developers to approach the community first, get to know them, share ideas, identify resources BEFORE Planning Board meeting
- Example: in Colorado, every new development pays a fee to the county so they have a lot of money to use to buy and conserve land
- Create a user-friendly handbook/map for developers and the public on the process, estimated timeline, public input opportunities.

C. Town's Ordinances

- Citizens don't really understand the process but would want to know more

D. Town's long-term vision

- Consistently: to maintain a "rural character."
- Rural Character – you hear this frequently, but the vision it gives people vary
- It is carefully stated in comp plan
- Mostly people are concerned with their neighborhood and street.

Suggested Actions

- Define what rural character means
- Codify our great big projects so they interface together?
- Need to address traffic concerns
- Need to address water quality
- Should look at opportunities for regional collaboration

APPENDIX D: WEB SURVEY

WEB SURVEY PROTOCOL

ZOOMERANG QUESTIONS

As you may know, the Town of Falmouth has retained the Consensus Building Institute (CBI) to conduct an assessment and facilitate dialogue on land use decision-making in the Town.

CBI will use the qualitative data gathered through this survey, along with data generated from confidential interviews and public meetings, to lead a process that will result in recommendations on how the current system works, how this overall “system” can be improved, and how its performance can be evaluated over time.

For questions about this process, please contact Kate Harvey, CBI Associate, at 617-844-1136 or by email at kh Harvey@cbuilding.org or Nathan Poore, Town Manager, at 207-781-5253 x314. Thank you again for participating in this important process.

1. Please identify yourself (check all boxes that apply)

- Falmouth Citizen
- Businessperson in Falmouth
- Landowner with a potential interest in developing your property
- Developer
- Consultant to applicants (landscape architect, attorney, architect, contractor, builder)
- Town committee member
- Town Elected Official
- Other_____

2. Name one activity regarding land use planning, permitting, or enforcement that the Town is doing well. Please explain.

3. Do you think the review, permitting, and enforcement processes for projects in Falmouth are (check as many as applicable):

- Efficient in terms of time
- Efficient in terms of cost
- Transparent/out in the open
- Inclusive of diverse views
- Fair
- Take too long
- Cost too much
- Unpredictable
- Results in decisions consistent with zoning, master planning, and vision

Please say more, as needed, especially if you have specific prescriptions to offer.

4. Do you believe the current zoning and subdivision ordinances are: (check all that apply)

- Clearly written
- Understandable and implementable
- Too prescriptive and rigid
- Too flexible and open to interpretation
- Consistent, for the most part
- Used, implemented, monitored, and enforced
- I don't have enough information to know

Please say more, as needed, especially if you have specific prescriptions to offer.

5. Do you think that the process for amending zoning and subdivision ordinances is:
(check all that apply)

- Efficient in terms of time
- Takes too long
- Transparent/out in the open
- Inclusive of diverse views
- Results in decisions that are implementable
- Results in decisions consistent with zoning, master planning, and vision
- Not sure what the process is

Please say more, as needed, especially if you have specific prescriptions to offer.

6. Do you believe the Town's long-term vision (10 to 20 years) for what it should become is: (check all that apply):

- Clearly communicated to the public
- Reflective of your vision for the Town
- Developed and now being implemented
- Not sure what the vision is

Please say more, as needed, especially if you have specific prescriptions to offer.

7. Do you think that current opportunities for citizen/public input in planning initiatives are:

- Too few
- About right
- Too many
- Not sure

Please say more, as needed, especially if you have specific prescriptions to offer.

8. Do you generally understand the roles and responsibilities of the following Town Boards, Committees, and Departments regarding land use planning, permitting, and enforcement: (Check yes/No. Please explain as necessary)

Town Council <input type="checkbox"/> Yes <input type="checkbox"/> No	Zoning, Code Enforcement, and Building Inspection Office <input type="checkbox"/> Yes <input type="checkbox"/> No	Comprehensive Plan Advisory Committee <input type="checkbox"/> Yes <input type="checkbox"/> No
Planning Board <input type="checkbox"/> Yes <input type="checkbox"/> No	Assessing Office <input type="checkbox"/> Yes <input type="checkbox"/> No	Falmouth Trails Advisory Committee <input type="checkbox"/> Yes <input type="checkbox"/> No
Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No	Public Works Department <input type="checkbox"/> Yes <input type="checkbox"/> No	Ordinance Committee (Council subcommittee) <input type="checkbox"/> Yes <input type="checkbox"/> No
Conservation Commission <input type="checkbox"/> Yes <input type="checkbox"/> No	Falmouth Parks and Community Programs <input type="checkbox"/> Yes <input type="checkbox"/> No	Community Development Committee (Council subcommittee) <input type="checkbox"/> Yes <input type="checkbox"/> No
Town Planning Department <input type="checkbox"/> Yes <input type="checkbox"/> No	Recreation Activities/Community Programs Advisory Committee <input type="checkbox"/> Yes <input type="checkbox"/> No	Open Space Committee <input type="checkbox"/> Yes <input type="checkbox"/> No

9. If the Town were to focus its efforts on *one* improvement to its land-use decision-making process, what should it be? Please explain.

10. Do you have any additional comments on how the Town can improve its planning, zoning, and permitting process?

11. Do you believe the Town should spend its time and resources on educating the citizens further on planning, permitting, and enforcement (ie. land use decision making)?

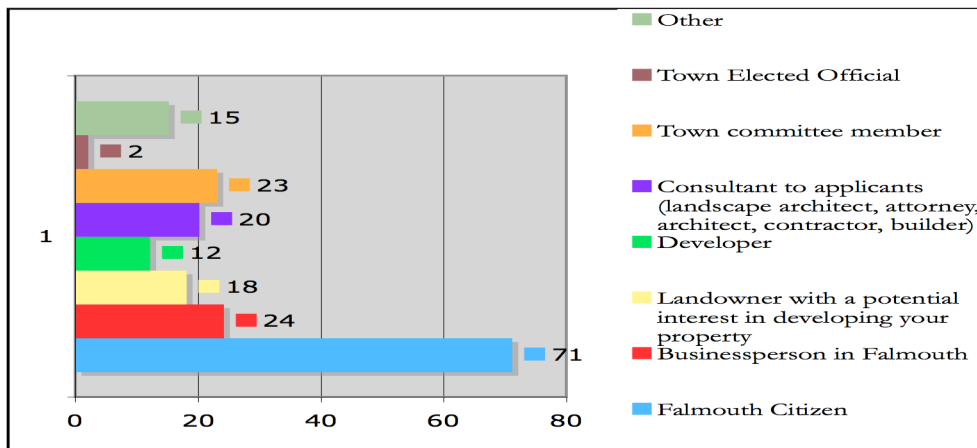
- Yes
- No

Please say more, as needed, especially if you have specific prescriptions to offer.

WEB SURVEY RESULTS

**This appendix reflects all comments received from the Zoomerang websurvey. CBI has removed all proper names from comments. Comments have been sorted and categorized by CBI staff, and are presented in no particular order.*

1. Please identify yourself (check all that apply)		
	#of responses	% of respondents
<i>Falmouth Citizen</i>	88	71%
<i>Businessperson in Falmouth</i>	30	24%
<i>Landowner with a potential interest in developing your property</i>	22	18%
<i>Developer</i>	15	12%
<i>Consultant to applicants (landscape architect, attorney, architect, contractor, builder)</i>	25	20%
<i>Town committee member</i>	29	23%
<i>Town Elected Official</i>	3	2%
<i>Other (others Town Staff, former resident)</i>	18	15%
(Total # respondents)	124	



2. Name one activity regarding land use planning, permitting, or enforcement that the Town is doing well. Please explain.

Responses sorted and categorized by CBI staff. In no particular order

Human Resources

Staff people at Town Office are all very helpful and considerate

The planning board does a good job reviewing the projects that are before them based on the ordinances that are on the books. The planning office is also open-minded when it comes to new planning ideas and concepts.

The planning board is doing it's best to interpret a complex ordinance.

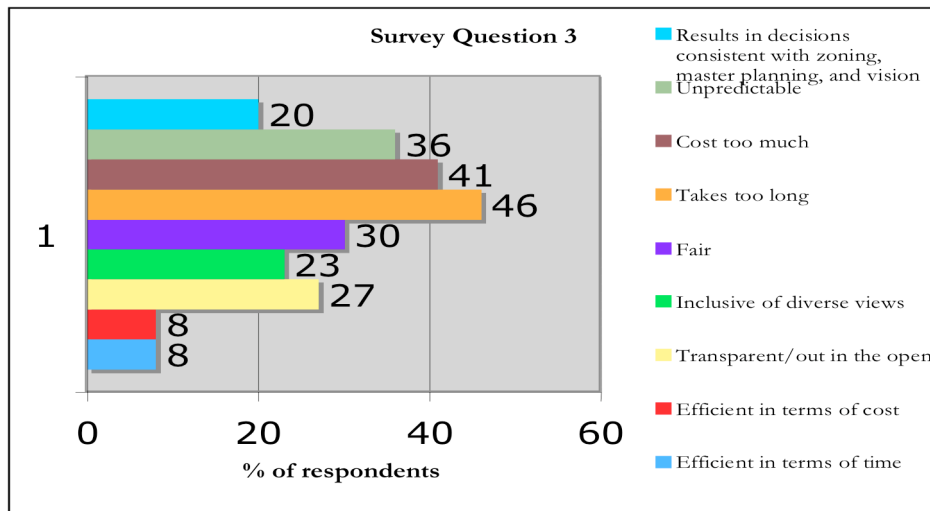
The Planning Board works well in enforcing the ordinances (flawed as they are) that are in place.

