

**Ad-Hoc Downtown Advisory Committee**  
**Adopted 09-16-2020 – Amended 11-18-2020**

**BE IT RESOLVED**, by the Council of the Town of Scarborough, Maine, in Town Council assembled, that,

**WHEREAS**, Crossroads Holdings, LLC (the “Developer”) is in the process of executing a Planned Development with the Crossroads Planned Development District (the “CPD”), the purpose of which is to allow a mix of uses, guided by design standards and a conceptual master plan, resulting in a vibrant center for development and efficient land development patterns are intended to promote a number of community places, where people can gather, meet and cross paths; and,

**WHEREAS**, the intention of the CPD is to encourage a variety of development patterns and forms with the overall objective of establishing a “village center-like” atmosphere, the core of which is a central business district that provides a core of commercial and mixed- use buildings, along with civic and residential buildings and public spaces that center along a main street; and,

**WHEREAS**, the CPD contains Development Standards of that requires human-scale streetscape treatments and place-making that considers common spaces where people can gather, meet and cross paths, such as a community green or common; plaza; court; square or some variation of each. These “places” shall be located at the core of the pedestrian realm of a development, shall be an element of the development streetscape and overall development pattern; and shall be available and desirable for public use; and,

**WHEREAS**, the Developer has proposed to meet these Development Standards through the creation of a so-called “Downtown District” and the Town is desirous of being involved in the planning of these public spaces; and,

**WHEREAS**, the Town and the Developers have entered into a financial partnership through a Credit Enhancement Agreement (CEA) to advance this development in a mutually beneficial manner and such agreement contemplates collaboration by the Town and Developer on a Downtown Project Process and pursuant to Section 8.14 of the CEA the Town and the Developer agreed to undertake a public process to define and refine the elements and costs of a Downtown; and,

**WHEREAS**, the Town is interested in initiating this process in an effort to fully explore this opportunity using the resources of the community.

**NOW, THEREFORE, BE IT RESOLVED**, by the Scarborough Town Council in Town Council assembled, that there is hereby an Ad Hoc Downs Downtown District Advisory Committee (the “Committee”) created, and the membership, terms, offices and duties shall be as follows:

1. **Purpose.** The purpose of the Advisory Committee is to draw upon the collective skills and expertise of committee members and to work with staff and the Developer in an effort to advise the Town Council regarding the elements and costs of the Downtown District to review and revise accordingly the Master Plan and the CEA as may be necessary and mutually agreed on by the Town and the Developer. The following is a general overview of the discussion points, expectations and deliverables the Advisory Committee should consider in arriving at its recommendations:

- **Review of Current Development Plans and accepted Downtown Plan.** The Advisory Committee shall familiarize itself with the existing development activities and approved Master Plan(s), as well as the requirements of Crossroads Planned Development District and the adopted Downtown Plan.
- **Deliverables:**
  - **Schematic Design and Conceptual Layout:** Review the proposed schematic design prepared by staff and the Developer to determine the appropriateness of amenities to be included in the Downtown District. Final design and layout should maximize the attributes of a downtown walkable experience and vision as defined in the comprehensive plan. A complete understanding of the space and what amenities should be included to create a vibrant downtown shall be provided. The Committee is encouraged to offer recommendation for the entire Downtown District. Specific recommendations on design concepts and amenities will serve to inform the Master Plan that the Developer submits to the Planning Board for approval.
  - **Financial Forecasting:** Within the limitations of the Committee and the consulting resources available to it, the Committee is tasked with estimating the likely costs of the desired amenities of the Downtown District and identify phases, if any, for development; however, all discussions of funding to cover the costs shall be the responsibility of the Town Council and the Developer.
- **Public Involvement:** The Committee shall incorporate public input into the process. Input on the proposed elements and schematic design shall be solicited. Such public input will culminate in a public presentation of its findings and recommendations to the Town Council.

The Committee’s powers and duties shall not exceed those prescribed, herein or otherwise restricted by Town Council Rules, Policies and Charter.

2. **Membership.** The membership intends to provide fair representation of key stakeholders and unique expertise in the construction or development field. The Committee is expected to be an active working group, with all members actively participating and contributing to task. Given the limited and specific charge to the Committee, membership should include individuals whom possess specific expertise to the task at hand, representing professions in community development, business/financial analysis and design/construction. The Committee shall be appointed by the Town Council and shall be comprised of thirteen (13) members, only nine (9) of which are voting members as follows:

- Nine (9) Residents At-Large
- Two (2) Developer’s Representatives\*
- Two (2) Members of the Town Council \*
- \*Ex-Officio, Non-voting

Although official voting membership is limited to seven (7) members, the Committee is encouraged to draw upon other resources and invite other key stakeholders to participate in their proceeding as they feel appropriate.

3. **Timeframe.** The Committee shall focus their review and recommendation and shall advise the Town Council as soon as possible with their recommendation(s), but in no event later than June 1, 2021, at the regular public meeting. In the event that the Committee is unable to complete its task by this date, the Town Council will consider a reasonable extension of time. Once the Committee has completed its work it shall cease to exist unless otherwise extended by the Town Council.
4. **Staff Resources Available.** The Town Manager will serve as support to this Committee and other Town and School resources will be made available as may be necessary for the Committee to complete its task. In particular, it is anticipated that the Committee will involve the Town Engineer, THE Planning Director, and the Sustainability Coordinator.
5. **Consulting Support.** If in the opinion of the Committee that outside consulting support is required to accomplish the task, the Committee is encouraged to advise the Town Council immediately, with specific detail of the type of support required and an approximate cost for these services. The Town Council will consider all reasonable requests for assistance.
6. **Vacancies and Removal.** Any vacancies shall be filled by the Town Council. The Town Council may remove any member of the Committee by vote of a majority of its members for misconduct or non-performance.
7. **Officers.** The Committee shall elect a Chair and Recording Secretary from among its members. The Chair shall be counted to determine a quorum and shall have the same rights as other members of the Committee, including the right to vote.
8. **Quorum and Voting.** A quorum shall consist of four (4) members. The concurrence of a majority of the members present and voting shall be necessary to decide any question before the Committee.
9. **Meeting and Records.** All meetings of the Committee shall be public meetings, with proper notice provided and the opportunity for public comment at each proceeding. The Committee shall meet often enough to complete its responsibilities within the deadline set and shall strive to meet on a consistent basis on a date and time specified by a vote of the majority of the Committee at its first organization meeting. Other meetings may be called by the Chair, provided that the Chair shall call a meeting of the Committee upon the request of at least four (4) members. The Committee shall keep minutes of its meetings and submit them to the Town Clerk's Office. The meetings shall be recorded.
10. **COVID-19 Precautions.** To the extent it is required, the Committee shall adhere to all applicable safety standards and protocols as prescribed by the Maine Center for Disease Control and Governor's Executive Orders to ensure the safety of participants in their proceedings. Town Staff will support the Committee in meeting these standards. Virtual meetings via ZOOM are encouraged.