

**Town of Cape Elizabeth  
Town Center Plan Committee Minutes**

May 20, 2013

7:00 p.m., Town Hall

Present: Stephanie Carver, Peter Curry (Planning Board), Diane Hessler, Skip Murray (Town Center business owner), Stephen Parkhurst, Lee Rutty, David Sherman (Town Council), Mary Townsend (School Board), Jamie Wagner (Town Council).

Guest: James Walsh, Town Council Chair

Staff: Maureen O'Meara, Town Planner

Town Council Chair Jim Walsh opened the meeting and all present introduced themselves. Mr. Walsh emphasized collaboration, noting representatives from the School Board, Planning Board and Town Council, and the need to coordinate with the Library committee.

Mr. Curry asked if there are any expectations not reflected in the charge? Are there expectations of substantial changes or is "leave as is" an option?

Mr. Walsh suggested that the committee learn from what has and what has not happened. There may be discussion about vacant land, number of residential units, maybe some combination that will make financing of future projects feasible. The committee can benefit from the experience of Councilor Wagner who has established a business in the Town Center. The committee should solicit public comment, perhaps through a phone survey or other methods. Should we increase foot traffic? He noted that the committee could extend their time beyond December since they did not have their first meeting until the fifth month of this year.

Mr. Rutty asked about the timing of this topic. It was noted that the current plan is 20 years old, so at least an update seemed appropriate.

Mr. Sherman wanted to credit Mr. Wagner for focusing the Town Council on the town center. He also asked how the Comprehensive Plan addressed the town center.

Mr. Wagner agreed that the town center has been discussed by the Town Council. Mr. Murray agreed that it needs something.

Mr. Ruty asked if anyone suggests that more activity in the town center is too much? Mr. Sherman said that should be part of this committee's discussion. When the Town Council voted to increase the density for multifamily units in the town center, two Town Councilors voted against it. He thinks the town center offers a great opportunity.

Mr. Parkhurst responded to an inquiry that the state will not let us reduce the speed to 25 mph in the town center. He noted the new Enio's restaurant on Cottage Rd in South Portland and the other businesses in that area. We should be having that small scale business development here, keep Cape people here and bring people here. The Cape population is aging and people don't want to move to another town, but instead have a place like the town center where they can walk to a restaurant, etc. He has spoken to the Town Manager about locating a housing development, geared to housing for seniors or empty nesters, near the town center. That kind of a development would have real value if done correctly.

Mr. Sherman agreed and some development decisions in the town center by private property owners have damaged the town center's ability to grow into its potential.

The committee then discussed the town's desire to go paperless with meeting packages. Mr. Wagner supports going paperless unless paper is requested. Mr. Parkhurst expressed concern with email volume and having to print out large volumes.

The committee then discussed election of a chair. Stephanie Carver volunteered and was nominated by Dave Sherman, seconded by Lee Ruty. She was unanimously elected. The committee agreed to rotate secretary duties amongst the members.

### Public Participation

Staff summarized the Right to Know Law and Town Communication Strategy policy. Committee members should not be having substantive discussions by email and an easy way to preserve the public record is to copy staff on emails related to the committee. Staff will circulate all communications to the full committee and keep the public file.

Regarding public participation at meetings, Mrs. Townsend liked allowing the public to speak at the beginning and end of each meeting.

Mr. Sherman noted this works well with the Ordinance Committee. People need to be respectful of the committee's time to conduct its work and usually are.

The committee agreed to operate by the same public comment rules as the Ordinance Committee.

They also reviewed the public participation plan used by the Shore Road Path committee, with no conclusions.

### Charge

The committee reviewed the charge from the Town Council.

Mrs. Townsend asked about the status of the library committee. Mr. Sherman said the bond failed so this committee is exploring next steps, including a less expensive option.

Mr. Wagner asked how the library committee and the town center plan committee will coordinate.

Mr. Ruty said that the library committee has had three meetings. The library timeline is to finish by the end of the year.

Mrs. Carver asked if there is feedback on why the bond was voted down. Mrs. Townsend said that an exit poll conducted by Ted Jordan's class was very informative. Staff will try to obtain this poll.

Mr. Sherman suggested that this committee does not need to sit down with the library committee for a few months.

Mrs. Hessler suggested we find out when their meetings are.

Mr. Wagner said that we should have joint discussions and coordination, not just one meeting. The library should be part of the new town center plan.

Mrs. Carver suggested we should connect sooner with the library.

Mr. Ruty said that the library committee has a representative to the Library Trustees and he would be willing to relay updates from Molly's report.

Mr. Sherman suggested that the next meeting cover a historical evolution of the town center since the last plan by staff. This should include a zoning and inventory review. Perhaps we can do a site walk. The last plan focused on land use/sidewalks. This plan may need more emphasis on economic growth.

### Next meeting

The committee agreed to meet the first Monday of the month. The next meeting will be June 3rd. The meeting will begin at 4:00 p.m. with a site walk of the Town Center. Members will meet in front of Town Hall.

### More discussion of the charge

Staff suggested that the committee review a proposal to do a market analysis of the town center to determine its economic strengths and weaknesses.

Mr. Parkhurst was concerned this was premature.

Mr. Ruty was willing to review a proposal.

Mr. Murray said we may not need a study, but we should try to answer that question. You only need to look at the decrease in town investment in infrastructure to see the lack of funds to support work.

Mr. Sherman noted that reviewing a draft was not agreeing to hiring someone yet.

Mr. Curry thought it might be premature, but would prefer sooner than later.

Mrs. Carver supports a market analysis.

Mr. Parkhurst noted that areas are subject to change, for example the business development on Cottage Rd in South Portland.

Mr. Ruty questioned why some of the recommendations in the original plan were not funded. If there is no funding, what kind of work can the committee do.

Mr. Sherman used the example of the lot by the high school. At the time, some wanted the town to purchase the lot, but there was no vision of how it would be used he did not support the purchase. If there is a vision and a purchase opportunity that supports that vision, funding could be approved. Mr. Wagner concurred.

The committee discussed how this would work. Are we discussing purchase of land to build town buildings? More probably, the town could purchase the land to gain control and then partner with the private sector to develop the property. The Town's involvement could promote mixed condo/better commercial space, more vertical than horizontal, and an attractive building design.

Mr. Wagner suggested the committee consider efforts other communities have made to rejuvenate vacant space.

The committee agreed to have staff prepare an outline for the market analysis. The committee also asked staff to provide information about vacant lots in the town center and information regarding any deed restrictions.

Mr. Curry noted the philosophical difference between the town adopting land use regulations and the town acting as co-developer. It is a big step and he is not sure about that direction.

Mr. Wagner said we need to think as big as that or we may not get the town center we want. Mr. Curry agreed, but also wants to look at less risky options.

Mrs. Carver prefers to incentivize.

Mr. Ruttly asked about the vision in relation to the charge and Mrs. Carver said it is a different world than 1993. Pedestrian oriented design has more support now and we may have a better shot at achieving the town center goals.

Staff was asked to obtain traffic counts.

At the close of the meeting, Mr. Sherman made a motion to adjourn, seconded by Mr. Murray, which passed unanimously.