The Code Enforcement Office operates relatively efficiently, compared to the Planning Department and the various land use committees like CPAC,FCC, etc.
Public Works Dept. is fair and responsive. Code Enforcement is fair and responsive. Planning staff is thorough and helpful
████████████████████ (the planning staff) are both helpful
The code enforcer is very fair
Since ██████████ left planning, the Planning Department seems to running much better under the direction of ██████████.
Getting rid of ██████████
Customer service
Fields and recreation seem to be going well.
Getting review comments back to the consultants in a timely manner so that revisions can be made prior to the planning board meeting
Conservation/Open Space
The Town has identified open space as an important feature and is working to purchase that space.
The town of Falmouth is doing a fine job with regard to preserving land for future generations to enjoy while still being close to Maine's largest city. I feel that there is a little lack of foresight with regard to the big picture when the council even considers "cluster" housing as they did with the Presumpscot Point development. Fortunately the citizens/neighbors expressed their opposition and the developer changed his bid for saturation housing.
preserving green spaces - I don't have specifics, it's just my perception.
Keeping open public spaces for community use.
Open space planning, protection.
Focusing on Land Trust issues.
Conservation
Protecting wetlands
conservation commission
With the emergence of the ombudsman, I think the town is finally taking a serious look at conservation as a whole and not piecemeal.
vernal pools regulation
Protection of wetlands - wetlands ordinance.
The implementation of the greening of Falmouth plan.
The town seems to be starting to restrict some development because of wetlands and such. However I think they could do more.
Wet land zoning...needs to do more for the open lands we have
I like the land conservation efforts.
preserving open space by requiring portions of developments to be set aside
exchange open space for developing; wetland setbacks
I really don't see much in the way of "planning" i.e., looking ahead and making decisions now that will accommodate future needs. However, the open space initiatives that the Town is allowing, but not leading, is on a surprisingly good course at the moment.
The Town has been a leader in resource protection and planning and has won several awards including the Maine Association of Planners award for a Compact Development study and an award from the Maine Audubon for the vernal pool protection program.

Updating the wetland ordinances and conservation zoning
updating wetland ordinances and conservation subdivision ordinance
Keeping open space.
Specific Locations/Development
Allowing smaller lot sizes by utilizing cluster developments. It is important that smaller lot sizes be allowed so that younger families can afford to move into the town. With the cost of land being what it is, it is very difficult for young family first time home buyers to purchase a home in Falmouth.
Route One is more attractive
Pleasant Hill Woods
creation of a town commercial center by use of revised setbacks (smaller) and relaxed parking requirements
I like developing a little town center.
Development of the shopping center area. It seems more like the town has a center than ever before.
I approve of the Village Center concept and how it has developed.
The village center is taking shape nicely with good pedestrian access.
Public parks - I like the Falmouth trails that are in place and see potential for lots more. Access to the Presumpscot River by Allen Ave. exit bridge is a huge step in being able to share the river.
I like the Community Park
Public Input
Listening to citizens
Actively seeking my opinion
Listening - I do think the town boards are willing to listen to concerns. I dislike the constant attempts to add regulation but people do seem willing to listen.
Meetings are open to the public which allows for everyone in town, if interested, to know what is going on.
Having the conversation in committees, at council meetings.
Planning/ Land Use Processes & Tools
waterfront planning--There is an active Harbor Committee that is finally getting a handle on waterfront/anchorage/ neighborhood issues. A long range plan seems to be developing.
land use planning
thorough review process including aesthetics
Planning – The Town seems to have a reasonable handle on its comprehensive plan.
Master Planning in growth areas
Proactive planning
They are aware of the need for master planning. They plan for a good balance of open space and new development. They are looking for ways to improve our look and feel of the town to make it more like a village.
Trying to balance land owners and developers issues which they hadn't seem to be doing in the past.
Planning process is through but fair
My sense is that all areas do well. Some do better than others and if I had to pick one, it would be land use planning.
The code enforcement follows the IRC Building Code

Website is helpful
Architectural Design Guidelines. Newer buildings are looking much better and look like they belong in Maine.
Demanding that stringent code requirements designed to protect the public and their lands are followed and acknowledging that several licensed professions are qualified to stamp specific drawings.
peer review process: As a reviewer, I feel that it's helped the process by identifying potential weaknesses before the applicant gets too far into the process, thus saving them time and money, and minimizing the time the PB has to spend on applications.
Keeping it a significant topic
Great resource tools such as resource maps and aerial photos.
Traffic enforcement. Police both visible and active.
Adhering to policies and regulations.
Careful review of building permit applications.
creating fields for children's sports
pre-application hearings - Planning Board. Land purchase - could do better/public use
Other
None thus far to my experience.
good question...next
none that I know of
I have no idea
Not very impressed with programs. Specifically the PLANNING area was demolished by [REDACTED] and continues to defy people with legitimate interests with their land.
None
confusing the process
making these processes difficult for staff and citizens
Unknown
Creative
think they do well in all facets, I don't know any different.
efforts to undertake
None

3. Do you think the review, permitting, and enforcement processes for projects in Falmouth is: (check as many as applicable)		
Efficient in terms of time	7	8%
Efficient in terms of cost	7	8%
Transparent/out in the open	22	27%
Inclusive of diverse views	19	23%
Fair	25	30%
Takes too long	38	46%
Cost too much	34	41%
Unpredictable	30	36%
Results in decisions consistent with zoning, master planning, and vision	17	20%
(Total # respondents)	83	



Survey Question 3 Comments	
<i>Responses sorted and categorized by CBI staff. In no particular order</i>	
Timing	
The issuance of building permits seems excessively long at times.	
It is a real burden. Peer review is expensive and unpredictable.	
We were told one month that we could build within 10 feet in a non conforming lot, this by the town's code enforcement officer. The next month it was changed, he said he was not aware that it was going to happen. He didn't know. We then had to purchase land from our neighbor to build. We also had to pay 100.00 to ask the town if we could take a non conforming structure, conforming. It took 3 months and 10 minutes for them to say yes to the obvious.	
2 + years for a subdivision approval is ridiculous.	

Time is money in every commercial effort, even if it is conservation. Good planning gleams to cost-effective execution
I have found that the process takes a long time (which is good IF planning members are being thorough, asking questions AND listening to citizen input.) Often times the later doesn't happen because the planning board is NOT a PLANNING board. they are simply a processing board and they should be called that. There is NO master planning being done in Falmouth as far as I can tell. You have a piece of land, you want to develop it, you go before the planning board and if your plan meets the ordinances you get approved. This has led to lots of haphazard developments going in often times off of failing sub collector roads.
Impacts
There is no or little effort to evaluate impact on owners/and or of economic impact of changing ordinances or restrictions. Most changes with an economic impact go to the property owner in a negative way.
in the past the planning board was manipulated by [REDACTED] and was consistent with whatever [REDACTED] wishes were ...as a result private property rights were trashed
If the proposed vernal pool ordinance is adopted, it will effectively hinder development and undermine the investments people have made in property.
The process is flawed in favor of Development and not land preservation. I think there should be tax incentives for land owners who own land to help the town preserve open spaces for wild life currently the town taxes more for the land then the property... so that is why so many people have to develop there land to pay there taxes
Ordinances
Falmouth has always had a pretty good planning review process. The fact that you are doing this study is indicative of the real problem in Falmouth. The ordinances on the books and the actions of the town council do not encourage diversity in development. The encourage conservative, predictable McMansions on a cul de sac.
The zoning ordinances are two cumbersome and are constantly up to interpretation. There is no coherent master planning
I own and live at 100 Falmouth Road and have been trying to subdivide off a back lot. The town adopted the conservation subdivision ordinance on 12\22\05 without proper review and now my lot does not meet the Conservation exempt lot criteria or the Conservation Ordinance. I have been told there are over 100 properties that this New Ordinance effects. I have spent thousands of dollars on this simple back lot plan and I still have not been able to get any final approval from the town. There is a lot more to this than I can say here.
The current ordinance is poorly written and the assistance of the Town Staff in resolving glaring omissions through the council has been poor. There appears to be a reluctance to take on members of the Council despite their poor grasp of the subject matter.
In some cases, the ordinances have outpaced the board's capacity for review.
Human Resources; Roles & Responsibilities
I don't think they give the planning board enough time to review the applications before the meeting. This leads to inadequate knowledge of the applicants, and too much time spent reviewing during the meeting.

