

Town Center Plan Committee  
Meeting Minutes  
October 28, 2013

Members Present: Stephanie Carver (Chair)  
Peter Curry  
Skip Murray  
Stephen Parkhurst  
Lee Rutty  
David Sherman  
Mary Townsend

Absent: Diane Hessler  
Jamie Wagner

Staff Present: Maureen O'Meara, Town Planner

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Stephanie Carver opened the meeting.

Approval of Meeting Minutes:

- Skip Murray moved that the Town Center Plan Committee ("TCPC" or the "Committee") approve the amendments to the minutes of the September 23, 2013 meeting. Lee Rutty seconded the motion. The motion passed unanimously.
- Skip Murray moved that the Committee approve the minutes of the October 2, 2013 meeting. Mary Townsend seconded the motion. The motion passed unanimously.

Public Comment:

- Randi Bollenbach asked questions about the prior survey from 2012. She stated that she was not sure that this survey needed to be re-done because it was not that dated. She also stated that citizens did not want more development or high-density housing. She asked whether the TCPC was going to ignore the results of the 2012 survey.
- Paul Seidman stated his view that the photographs of other town centers that were shown to the public during the public forum showed "over-developed" centers. He felt this was an "unfortunate consequence" of the public forum, in that the slides did not show a complete range of town centers – *i.e.*, town centers that were more rural in character. As a result there was not a spectrum of centers for people to vote on.

- Suzanne McGinn echoed Mr. Seidman's view on the photographs of town centers that were selected for the public forum. She also stated that it was important to publicize the questionnaire regarding the Town Center in the Cape Courier to encourage more public participation and feedback.

## Discussion

### 1. Reactions to October 17, 2013 Meeting Minutes.

- Mary Townsend moved that the TCPC approve the minutes of the October 17, 2013 public forum, as amended, be approved. (The amendments related to the spelling of two citizens who offered public comment: Paul Seidman and Bill Proon). Skip Murray seconded the motion, which passed unanimously.
- After the motion to approve the October 17, 2013 minutes passed, Skip Murray reacted to a comment from Sara Lennon to the effect that TCPC members who owned property in the Town Center district had a bias and should recuse themselves. He found the comment insulting.
- David Sherman asked if anyone agreed with Ms. Lennon's point of view and stated his position that no member of the Committee should recuse themselves, and that it was helpful to have Committee members with an interest in the Town Center.
- Skip Murray stated his view that diversity in the membership helped.
- Stephanie Carver questioned what her alleged vested interest was. She said that there was a lot of positive feedback at the forum. Her concern is that there may be a perception that the TCPC has already made decisions, and "we've just started." She does not want there to be a misconception that there is a pro-development agenda on the TCPC.
- Mary Townsend stated that some residents perceive the goal of the Committee is to support a vibrant business culture. A lot of focus has been pro-development, with little focus on sidewalks, safety, etc. "We've talked more about supporting business and housing." She asked, "Would business people have wanted to serve on the TCP if the focus had been on safety?"
- Skip Murray responded that he would still be on the Committee. "There's lots to do on safety too." If the Town Center attracts more people, Mr. Murray stated that we need to make it safer.

2. Next Steps. Stephanie Carver stated that the Committee needs to develop the next steps and suggested the following approach: (a) take a closer look at the 1993 Town Center Plan and then (b) assess what's been done, what needs to be done, add our recommendations, and re-prioritize. She stated that we have been "side-tracked" on the issue of housing, which was a "bad rap" on an idea.

- Skip Murray agreed that the Committee needs to move forward.
- David Sherman stated his support for Ms. Carver's plan.
- Steve Parkhurst stated that he was not advocating a housing project on a lot which borders the existing Town Center District. He was insulted by Sara Lennon's

- comment. He offered to join the TCPC to try and help, but recently offered to resign. He stated his desire to “move on and re-focus.”
- Ms. Carver again offered her opinion on how to proceed. “Let’s go back to the original [1993] plan, review it, and see if it still translates to today.”
  - Peter Curry stated that he was troubled by us being stampeded away from our analysis. We need to digest comments from the public forum.
  - Ms. Carver agreed with Mr. Curry, stating that we need to review the input from the public forum.
  - Mr. Sherman suggested that we could review each of the goals in the 1993 plan and consider the public comment that we heard with respect to each of those goals.

