



COMMUNITY DEVELOPMENT COMMITTEE (Town Council Sub-committee)

Members (FY2017)

Claudia King
Ned Kitchel
Caleb Hemphill

Staff

Amanda Stearns
Nathan Poore
Theo Holtwijk

Meeting Minutes

Tuesday, December 13, 2016

1. **8:00 AM - Site Visit at 231 US Route 1 (former Pratt-Abbott site)**

CDC members, Councilor Farber, Nathan Poore, Theo Holtwijk, Ethan Croce, and Ford Reiche attended the site visit. Pete Leavitt briefly joined the committee. The committee discussed the current expansion thresholds for site plan review, inquired with the property owner about possible improvement plans for the Pratt-Abbott site, discussed access to Depot Road, and viewed the site.

Back in Town Hall, the committee discussed the site visit briefly and emphasized that the amendment needs to be developed in the context of the Town's best interest and the desire to attract quality business to the VC Districts. Site plan review thresholds in general were discussed and A. Stearns was asked to forward the ordinance language that includes the dimensional thresholds for minor site review so that it could be reviewed in context with the other language.

2. **Minutes Approval** – The minutes of November 15, 22 and 29 were unanimously approved as written.

3. **Permanent Signs** – A. Stearns stated that Town Attorney Amy Tchao was unable to attend due to being retained in court for a trial. C. King opened the conversation by reviewing the reasoning behind addressing permanent signs first. The committee still has an option of asking the Ordinance Committee to look at temporary signs in the coming months if their schedule allows it. It was recognized by everyone that while temporary signs can prove to be more obvious, addressing permanent signs so that we are not challenged in the administration of our current ordinance makes sense, as land use right are established with the permitting and installation of permanent signs.

Claudia continued that it might be helpful to look at signs in somewhat of the same method used for evaluating new dimensional standards for density in the growth area. The focus is not on the message of the signs but its location, size, number, style. Amanda added that as we move through the current ordinance and look at the difference between current regulation that is content based rather than form based, it might be obvious where the line needs to be drawn.

Amanda asked that the members keep in mind the current signage in town as they drive around and be aware of what they like and don't like. In addition, this is a topic that

most likely will draw public interest, especially from the business community. The committee will need to decide if some public input will take place prior to the official zoning amendment process commencing.

The committee then turned to the handouts prepared by staff that highlight the troublesome areas of the existing ordinance. The following observations were made.

- General types of signs that are content based are advertising signs, billboard, bulletin board, directional signs, subdivision identification signs and tenant directory signs.
- Signs specific to the VC districts include tenant directory signs, wall signs, marquee signs, nonconforming signs, bulletin board signs, product sponsored signs
- Within the design guidelines (West Falmouth, Tidewater and Route 1) there is some language that may need to be amended.
- Some aspects of signs that are regulated are fine such as location, size, materials, amount of bits or characters, size of lettering, and number.

Questions that have a legal basis were developed to discuss with Amy Tchao.

- Is regulating the speaker different or the same as regulating the message?
- Why are off premise signs not considered content based?
- How far can we go to regulate hate or obscene speech?

The work of the MMA group and other communities was mentioned and Amanda will check with Amy Tchao on that. Nathan Poore joined the discussion and emphasized that if there is interest in completing the amendment this Council year a best fit approach is the way to go. The discussion concluded with affirming that the committee will focus on a “best fit” of the current regulation and not include a complete evaluation of the current regulation. A Stearns will prepare a comparative matrix of existing sign regulation and identify where changes need to be made and make recommendations. This will include consultation with Amy Tchao. This work will most likely take a good month.

4. **Other Business** – The meeting schedule for January was discussed and three dates were earmarked, January 10, 17 and 31. It is recognized that most likely the Contract Zoning application will be complete next week. The items that will require continued work include
5. **Next Meeting** – Tuesday, December 20 – 8:30 – 11:00 am The agenda will include finalization of findings for Princeton Properties and follow up from minor site plan review amendment site visit.

Minutes prepared by Theo Holtwijk and Amanda Stearns
December 16, 2016