the recent issue with the Rite Aid development shows how much discretion is at the hands of the planning board, which, depending on who happens to be on the board at the time, will lead to inconsistent results over the years
The Planning Board tends to fixate on the minutiae of a submittal and has spent hours discussing trivial issues on very small projects. Those items should have been resolved by staff prior to the hearing.
Lack of decisiveness and control of/directing discussions during town planning meetings cause them to be so drawn out, so few agenda items discussed, and much paid professionals' time wasted. Thousands of dollars are paid to consultants for sitting around and to return and sit through another meeting, thereby adding to permitting costs. Decisive leadership, limit the agenda, stick to the topics of importance, make decisions, and move on. Know the ordinances to be followed, and read the submission packages before the meeting.
Not enough "trouble shooting" of issues by staff prior to PB meetings. Too much "flexibility", no true rules. PB can waive too much and Council can "spot zone" for uses inconsistent with underlying zone which area residents should be able to rely on for some protection.
The powers that be are anti-growth and pro-environment to an extent that people who want to develop their property are made to feel like second class citizens. Planning Board members rely too much on peer reviews and town attorney opinions instead of making decisions, probably because they haven't really bothered to understand the underlying ordinances. Great efficiencies could be introduced if they only would follow the ordinances instead of trying to superimpose their own views or wishes.
Falmouth Codes Enforcement Officer is not fully informed regarding State law/regulations governing wetlands and buffers and need for permitting by DEP of NRPA related projects (such as for permanent stairs installed along Highland Lake to access seasonal docks). The stairs do in fact require a Permit by Rule under state NRPA regulations. The Falmouth CEO has given erroneous information about state requirements to homeowners in my Highland Lake neighborhood telling them they do NOT need a NRPA permit when in fact they do. IF town employees do not correctly understand state law, they should not be advising on it.
Falmouth's ZBA and Planning Board are worried about setting precedent.
Too much micromanagement takes place at the Council level; real decision-making needs to be delegated to Planning Board and certain other committees like CPAC and Conservation Commission.
I think the planning process should be more consultative/prescriptive. I also believe that this council has made it difficult for the public to have confidence that staff is being fair, objective and honest with them.
Other
No experience
haven't looked into this for more than 7 years
I have only requested a permit for a sunroom.
My experience is limited to commercial applications
No personal experience and any other impression is based on hearsay.
3 I have not yet been involved in this process.
Not enough experience to respond. My impression is that is it too project focused -- doesn't consider the surrounding properties, long term implications for the town etc. Where's the "plan" in the planning process?
they try to make one size fits all it will not work ever
inconsistent!!! The laws are applied differently in every situation- very political
My feeling is that the review and permitting process is inconsistent and very convoluted.
many restrictions based mostly on emotion and less on hard science

Way too restrictive and lacking in opportunity for creativity and preservation and enhancement of property rights.
Not particularly transparent
Micro management of projects sometimes seems to get out of hand.
It is a fair process and they follow the rules. They are efficient. However, it is ridiculous to allow put in so much age restricted housing in areas near the school. This means the families with kids most likely to use the schools cannot live near the schools.
Special interests have "worked over" town on specific things they want for themselves.
I am not sure of the above in specifics. I hear a lot of complaining from both sides, but feel the town should have a long range plan, with specific objectives and that it should be effective and efficient process for developers, but not cater to them, which is how it seems today.
the whole things out of control. the law are no way black and white. the planning dept and the planning board are not on the same page.
I think more should be done to prevent activist stonewalling on projects. Often legitimate projects must endure unrealistic expectations of activists that would rather nothing be done.
I have not studied the process. I like the development at present. I do not want much more. The open space and woods close ot Portland with a good school system is desirable. I do frequent and enjoy the restaurants. I have almost everything I need right at home in Falmouth
Suggestions
A comprehensive review of the existing ordinances in order to correct mistakes and remove inconsistencies would help to eliminate some of the road blocks. In all instances, the process should remain open and should engage the public.
Illustrations should be used to better explain some of the planning concepts that the codes are base upon.
I would like to see more opportunity for email comment - or if not email - a web-comment page available on a project for a specified length of time. Coming to a planning board session or a Council meeting is very time consuming and, for some of us, highly inconvenient. Our "free time" is at another hour. I believe "wet-land" zoning is becoming too restrictive - There are homes right next to vernal pools and those pools are still productive. Restrictive zoning should not be used to restrict the use of a citizen's land to the extent that the land loses value. If a group of citizens wishes to keep a piece of land "wild", those citizens should pay the land-owner for the highest value of the land instead of zoning the value away. And please notice, I did not say the taxpayer should pay for the land.
The Planning staff needs to be given more authority to pre-review projects ahead of time with less involvement from peer reviewers unless the peer reviewer is involved at the onset. Also the Planning board needs to be given more authority to make decisions and decide on waivers. Right now the ordinance doesn't allow the PB to do much of any thing. Too much is being referred back to the council
I do not think that our planning process works, for there does not seem to be a master vision. The planning board has no power, but appears as if it does. They have simply been the pawn of the town planner to date, who had pushed projects through on his terms, if he liked the idea proposed. We need a more transparent and efficient process which uses the town planer, the ombudsman, and all interested parties to reach an agreement before going before the planning board for approval. Right now, our process seems to be too broken into segments and very arbitrary.

5. Do you believe that current zoning and subdivision ordinances are:		
Clearly written	5	6%
Understandable and implementable	14	18%
Too prescriptive and rigid	25	32%
Too flexible and open to interpretation	14	18%
Consistent for the most part	18	23%
Used, implemented, monitored, and enforced	18	23%
I don't have enough information to know	19	24%
(Total # respondents)	83	

Survey Question 5 Comments	
<i>Responses sorted and categorized by CBI staff. In no particular order</i>	
Clarity and Use	
The ordinances are overly complex with too many overlay zones.	
The zoning is too cumbersome because of the inordinate amount of ordinances. It is not clearly written or sensible	
Recent Route One study that the town has spent 40k on needs to be implemented. The overlays are confusing and burdensome	
As I said earlier My lot is caught in the gray area along with over 100 others and nothing is being done about it.	
The ordinances as written are a disaster, with numerous inconsistencies and glaring omissions.	
They are EXTREMELY confusing!!!	
Not written in layman's terms.	
confusing to the layman	
My experience in front of the planning board has shown me that the ordinances were very vague. Developers would probably argue that the ordinances are too rigid, but again, I think our former planner interpreted them to suit his ideas of planning. They could be made more fluid and less rigid, but only if there was a non-biased group discussing the projects so that environmental concerns were met as well as allowing a developer freedom for his/her development. The real question is what do we want Falmouth to look like in 10 years, and how will we achieve this goal. Putting all of the decision power into the hands of one person did not, and will not work to make this system functionally sound.	
Yes, i checked two opposites because I believe we have some of both. If they were clear, it would not take over two years to get a project trough the process.	
The ordinances are very clear to a residential developer. Don't try anything new and different. McMansions on cul de sacs are the name of the game.	
Transparency/Consistency	

Design guidelines seem can be subjective.
they have left it so its not what you know its who you know!!!!!!!!!!!!!!!!!!!!1111
but I believe they are bent in the right direction when it behooves the town.
It seems that the bigger the lawyer that represents the land owner who wants to developed the town runs scared of law suits. this has got to change
Again, inconsistent...one landowner can have a problem with a neighbor's plan, and the town "caves"/denies that plan
Too flexible and open to interpretation
Whoever wants to move a view along and gets the Council's ear does it with only partial (if any) review of consequences.
Know not applied consistently
Other
I refuse to work in Falmouth because of past abuse by [REDACTED] and therefore don't know what if any changes have occurred since his leaving
I didn't check any of the above, because it is slanted. The town lawyer doesn't even understand them and admitted it in an open meeting of the planning group. That's a fact! It's deplorable!!!!!!!!!!!!!!
I like the openness of Falmouth. We can breath here.
In some cases, review criteria is too deeply imbedded in ordinance subsections or the same topic is controlled in different subsection; e.g., buffer standards
The town regulates beyond the health, safety and welfare of the citizens.
Condo description of a road vs. a driveway is unclear
I think Falmouth has very rigorous ordinance language when compared with most other Maine communities. This is a good thing and admired by others.
I think a developer, town and its citizens want the same thing. A good project that meets the needs of all. The process is an adversary process with the developer fighting to do a project. Interested neighbors fighting not to have change and the town in the middle trying to balance both interests. That makes it difficult to have legitimate conversations about what would be best.
Have not read the ordinances in Falmouth
Suggestions
A comprehensive review of the existing ordinances in order to correct mistakes and remove inconsistencies would help to eliminate some of the road blocks. In all instances, the process should remain open and should engage the public.
They are simply too complicated because they try to anticipate almost every possible situation. The new Conservation Overlay district is simply beyond anyone's ability to truly comply with this very complicated and densely written ordinance requiring the input of so many "experts". The town would benefit if the possibility existed for much greater flexibility in implementing creative land use options on a specific case by case basis to ensure attractive development without encroaching on peoples' rights to develop their land.
The new conservation ordinance has some big problems...for the musty part its good and if properly interpreted by the PB will have a positive impact...but the restriction for (zero) no impact to wetlands and conservation features is foolish and unrealistic...this must be changed. The best way to resolve these issues is to empower the PB to make interpretations as they see fit