3. Review of comments from the public forum. At Stephanie Carver’s suggestion, the Committee then turned its attention to Peter Curry’s summary of the October 17, 2013 forum. The following topics were discussed:

- Lowering the speed limit. Mary Townsend expressed concern that the Town may not be able to lower the speed limit; that we’ve down this road before with no success. The Town Planner and David Sherman agreed that the Town cannot lower the speed limit on its own, and needs to obtain MDOT approval. They also stated that the Town Council had not formally or aggressively pursued the issue. There appeared to be unanimous agreement among TCPC members that the Town should pursue lowering the speed limit in the Town Center District.
- Town Center District Boundaries / Expand or Contract?: There were two areas of the Town Center District that elicited the most discussion: (a) the lots on Pearl Street; and (b) the wetlands located behind the high school.
  - Mary Townsend stated her personal desire to move her property out of the Town Center District, but did not feel comfortable advocating this position as a member of the TCPC.
  - Maureen O’Meara explained the background on why the lots on Pearl Street were originally part of the Town Center District. At one time, those lots were under common ownership (the owner was a physician) in the Town Center District. As the lots were sold off, they were developed into single family residences.
  - Skip Murray stated his view that the property was “valuable” to leave in the Town Center District.
  - David Sherman stated his view that the Pearl Street lots should stay in the Town Center District, but that a property owner could bring this issue to the Council for consideration. (He noted that this had been done previously by the owner of the lot on Shore Road near the “Tara” property, and the Council turned down this request.)
  - Ms. O’Meara stated that the charge from the Town Council allowed the Committee to take a “fresh look” at the Town Center District boundaries.

- With respect to the boundary line behind the High School, this largely follows the wetlands map. Ms. O’Meara offered her view that changing that boundary line would not impact the school or town’s ability to use that property, that such use was largely dictated by the wetlands provisions in the Town Ordinance.
  - Stephanie Carver stated that the Pearl Street properties were a “unique situation. Now this is a residential strip. This does make it different [from other Town Center properties]; it’s less consistent with other areas of the Town Center.”
  - Skip Murray stated that it made more sense to draw the line straight across (the rear of the church property), to include the wetlands property within the Town Center District.
  - Lee Ruddy asked whether the boundary line should be redrawn so schools can use the area (to the south of the turf field). “Do we need to re-draw the line so the schools can use it?” Ms. O’Meara responded that practically speaking the boundary line as drawn does not restrict school use of the area because of the way that wetland boundaries are verified.
  - Peter Curry stated that he was not sure we need to expand or contract the Town Center boundaries.
  - Overall, there did not appear to be consensus reached on whether to expand or contract the Town Center boundaries.
- The Vacant Lot next to Town Hall. The TCPC largely rejected taking certain steps to encourage development of the lot next door (north) to the Town Hall. Among the ideas rejected were (a) taxing vacant land; and (b) taking by eminent domain. Committee members (including Skip Murray and David Sherman) stated that they have heard from citizens that they’d like to see that property “re-deployed.” Peter Curry noted that this property is strategically located, and could be the site of a Town Center green.
- Other Vacant Lot (other side of Town Hall). The Committee also discussed the lot located between Town Hall and the CELT property. Ms. O’Meara stated that she had spoken to the owner who was interested in developing the lot, but may need to fill in existing wetlands to make this happen. Currently, per our Ordinance, the wetlands cannot be filled in to make way for commercial development. The Committee discussed what public benefit we could gain from such a concession to the owner (*i.e.*, money; the creation of a Town Center green, etc.)
- Mary Townsend stated that filling in wetlands to support business growth would not reflect public comment received at the public forum on October 17<sup>th</sup>.
  - Peter Curry noted that there was support for a Town Center green, so perhaps if the two were linked (*i.e.*, an Ordinance change that would allow wetlands to be filled in, in exchange for the creation of a Town Center green), there may be support.

- Ms. O’Meara encouraged the Committee to keep ideas in context, with the guiding principal being a “compelling public benefit.”

