



Town of Falmouth Community Development Department
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Memorandum

Date: March 8, 2010
To: Falmouth Town Council
From: Amanda L. Stearns, Community Development Director
On behalf of the Community Development Committee
Cc: Long-range Planning Advisory Committee
Ethan Croce, Senior Planner
Albert Farris, Jr., Code Enforcement Officer
Re: Introduction of Natural Resources Amendment

The attached amendment is the culmination of the work recently completed by the Long-range Planning Advisory Committee and a review by the Community Development Committee. The Town Council heard the final report on January 25, 2010 from LPAC and charged the Community Development Committee to review the proposal and present back to the Council their recommendation.

In summary, the CDC agreed that the proposal contains a lot of good work and as much should be preserved as is reasonable to put before the Council. It was agreed that LPAC had made compromises throughout the process and maintaining most of their work would preserve the goals of the policy. The CDC is presenting a revision for introduction that: 1) preserves the administrative changes, 2) maintains the current level of protection for resources unprotected by the state and 3) mirrors the state regulations for all other resources where feasible.

The CDC also concluded that there were some areas of the LPAC proposed ordinance that were difficult to administer or the burden on the landowner outweighed the value to wildlife. As a result, the committee agreed to provide an exemption for all lots in commercial districts including future lots, and remove the abutter notice provision.

The amendment remains much the same work of LPAC with the following changes:

	Topic	Changes Summary
1.	Planning Fee Schedule	Minor changes to clarify the compensation equations
2.	Definitions	No changes – inserted current definitions from 5.38 for comparison as well as new definitions adopted with Shoreland Zoning - ok
3.		3.13.7 B. removed references to area of concern
4.	Development Design Process	4.8 removed references to area of concern
5.	Natural Resources	5.38.1 – rewrote purpose to include current language
6.		5.38.4 A. & D.– removed reference to area of concern
7.		5.38.4 E. – added commercial lots to the list of exemptions
8.		5.38.4 F. –removed commercial lots from the list of Limited Alterations
9.		5.38.5 – deleted Abutting Properties notice requirement and renumbered subsequent sections
10.		5.38.5 Natural Resource Standards – removed designations for areas of concern
11.		5.38.5.1 removed area of concern
12.		5.38.5.2 removed reference to area of concern and minor grammatical changes
13.		5.38.7 A. – added paragraph regarding exemptions for compensation, tied to other agency compensation requirements
14.		5.38.8 C.2.b.– deleted section on fees to other agencies.