There should be more emphasis on form-based codes, i.e., decide what the end results should be and work toward that end. Let the land decide what's best. Maintain a spirit of creative flexibility throughout the process to take advantage of site variations.
There needs to be a common sense balance that allows for some creativity in development so new and exciting options can be explored.
Falmouth should not impose new ordinances on landowners. If it is the desire of the people in town to change the land use ordinances the changes should not be retroactive or should not take affect on any properties purchase prior to implementation.
Our zoning ordinance, particularly the nonconforming section 6. Zoning was changed to allow different uses in some districts and changes weren't made to allow expansions on nonconforming lots. there's more.
I think an outcome/results based process that allows projects to be developed around the features of a particular site make more sense than having a lot of rules about lot sizes, road widths, etc. that may or may not be appropriate for a particular site.
I'd like to see much more stringent regulation of wetlands, vernal pools and subdivision developments in large tracts of wooded land which provide habitat for many bird species (e.g. pileated woodpeckers) that will no longer be able to survive without that type of extensive, connected woodland corridors.
Ordinances should be reviewed and revised from time to time. It's probably a good idea to update ordinances with updates of the CP.

7. Do you think that the process for amending zoning and subdivision ordinances is		
Efficient in terms of time	4	6%
Takes too long	27	38%
Transparent/out in the open	14	19%
Inclusive of diverse views	14	19%
Results in decisions that are implementable	8	11%
Results in decisions consistent with zoning, master planning, and vision	8	11%
Not sure what process is	30	42%
(Total # respondents)	71	

Survey Question 7 Comments	
<i>Responses sorted and categorized by CBI staff. In no particular order</i>	
Input Opportunities	
No, I didn't skip #7. I don't like any of the answers. The council may hold a public hearing but there is NO guarantee that the public knows about the hearing. I've asked for notification about meetings and agendas but do not receive them. I answered earlier about attending council meetings. I'll say again - use the web more and better - to get information to and from citizens.	
Way too inclusive of diverse views.	

I do not think that the process is effective in notifying the general public. The way the process works now is when a special interest group wants something passed they can organize and pass an ordinance that is not in the best interest of the majority of residents. I do not know why there is not a box that says Process is Inefficient?
Influenced too much by special interests in higher priced neighborhoods not reflective of the long-term town needs
The revision process is strife with personal interests of a few vocal people that get in the way of fulfilling the true interests of the citizens.
Timing
Seems like everything gets tabled and half the meeting is hard to understand, a lot of hoops to jump through I guess.
Transparent processes don't often lend themselves to short time frames.
Takes too long because the Council micromanages this to death!
Clarity & Use
again it is too hard to figure out the intent of the amount of overlay districts and constant additions to an already overburdened system
This latest wetlands ordinance is totally unworkable and unfair
Other
I don't think people as a whole give it much thought until it affects them. Then they want to amend for their specific problem.
I have been living in Falmouth for 8 years. There has been a wonderful amount of discussion of new zoning and subdivision ordinances to try to break the cycle of unsustainable development in town. During those 8 years, there are probably 20 new cul de sacs and 200 new 2 acre lots in my neighborhood.
While the Falmouth Corners process (the most recent public study) was inclusive, I was disappointed to see that the diverse views were not always reflected in the written report--it left me wondering if there was a hidden agenda behind the findings that were reached. As a result of that project, the town is embarking on a review of the Compact Development Plan of several years ago with an eye to, perhaps, layering compact development over the Falmouth Corners area. Because the questions in the Falmouth Corners study were so structured to focus only on development options, and not on conservation, for example, I think the town has misinterpreted the public priority for the area.
I have been working on my simple project for a year now and approaching our third extension with no end in sight
The town's zoning rules and regulations as far as open space and deer areas, salamander ponds, and places to breed west Nile insects is deplorable!
WE are amending a flawed piece of ordinances
I have not been a part of this process
every one has to have a "hug" in the process. Life isn't a consensus.
Generally I believe this to be the case
I think the town council has been responsive with regards to revising ordinances when problems occur.
Town's Master Plan ignores the reality of Peak Oil and assumes auto-based suburbia will continue forever.

Suggestions
The process should allow for individuals to present their own views directly to the Council or a Sub Committee without requiring a Council member to sponsor them.
The town needs a standing Ordinance Review Committee to review/revise and move ordinance amendments through a review process; comp plan cmt, conservation cmt, planning board, zba, and finally the town council ordinance committee for recommendation to the council to adopt or not. All of these reviews would be public hearings. This committee should come under the purview of the code enforcement officer as it does in other municipalities. Ordinance revisions have become a discussion with the council ordinance committee (3 councilors) and not thoroughly vetted. The last minor though significant change in section 6 became an opportunity for one councilor to advance her agenda, at the expense of the citizens, about a dozen, that had a specific issue related to a prior change adopted months before and shuffled through the "process" without consideration of adverse impact. The revision to rectify this took almost 18 months, and we ended up with three of the dozen or so citizens that started this deal. The others dropped off because of frustration. In the meantime another more significant change that rezoned a neighborhood took only about 3 or 4 months.
We need to get CPAC moving again updating our comprehensive plan.

9. Do you believe the Town's long-term vision (10 to 20 years) for what it should become is: (check all that apply)		
Clearly communicated to the public	3	5%
Reflective of your vision for the Town	9	12%
Developed and now being implemented	12	18%
Not sure what the vision is	55	74%

Survey Question 9 Comments	
<i>Responses sorted and categorized by CBI staff. In no particular order</i>	
Communication/Input	
The vision is clear, but has not been communicated in a long while. In addition, it is difficult or impossible to download the comprehensive plan from the town website without causing computer failure. Elements of the plan conform to my ideas, but I am concerned that the town is focusing on land preservation and open space only in the western part of town, and not in other, more populated, areas. It is important to me to have open areas and undeveloped forest and wetlands in all areas of town, not just the western part.	
I would like to know what the vision is.	
Definitely not clearly communicated to the public. Vision and implementation not consistent.	

<p>Why do we ask citizens with no background in planning to get involved in detailed planning issues. Sure -- they should be asked what they like and don't like -- but for God's sake don't ask them to help write ordinances or develop masterplans. General public input is generally based on fear. The public will all bemoan the fact that there kids can't walk to school but they will fight light hell against a larger masterplanned development that would create the type of neighborhood. Please get the publics general input but have professionals work out the details.</p>
<p>Clarity and Consistency</p>
<p>I am not sure there is a clear plan</p>
<p>Changes when ever a new group wants something in their area or doesn't want it in their</p>
<p>This towns vision changes every year and doesn't allow time for ordinance changes to establish their purpose before another group comes along an changes what has already been done</p>
<p>There is no vision</p>
<p>I do not know what it is</p>
<p>changes to often</p>
<p>Visions are always changing, so to call it "developed" is too definitive a term. I am aware of Falmouth's vision, and can see progress being made to implement it.</p>
<p>The vision is muddled at this point, although the town seems to have much information on citizen interests from phone and paper surveys.</p>
<p>Character/Nature of Vision</p>
<p>The rural character of Falmouth should be preserved while providing for adequate development that will provide good jobs and essential services. Striking the balance between these commercial goals and preserving the character of the Town in very close proximity to the major metropolitan center in our state is not an easy task. But it is a task worthy of considerable effort to "get it right" because correcting it later may not be possible and certainly would be more expensive. The Town center concept is excellent, the building design requirements established a few years ago have forced tremendous improvements to the Route 1 Corridor, and the current development mix of cluster housing and commercial expansion has proceeded well achieving a "top notch: rating in my opinion (30 year resident).</p>
<p>I think we are doing well in our attempts to preserve natural resources / rural character, a key element of our vision.</p>
<p>We need to go further and develop strategies to fairly control sprawl. We need to allow and encourage higher density growth at route one and exit ten (or whatever the number is today). We need to fairly preserve open space in areas further away from denser areas through purchase of development rights and other ways.</p>
<p>The "vision" does little for moderate income housing, protection of open space and higher density commercial use</p>
<p>The comprehensive plan has set out a long term vision for the town and there seems to be an attempt to implement this plan. Unfortunately the plan in my opinion is somewhat obtuse.</p>
<p>I do not think there even is any sensible long-term vision of the town. The town keeps taking land from tax-paying rolls and buying the parcels with tax money, and the taxpayers pay on both ends.</p>
<p>I would like to see housing development limited in the west side of town.</p>
<p>Other</p>