[At about this point in the meeting, Stephanie Carver had to excuse herself. The time was 5:35 p.m. The Committee voted to have Peter Curry step in and act as chair for the remainder of the meeting.]

- Town Center Green. Peter Curry stated that survey results were quite positive on the idea of a Town Center green. Committee members agreed that there appeared to be broad-based support for a Town Center green. Skip Murray asked to see the 1993 renditions contained in the 1993 Town Center Plan.
- Commercial Development. David Sherman asked about reactions to commercial development, that he had not attended the public forum, but it was his view that there were sentiments expressed against encouraging more commercial development in the Town Center.
  - Lee Rutty responded that these sentiments were a “reaction against something that’s not there,” which was a reference to the idea of multi-family housing units in or near the Town Center District. He noted that people still wanted “coffee shops,” so he did not believe the anti-commercial development sentiments were a “definite mandate.”
  - Peter Curry believed that concerns about commercial development were largely a “matter of scale.” People are okay with restaurants, antique shops, etc.
  - Mr. Rutty noted that there was strong support for businesses like the Local Buzz.
  - Skip Murray stated that if you can see a public benefit (to commercial development), then the Town could consider commercial development.
  - Mary Townsend stated her view that the 2012 survey and comments from the public during this Committee’s work did not place commercial development as a priority for the Town.
  - David Sherman stated his concern that public comments to date do not necessarily reflect the views of the Town as a whole.
- Cost of Doing Business. In response to Peter Curry’s question about where the Committee should focus its attention, Skip Murray raised the issue of the “cost of doing business” in the Town Center. *I.e.*, does it cost too much to get the necessary approvals for a development project? Mr. Murray asked whether the TCPC had any interest in exploring this.
  - By way of background, Ms. O’Meara offered the example of sidewalks. It is an oft-cited complaint – that installing sidewalks as part of a development project costs too much and should not be borne by the property owner. At the same time, Ms. O’Meara noted that the Town favors sidewalks and yet there typically has not been Town funds to construct them. So, in the past, the

- Town has chosen to enact ordinances that allow development but at the same time require the owner/developer to install sidewalks for the “public benefit.”
  - In response to this discussion, Skip Murray stated that there should be a “team effort” – *i.e.*, the Town could consider lowering costs of development while ensuring a public benefit.
  - Lee Ruddy cited public/private partnerships (*e.g.*, the Shore Road Pathway). “Can we negotiate a public/private development to achieve the Town’s goals?”
- Intensity of Development in the Town Center. Peter Curry stated that the issue of density of development is “one of scale.” If development was “too much,” a lot of citizens would be horrified.

#### 4. Next Steps

- Responses to Questionnaire / Cape Courier. The Committee agreed that the deadline for citizens to respond to the questionnaire should be one week after the Courier is published on November 13, 2013. (An article would run in that edition.) Maureen O’Meara should wait until after November 20<sup>th</sup> to compile the response for the Committee’s review.
- Agenda for Next Meeting on November 18, 2013. There was a general consensus that the Committee should consider the following agenda items at its next meeting:
  - (a) Per Stephanie Carver’s earlier suggestion, review the original recommendations in the 1993 Town Center Plan.
  - (b) Maureen O’Meara offered to update the 1993 Town Center Plan on “what’s been done and not done.”
  - (c) The Committee should also continue its review of the feedback from the public forum that was not covered during today’s meeting.
  - (d) Maureen O’Meara volunteered to draft a status report, which the Committee would review and then forward to the Council. (Among the items to consider – Peter Curry suggested whether the Committee should ask for more time to complete its work.)
- Date of Next Meeting. The Committee noted that its next meeting is November 18, 2013.

5. Second Opportunity for Public Comment. Frank Strout was the only member of the public to speak. He stated his support for incorporating the Haffenreffer property into a Town Center green. He raised concerns about the sale of recent business properties in the Town Center.

6. Motion to Adjourn. At 6:10 p.m., Steve Parkhurst moved to adjourn the meeting, Skip Murray seconded, and the motion passed unanimously.

Respectfully Submitted,  
David Sherman, Acting Secretary