I have asked the town Planners assistant regarding how to follow the progress of the ordinance problem and all he said was check the web site.
I do know the Town has surveyed it's constituents in the past, gotten clear vision from them, yet still seem to be struggling with what is wanted.
none of the above
I think the comprehensive planning process has become sidetracked and is flawed. i don't think the public has confidence in the "comp plan".
There has been talk with the Falmouth Corners and there were great things discussed but the Development still seems to be happening even with Excessive and not permissible road ways... Don't understand since the area petitions were against this development the town still oked it with long list of provisions shows you it is broken, The Falmouth Road Study is Failed.. yet they still allowed this development to be built... So who is going to fix a failed road... now....
It seems as if the town's long term vision has been in the planning phase in the 15 years since I've lived here.
not qualified to answer the question
Suggestions
The current planning board process is not great but it is the same as most towns. The problem with the "planning" department is that most planning offices do very little actual planning -- they just implement zoning and subdivision ordinances. There should be a distinct part of the planning office that sets a clear vision and takes proactive steps to implement that vision. There is no clear vision and there are no proactive steps.
There really is no long term vision. All we hear is that some people were interested in "open space" about 5-6 years ago. Since then that seems to be the guiding principle to land use legislation in Falmouth, but lacking a cohesive over all strategy for the long term. The citizens should be polled and given options, instead of leading questions or a leading survey, on a number of land use options for the future. Education, to the extent that people are told what the impact of the choices are on their own land or on the economy (tax base, etc.) of the town should be a mandatory part of such a poll or survey.
There is no TOWN vision that's the towns biggest problem. neighborhoods have been looked at in a micro way but we need to take a macro look at the town and come up with a town wide vision (directed density, targeted preservation, etc... then develop zoning, subdivision, and site plan laws that are designed to achieve that vision.
Every property owner should receive a complete copy of what is proposed prior to implementation. Communication from the Town is not effective.
I need to attend a meeting that will explain the long range plan.
No, I don't know what the Town's long term vision is, and I think it cannot be decided by a few people sitting in a room. The "Greening of Falmouth" approached this topic in terms of open space and came up with a great vision for the town, but how will it be implemented, and how does it mesh with the other ideas out there? These questions have not been addressed to my knowledge, and should be answered. Likewise, Falmouth Corners implemented a forum to discuss how the people living here wanted to see the area used. Where has this information gone? The individuals of an area must have some input as to what there area of town will look like since they live there. I advocates a more open and diverse planning for this town.
I think, generally, that Falmouth is on the right course. I do believe that the business community, and particularly the FEDC, has far to large a role in the current Council.

I used to serve on the council and was more involved 5 years ago. Today, I cannot say what the vision is. It might be a good idea to review/revise the vision and post it on a sign in town. Or at least promote it so that the average citizen knows what it is. I haven't looked at the CP lately, but it should have a mission statement that reflects what Falmouth is planning.

11. Do you think that current opportunities for citizen/public input in planning initiatives are:

Too few	19	25%
About right	41	55%
Too many	6	8%
Not sure	9	72%

Survey Question 11 Comments

Responses sorted and categorized by CBI staff. In no particular order

Communication

They are too few, because people are not told what the impacts of planning initiatives are going to be, and the initiatives generally take place as a result of small groups, or even individuals with power (town council members) acting quietly and independently to get their favorite things implemented.

The land owners most affected by the changes in the ordinances don't know that their land is being stolen until they sell or develop it.

I don't think the general public is aware of the opportunities and often doesn't have an interest until it's in their backyard.

Timing

Input on planning always seems to be at the last minute. That is when there already is a developer, and there's no turning back only tweaking the project.

Use of Public Input

No one listens to the public just the lawyers..

I've seen this process hijacked by a few very vocal folks that abandon the process and then show up and bitch that this was not the vision they were involved in after 15 to 18 months. Woodville area study, Falmouth corners, and route one village center. Tidewater farm, ended up close to the vision that came out of the charette.

I think that there is ample opportunity for public input, it seems more often than not to fall on "deaf ears"

Other

only @ public hearings after the minds are already made up

Again there are no choices applicable. The planning board doesn't know how to interpret therbarge's programs that he wrote in his years of running the town planning committee.

Public input opportunities are sufficient but too few of the public participate.
Item 11 may allow redundant input (at subsequent hearings - issues don't come to closure) but in my experience, it's demanded by the public.
The Charrettes that the Town occasionally holds are attended by the same interested individuals and are far too onerous and intellectually intense for the majority of the public.
I think there are plenty of opportunities for the public to be involved. The town is good about using e-mail to keep interested people up to date on meeting and public hearings. My view is that those who complain about not knowing don't do their home work. Having said that, the town does have an obligation to keep the information flowing.
Suggestions
needs to be more online forums as not everyone can attend meetings, regardless of time of day
Most everyone in town has email today. I think that the town should solicit these addresses and email residents regularly of any initiatives that are coming up.
Would like a playground for little ones at the Community Park.
Believe that there should be enhanced notification to the entire town, by a variety of methods, to make sure everyone knows what is going on and that they have the opportunity to provide input.
Public hearings should be limited to one time; not open at every step of the process.
It's clear that you need a professional planner who understands the rate of growth, best land use, economic development. My opinion is that you have too many outsiders who know nothing about the planning process (law of unintended consequences) have too much of a say. You need to leave most of the process to the people who do it as their livelihood. There is no better equalizer than capitalism.
The issue in my mind is that many people don't take the time to stay up on activities at the Town. I also think the website could be upgraded to be a little more modern and user friendly.
Regardless of how fair the process, the end result is that most planning decisions are guided by projects involving developers and the strong opposition of a few locals. The final decision may involved a compromise that neither side wanted. I think a moderator to clearly explain the options available to the public might make for a better outcome for both sides.

13. Do you generally understand the roles and responsibilities of the following Town Boards, Committees, and Departments regarding land use planning, permitting, and enforcement?		
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.		
	YES	NO
Town Council	67	8
	89%	11%
Planning Board	70	5
	93%	7%
Zoning Board of Appeals	65	9

	88%	12%
Conservation Commission	44	30
	59%	41%
Town Planning Department	56	16
	78%	22%
Zoning, Code Enforcement, & Building Inspection Office	66	7
	90%	10%
Assessing Office	65	6
	92%	8%
Public Works Department	60	10
	86%	14%
Falmouth Parks and Community Programs	56	14
	80%	20%
Recreation Activities/Community Programs Advisory Committee	43	24
	64%	36%
Comprehensive Plan Advisory Committee	33	37
	47%	53%
Falmouth Trails Advisory Committee	39	29
	57%	43%
Ordinance Committee (Council sub-committee)	29	41
	41%	59%
Community Development Committee (Council sub-committee)	19	49
	28%	72%
Open Space Committee	34	34
	50%	50%

Survey Question 13 Comments

Responses sorted and categorized by CBI staff. In no particular order

The open space in the town is out of control and again headed up by special interests. [REDACTED]

The Ordinance committee has not met in 3 years!

The OC & CDC are public meetings but typically not well attended by the public. I have seen this process become an opportunity to drive the process to meet one's personal agenda.

Do any of these people own a lot of land?
My involvement with the town is limited to those entities above that I have checked.
leave environmental regulation to the state who has the technical staff to do the job. the Councilors are armatures in the field.
No such thing as Ordinance committee
Most committees have a specific list of duties. It seems like most of the issues relate to a council that has trouble developing a unified voice and vision possibly due to individual interests and agendas.
Council led committees are cloaked as open but are perceived to be very secretive to many in town.
Make a key to planning and environmental issues the preservation and enhancement of property owner's values. And it takings or diminutions in value are done for the public good, to have the public pay for it.
In a town like Falmouth, the number one responsibility of the town government should be land use management because that will decide the look, feel and livability of the town now and for the foreseeable future. Despite that fact, this town has been doing almost nothing in a proactive, creative manner. There virtually no sidewalks. There are no off-road bike paths or trails that connect anything to anything. There have been no meaningful new roads that connect to anything. There has been virtually no diversity in housing. There has been no attempt to create any type of town center (the municipal facilities are increasing spread across town). So these committee's are great but I don't think they are doing a lot.
Besides not knowing what many of the committees do (or don't do), they generally provide the venue for special interests to hold sway without transparency to get personal agendas implemented.
I am frustrated with the town as far as the \$1,000,000 land bond is concerned. The citizens overwhelmingly spoke to the town telling them that land preservation was very important. I realize that the town spent money to purchase some land, but that was done through general funds. I believe that we should use the bond money for additional purchases.
I understand the roles are they now exist that does not mean i think the various groups have the right roles or responsibilities. I think several groups are way out of what should be their area of responsibility and others are in way over their heads
Suggestions
CDC and CPAC have been meeting together regarding Compact Development recently. The process has been frustrating thus far. My sense is that some of the committees serving at the will of the Council have overlapping duties and charges, and possibly competing interests. It would be helpful to have a chart of each committee's mission, and post it on the town website, as well as an idea of what each committee is currently working on (an actual work plan would be even better).
The CDC (Community Development Committee) should have representatives of the town - citizens - on it for we have already had an instance where the people of Falmouth took time to attend forums about a proposed major development, agreed to one vision, and then the CDC worked with the developer and altered the plan. By the time the public was allowed input, the plan was already agreed to and the input was merely a formality. There needs to be a means for public input prior to the decision being completed, and then that input needs to be honored. Otherwise, the developer is cheated for they think their development is a done deal and then they face opposition, and the public is absolutely cheated for their input really does not matter, even though the council and planner provide the facade that it does. This is not healthy policy.

15. If the town were to focus its efforts on one improvement to its land-use decisionmaking process, what should it be?

Responses sorted and categorized by CBI staff. In no particular order

Tools (policies, guidelines, principles etc)

Make development rules clearer and Planning board process quicker. A peer review of a nationally recognized expert seems like a time and money waster to me.

Rewrite the Conservation Overlay Ordinance

Second, they need to bring density back. Circle the center of town and provide density bonuses for development in that area. Allow developers to buy density credits in appropriate areas of town and put the money toward conservation in the rural areas of town.

Let the PB do their job and empower them and planning staff to make more decisions and get the council out of the way in the process...too often bad planning and bad construction goes forward because the ordinance is rigid and too hard to change..so the developer just gives in and builds something that wrong or doesn't really fit right. A good example is I have two signs on one commercial property and the PB was all in support of allowing me to have them closer than 100 feet apart, instead because the ordinance was rigid in the requirements for separation and no waiver authority was available they suggested that I move it further away and make one of my signs much larger and taller (more intrusive and out of character with the neighborhood. This will comply with the ordinance but isn't really what I want...so my only recourse is to go to the council...that takes too much time and that is not the right platform for resolution of such a small issue unless of course the Council decided to make a more comprehensive decision...and that takes time...so i'll likely build the sign bigger and taller just to keep my tenants happy, simplify the ordinances

Develop a clear vision through a limited time public charette. Revise the zoning ordinance to reflect that vision, and direct the Planning Board members to adhere to the objectives set forth in the ordinances.

Lower taxes for incentives to keep land as open space.

Eliminate all wetland regulations from the ordinance.

More vision oriented

Encouraging density and implementing a transfer of development rights ordinance.

User friendly handbook, for both the applicant and the concerned citizen

To have a long range plan, that focuses on citizens not developers. It feels as though we are afraid to say no, that by asking developers to meet our need, not just theirs we are somehow going to "loss' them. Falmouth has been a wonderful community and could be greatly enhanced, but not if we continue to allow large box business that do not have a vested interest in our town long term, to drive the conversation.

Give more concise guidelines to the above committees as to their role in the process. Stick to the long term plan.

Have as a major principle that nothing shall be done that negatively impacts property values without compensation

Roles & Responsibilities; Human Resources

Strengthen the planning department so that the various committees serving the Council have the necessary resources to do their jobs. The planning department should be the central repository of the town's philosophy, and can help keep each committee on task.

Overhaul the planning department and planning board to force greater efficiency and cooperation, instead of resistance and adversarial relations, with the people who currently dread having to go there to develop their property. Town personnel, especially the planning board and town council, need to be reminded that private property rights cannot be taken away and are protected in the constitution.
Allow the planning board to "plan" and recommend changes to the ordinances. The staff should have more authority to review development applications for compliance with the ordinances.
Process
take into account the financial requirements that burden project developers
Determining what constitutes primary and secondary conservation resources in the earlier stages of the planning process.
Improve predictability. If citizens, landowners, or developers could have predictability in the system all would be better off. Subjectivity in laws and application is causing some of our confusion and frustration
Curtail the ability of maverick councilors to initiate zoning amendments without going through a public vetting process.
Improve the planning review process by allowing town staff to review and approve site plans with limited planning board input. Public input should be limited to first preliminary meeting only with follow up comments in righting only
Annual neighborhood forum to review progress and consistency with plan
Communication
communicate the vision, don't assume people know. Communicate process better.
To not allow individual Council members to waste time and resources on issues that the Council will not support and will do financial harm to private developers.
Streamline the process for projects that meet the zoning requirements. That is, if no waivers are requested--fast track the review and or delegate to staff level review and approval
streamlining the process
Pre-determining development and preservation areas.
Speed and flexibility. Make the process faster and let developers introduce new ideas such as high density neighborhoods (2 acre minimum lot size is counter productive, it produces more sprawl)
Clarity in their statement of purpose, and why something fits a specific plan or stated objective
long range planning process comprehensive plan)
Open space/conservation as cornerstone to development; introduce conservation commission early in discussion; consider a development in its larger context especially demographics and effect on neighborhood(s).
Property Rights
Listen to the people
Be more appreciative of the person who owns the land
The rights of the owner to make decisions
Listen to the owners of land instead of the special interests.
talk to the people that own the land
Use of Land

I have to give two. Number 1 -- they have to focus on the road system. They need new roads. They need to use the highway connector to relieve Falmouth Road. They need a new road connecting Route 1 to Route 88, etc., etc. The town doesn't necessarily have to pay for it -- they could provide developers with big density incentives if they build new, connecting roads.
Continue to seek opportunities to invest in undeveloped acreage to keep the culture of a small town with controlled growth.
A downtown area and a POST OFFICE
In my perfect town there would be far less private areas. Whole neighborhoods as well as streets are private. It isn't a community that way. Roads are built in terms of cars and nothing else. There are dozens of dead ends or cul de sacs that don't take any strain off of the main roads. There seems to be a want and a need for a closer community but nothing gets done.
Fix the traffic and speed problem
Preservation of existing open space.
Concentrate development to reduce traffic and congestion and to provide sizable areas for wildlife. Development and wildlife don't coexist well no matter how wide the wetland setback. If you develop a specific area, allow high density. Our current ordinances encourage low density and sprawl through well meaning environmental ordinances.
Keeping more large tracts of open space undeveloped.
Continue emphasis on open space and conservation
Protecting permanently more open space
Limit the number of new housing starts
I would like a play area for little children in the Community Park. This can be used as a social stop for preschool children, babysitters, and parents as well as a change for the children. Public swim area would be nice. Perhaps on Highland Lake of Community Pool.
Other
don't know
Lead, not follow.
Fairness
Fairness
transparency and non manipulative process
CONSISTENCY - all rules for all citizens
More transparency and a process where the developer, ombudsman, planner and necessary parties sit together to come up with a plan that works for the majority, before going to the planning board. The Falmouth Corners report discusses such a process, which was agreed upon by conservationists and developers. This proposed planning idea should be reviewed from that document.
Pay attention to Town surveys that indicate what the public wants for the town. Instead we hear too much about what the very subjective Council wants and this is far too often irrespective of citizen consensus.
I don't know enough to make a useful comment.

16. Do you have any additional comments on how the Town can improve its planning, zoning, and permitting process?
<i>Responses sorted and categorized by CBI staff. In no particular order</i>
Principles, Policies, Tools
Have as a major principle that nothing shall be done that negatively impacts property values without compensation
Get a vision
Eliminate inconsistencies in the ordinances.
Do away with [REDACTED] land percentages of animal protection and salamanders (vernal pools) the vernal pools can live as they always have, and building can in concert with the vernal pools.
Have rules and stick to them not have lawyers hired to circumvent them....
Create a merit based building permit system which grants permits to the top 50-60 projects per year. These projects can be rated on the characteristics which are most desirable for the town (ie. energy conservation, building on a Brownfield, etc.) but would not necessarily deny a project which was good in most aspects but weak in one.
Take a more system view - less prescriptive, more flexible according to the long term goals, site features, etc.
Consistency
Communication
Be more honest - Instead of talking about 75 or 150 feet from a vernal pool - tell how many area would be restricted. "A few feet, what's the problem?? two acres, that's a building lot!!!"
The town could have an semi-annual new letter to bring those not regularly involved in the local politics up to speed and thereby reaching the "silent majority".
allow residents to get intentions of the planning board and code enforcement IN WRITING so there is no question later....
Communication with property owners
Have Town Committees interact. This is sadly lacking at the present.
More press coverage, more news letters or other publications distributed to the residents
Process
The town should require developers to seek input from abutters prior to submitting a plan. The process would be much smoother, and fewer plans would be contested if developers knew what the neighbors concerns were up front.
Once ordinance changes are proposed, do a few case-studies to see how they would affect actual situations.
look at ordinances when a board tells us that something conflicts or just plain doesn't work well
planning board should meet publicly monthly and should hold a workshop monthly like the council does
I think there should be a little more personal interest in the different situations. If a person wants to build a garage and their neighbor agrees to encroaching 2 feet into the setback well let them do it.
team approach to initial meetings with potential developers
Make sure all people are included in decisions, ie. income levels.
Hold meetings more than once a month

The planning board could monitor time more closely and focus discussions (occasional use of the gavel) to keep discussion moving would be helpful. Falmouth like most communities has in shifted property rights from the land owner to the neighbors. Permitted uses, well planned should be given standing.
change the agenda setting so tabled items don't take precedence. when applications are ready get them on the list and keep them in that order.
Neighborhood meetings prior to planning board application
Make it more transparent. The final approval process should be at the town level not at the Planning Board level.
Resources, Roles & Responsibilities
Do away with all the little committees and clubs that have sprung into existence over the years under ██████████ to assist ██████ in implementing ██████ particular vision for the town.
Fire ██████ he implements his opinion and calls it his interpretation of the ordinance. I try to adhere to the ordinance however vague because it is for the betterment of the town. ██████ I feel likes to hear himself talk.
Let this professional staff do it's work.
We are so fortunate that citizens volunteer that time and talent to maintain the standards we all enjoy today. I am hopeful other citizens or equal talent can be persuaded to serve in these capacities in the future.
Other
Again -- its not the process. Its the political vision and will to try something different.
re-write
takes too long, inconsistent -
No
We need wider sidewalks in the Route 1 area. This is almost always a way to make Falmouth more of a village.
Initiate a review (undergoing) to assess the process and do everything possible to over educate the public.

17. Do you believe the Town should spend its time and resources on educating the citizens further on planning, permitting, enforcement (ie. land use decision making)?

Do you believe the Town should spend its time and resources on educating the citizens further on planning, permitting, enforcement (ie. land use decision making)?		
Yes	52	74%
No	18	26%

Survey Question 17 Comments
<i>Responses sorted and categorized by CBI staff. In no particular order</i>
Over informing or over educating would not hurt and would most likely engage more participants in the process.

<p>With more education will surely come more citizen input that will reflect citizen consensus. There is far too little of this. We see the same people time and again at meetings and we need to see more general interest and involvement. It is amazing how few members of our community participate to even pay attention to our town government.</p>
<p>I think there have been many efforts made in this area, but unless the resident has a pressing interest (financial) they are unlikely to participate.</p>
<p>I am not sure about how much time and money should be spent on this issue. The opportunity should be there but not all citizens care, yet some care very strongly and should be given the chance to fully understand the process and give input. So how much of the Town's resources to allocate to this informative process is hard to gauge.</p>
<p>There have been many forums over the years aimed at fostering citizen interests. There is a primary dilemma regarding how much citizens should be educated prior to the forums...too much education can turn into instilling bias, not enough education leaves folks that are less knowledgeable in the dark.</p>
<p>Unsure</p>
<p>Public education in land use planning and the regulatory process is needed because this realm is generally a mystery to the "average citizen". Citizens have difficulty understanding who is the customer.</p>
<p>Don't know how it is educating citizens now, but there is already too much input which can hamper the permitting process.</p>
<p>Only if they are going to reduce the regulation. We have too many special design studies that become ordinances to make the town pretty.</p>
<p>Public input is slowing down the process and making the regulations even more cloudy and rigid than they already are. I respect the fact that you want to be there for the citizens, however, effective planning is not for the everyday individual. Most ideas from the public are agenda motivated issues, not really a representation of the majority.</p>
<p>Additional information is ALWAYS beneficial, especially for people who have recently moved to Falmouth or who are involved in the planning process for the first time.</p>
<p>Most people aren't interested. There are plenty of opportunities for those who are interested.</p>
<p>The more educated citizens are the more they understand the planning process and results</p>
<p>The public ought to be involved as little as possible.</p>
<p>The town has spent enough time on citizen dialog on all these issues. Keep it simple.</p>
<p>There are citizens who own land that they currently do not want to develop but they might, 10, 15, 20 years from now. They think they have "retirement funds" in their land. but they don't know that the council is currently zoning away.</p>
<p>More info is better than less.</p>
<p>This is a resounding "YES" because the citizens are really left out of the process and are not told, or educated, about the impact of changes on either themselves or the town as a whole. There needs to be much more transparency and impact analysis of pending changes, etc. so that more of the town citizens can get behind the decision making.</p>
<p>the town council does not have a tool in which to educate the citizens about ordinances that ultimately effect them individually. There are certain council members that want it that way so there is no opposition to their land grab tactics</p>
<p>As stated above, most of Falmouth's citizens have jobs that require long hours and many distractions. Sadly, we don't take the time to investigate all that goes on in our own town but would still like to be better informed by our elected officials.</p>
<p>Not unless they change what they are currently doing, and how they are doing it.</p>

Absolutely! If we are going to expect intelligent decisions, we need intelligent and informed decision-makers.
I rather suspect that one can find out fairly easily. Just haven't had lots of cause to do so. I would hope that divisions would be reasonably well spelled out. I've seen the Planning board in action, and it seemed more driven by individual views than Process, and had one unfortunate experience with Council on land use/planning which led me to believe the same. So I suppose that more emphasis on process rather than individual's desired outcomes would be welcome.
No, no more education on process. Enough process!!! Work on a vision and then work on rules that will implement the vision.
Ample opportunities exist for citizens to get involved in the process already.
and no. Yes on the time but it can't take that much in resources to have community meetings or public notices. We do not need to hire some outside firm to tell us what to do with our land when community forums and creativity will work.
As mentioned above, the town as well as the town legal advisers do not know how to interpret [REDACTED] rules and regulations and his point program. It was developed for the special interests, [REDACTED]. It needs to be thrown out, and revamped with some common sense. I'm sorry also to see that the town is spending god knows how much money with this out-of-state company. Just another waste of money, and i'd guess that this remark will not get reported.
Not until they are clearer
The public should be more aware of the long range goals and vision for the Town by use of mailings, town report and neighborhood meetings
See above
Absolutely. This is the only way you can have an informed community. Weekly articles in the Forecaster, emails, local access TV are all affordable methods.
Suggestions
A brief description of the overall planning process and the ways the various committees contribute to that process would be helpful, especially to potential volunteers.
Just having a person available at certain times/locations i.e, Starbucks, local movie theatre, the annual Parade, etc. Places that do not involve an extra trip or "schoolnight". Thank you for this survey.
I think e-mail is a terrific channel and it should be used whenever possible to communicate, solicit, schedule and promote issues of general interest.
Perhaps simple statements in the annual town report could let folks know the roles of each board or commission in the planning process.
Maybe not the whole town but have a central resource or explanation of departments for citizens like me who are not totally familiar with the process. I have been asking but am still learning as I go, and explanation of the committees you mentioned in this survey would be a good start.
Develop a user friendly web page or brochure that outlines the Town's priorities and the steps that are required.
I think it is important for the town to be clear about the future and the rules of engagement. A newsletter online would be a very efficient way to get this information out. Knowing more about the processes, goals, and reasons why the town is acting would create confidence in the leadership and aid developers to create projects with greater potential.

I have used the annual report to provide an explanation of the responsibilities & services of the Code/building inspections department. I also provide information/DVD's to the cable tv folks to run for public info. This year, department heads had an opportunity to write articles for the "Portal" an annual newsprint publication of the school department. I'd like to see an annual info publication with do's, don'ts, who do I contact type document.

Review always needed.

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PLANNING PRINCIPLES

American Planning Association – Ethical Principles in Planning

(Select excerpt, full text available at <http://www.planning.org/ethics/ethics.html>)

(As Adopted May 1992) This statement is a guide to ethical conduct for all who participate in the process of planning as advisors, advocates, and decision makers. It presents a set of principles to be held in common by certified planners, other practicing planners, appointed and elected officials, and others who participate in the process of planning.

The planning process must continuously pursue and faithfully serve the public interest. Planning Process Participants should:

1. Recognize the rights of citizens to participate in planning decisions;
2. Strive to give citizens (including those who lack formal organization or influence) full, clear and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;
3. Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons;
4. Assist in the clarification of community goals, objectives and policies in plan-making;
5. Ensure that reports, records and any other non-confidential information which is, or will be, available to decision makers is made available to the public in a convenient format and sufficiently in advance of any decision;
6. Strive to protect the integrity of the natural environment and the heritage of the built environment;
7. Pay special attention to the interrelatedness of decisions and the long range consequences of present actions.

LeRoy, Ann, (1996) ‘A Land Use Agenda for 21st Century America’, Land Lines: Volume 8, Number 2.

(Excerpt, full text available at <http://www.lincolnst.edu/pubs/PubDetail.aspx?pubid=526>)

Item 1.

Local governments must take the lead role in securing good land use. Initiatives in land use planning and growth management need to be anchored in a community-based process that develops a vision for the future.

Item 2.

State governments must help local governments by establishing reasonable ground rules and planning requirements, assisting small and rural areas, and providing leadership on matters that affect more than one local jurisdiction.

Item 3.

The rules governing land development need to be overhauled. They need to be more efficient and more flexible, encouraging--not hindering--new approaches to land development and conservation.

Item 4.

Landowners must be treated fairly and oppressive regulations fixed. But making government pay in order to apply environmental safeguards for the common good is a bad idea.

Item 5.

Many government policies and actions--agricultural, highway, and environmental programs--impact land use. If they are not better coordinated, they will continue to result in land use policy by accident.

Item 6.

In selective situations, public land acquisition is needed, and a reliable source of funds must be available to pay for it.

Item 7.

Older areas in cities and suburbs must become a focus for renewal. Government policies should help fill in vacant land in already built-up areas and renew older properties rather than promote unplanned expansion at the urban fringe.

Item 8. As most land is privately held, private landowners must be galvanized to assure a healthy land base. Corporate and individual stewardship must be encouraged by providing education, tax incentives and other benefits.

Item 9. A constituency for better land use is needed based on new partnerships that reach beyond traditional alliances to bring together conservationists, social justice advocates and economic development interests. These partnerships can be mobilized around natural and cultural resources that people value.

Item 10. New tools are required to meet the new challenges of land use. Land use disputes should be solved through negotiation or mediation rather than through confrontation and litigation. Geographic Information Systems (GIS) and other advances in technology also offer new opportunities for improving land use decision making.

Punter, John , (2007) 'Developing Urban Design as Public Policy: Best Practice Principles

Principles for Progressive Urban Design Review

Community Vision

1. Committing to a comprehensive and coordinated vision of environmental beauty and design
2. Developing and monitoring an urban design plan with community and development industry support and periodic review

Design, Planning and Zoning

3. Harnessing the broadest range of actors and instruments (tax, subsidy, land acquisition) to promote better design
4. Mitigating the exclusionary effects of control strategies and urban design regulation
5. Integrating zoning into planning and addressing the limitations of zoning

Broad, Substantive Design Principles

6. Maintaining a commitment to urban design that goes well beyond elevations and aesthetics to embrace amenity, accessibility, community, vitality and sustainability
7. Basing guidelines on generic design principles and contextual analysis and articulating desired and mandatory outcomes
8. Not attempting to control all aspects of community design but accommodating organic spontaneity, vitality, innovation, pluralism: not over-prescriptive

Due Process

9. Identifying clear a priori roles for urban design intervention
10. Establishing proper administrative procedures with written opinions to manage administrative discretion, and with appropriate appeal mechanisms
11. Implementing an efficient, constructive and effective permitting process
12. Providing appropriate design skills and expertise to support the review process

TOOLS FOR LONG-RANGE PLANNING AND VISION

Orton Family Foundation <http://www.orton.org/>

The Foundation believes that if communities explore and identify their special economic, natural, physical and human attributes, values, and aspirations (i.e., "heart and soul" elements), then these clearly articulated elements will guide and sustain them through the difficult processes of decision-making, implementation, and monitoring, and will improve their chances of building successful and sustainable futures. In 2007 and 2008, the Foundation is increasing its focus on engaging and supporting communities and their citizens in exploring, articulating and implementing plans addressing their "heart and soul."

A guiding premise of our work is that communities with access to the best available planning tools, inclusive and transparent public processes and credible information will make better land use decisions. Here, we provide a growing bank of case studies, tools, web resources and success stories that we think will help inspire, inform and improve the way communities engage in land use planning.

Lincoln Institute of Land Policy <http://www.lincolnst.edu/resources/index.asp>

The Lincoln Institute of Land Policy conducts research and policy evaluations, holds conferences, provides education and training, supports demonstration projects, and publishes books and reports on policy issues relating to land. The Institute seeks to improve the quality of public debate and decisions in the use, regulation, and taxation of land by integrating theory and practice, and providing a nonpartisan forum for the discussion of related issues.

Maine State Planning Office

Amy Naylor Haible, Assistant Director,

Maine Smart Growth Institute

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207-729-4029 e-mail: anhaible@gwi.net

<http://www.maine.gov/spo/landuse/pubs/index.php#model>

The Charrette Institute

<http://www.charretteinstitute.org/resources/connections.html>

LOCAL FIRMS WITH TECHNICAL CAPACITY

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978-948-3713

<http://www.susanmoses.net/>

info@susanmoses.net

Phillips Preiss Shapiro Associates, Inc.

Massachusetts Office

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Contact: Chris Rembold

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<http://www.ppsaplanning.com/>

VHB Vanasse Hangen Brustlin, Inc.

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Phone: 617-924-1770

<http://www.vhb.com>

Stantec Consulting

Suite 205, 22 Free Street

Portland, ME

Contact: Stephen Plunkard

Phone: (802) 886-2261

<http://www.stantec.com/>

NEIGHBORHOOD/ABUTTER PRE-APPLICATION PROCESS

City of Boise www.cityofboise.org

Every person seeking zoning approval as herein defined shall submit an application to the Planning Director on a prescribed form, accompanied by the appropriate filing fee as approved by the City Council. Application forms shall be accompanied by supporting information as defined by the application form and as required by the Planning Director. All applications for variance, conditional use, annexation, rezone, and special exception submitted for review by the Planning and Zoning Commission shall include documentation of the following:

A. A pre-application conference with the Boise City Planning Department staff and invited referral agencies must have been held not more than six (6) months, nor less than one (1) week prior to the submittal of the application. A pre-application conference verification form provided by the Planning staff must be completed and signed by the applicant or representative and a representative of the Planning staff during the pre-application conference, and submitted with the application.

B. The applicant shall provide an opportunity for a meeting to review the proposed project, to all residents within 300" of the exterior boundary of the application parcel, and to the registered neighborhood association, not more than six months prior nor less than two weeks prior to submittal of the application. Verification of a meeting, or that an opportunity for a meeting was provided, shall be submitted in writing by the applicant to the Planning Department.

C. The Planning Director may waive the requirements in "A" or "B" above for minor projects that, in the Director's opinion, are not complex and do not impact neighboring properties.

Pre-application Neighborhood Meeting Notice - Sample -
Dear Resident,

Boise City Code requires that an opportunity for a meeting between the applicant of a development proposal and the residents of the neighborhood in which the development site is located, be provided prior to formal submittal of the development application to Boise City. This letter is such notice of an opportunity to review and discuss (briefly describe project). This is not a public hearing; Public officials will not be present. If you have any questions regarding this Boise City Code pre-application meeting requirement, then please contact the Planning Division of Boises Planning and Development Services Department at 384-3830. If you have questions regarding the development project, then please contact the agency/person listed below.

PURPOSE To review and provide comments regarding a development proposal that ...

WHEN Date: Time:

WHERE Place: Address: Directions:

PROJECT DESCRIPTION: (provide a detailed description of the development proposal)

Chapter 19.418
NEIGHBORHOOD MEETINGS

Sections:

19.418.010 Neighborhood meeting requirement.

Applicants are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting their application in order to solicit input and exchange information about the proposed development. In some cases, the city administrator or his or her designee may require the applicant to meet with a city-recognized neighborhood association or group prior to accepting an application as complete. A neighborhood meeting is required for the following types of applications:

A. Subdivisions;

B. Site design review applications within the residential land use district;

C. Other development applications that are likely to have neighborhood or community-wide impacts (e.g., traffic, parking, noise, or similar impacts), as determined by the city administrator or his or her designee. (Ord. 6-2001 § 1)

SAMPLE “HOW TO” MANUALS

City of Madison, WI

Developers Guide - Land Use and Construction Approval Process
<http://www.cityofmadison.com/planning/landUse.html>

Franklin, MA

Best Development Practices Guidebook
<http://www.franklin.ma.us/auto/town/pacdev/currplan/bdpguide/>

SAMPLE POSITIONS

(Source: Bend, Oregon)

The Planning Division consists of two divisions, a Current Planning Division and a Long Range Planning Division.

The Long Range Planning Division of the Community Development Department works with citizens, the Planning Commission, and the City Council to plan for and manage Bend's long-term growth. Long Range Planning staff is responsible for maintaining the Bend Area General Plan, which serves as the overall guide to growth management for the Bend urban area. The General Plan designates the city's Urban Growth Boundary (UGB), and identifies areas for future housing,

commercial, employment, and public uses. The General Plan also includes a Transportation System Plan which is integrated with land use plans to ensure that adequate roads, streets, and trails will be available to accommodate all transportation modes. The policies of the General Plan also form the basis for land use and development regulations such as the Zoning Ordinance and the Land Division Ordinance.

The Current Planning Division is responsible for implementation of the land use codes that regulate development projects within the UGB. The primary function of the Current Planning Division is the review of land use applications and facilitating citizen participation in the land use process.

Typical functions include:

- 1) Conducting pre-application meetings with potential applicants;
- 2) Providing notice and information to surrounding property owners and affected agencies;
- 3) Coordinating and resolving conflicting requirements and comments on projects;
- 4) Completing a thorough review of proposed development and writing detailed legal findings;
- 5) Making presentations at public hearings.

The goal of the Current Planning Division is to conduct thorough, accurate, balanced, expeditious and consistent reviews of land use applications to benefit the livability for the present and future citizens of the City of