

**Town of Cape Elizabeth
Minutes of the February 24, 2015
Zoning Board of Appeals Meeting**

Present:

Josh Carver

Matthew Caton

Aaron Mosher

Michael Tadema-Wielandt

Joanna Tourangeau

Stanley Wisniewski

The Code Enforcement Officer (CEO), Benjamin McDougal, and Recording Secretary, Carmen Weatherbie, were also present.

A. Call to Order: Chairman Josh Carver called the meeting to order at 7:00 p.m. Chairman Carver introduced and welcomed new board member Stanley Wisniewski.

B. Approval of Minutes: Approval of the minutes of December 10, 2014, was tabled due to only two members in attendance being present at that meeting.

C. Zoning Board Meeting Schedule: It was decided that the November and December meetings would be combined and scheduled for the second Wednesday in December, December 9th. The submission deadline would be two weeks prior.

D. Old Business: None.

E. New Business:

1. To hear the request of Melissa Redman for a Conditional Use Permit for a Home Business Reiki studio at her house on 58 Kettle Cove Road (Map U16, Lot 24).

Ms. Tourangeau recused herself stating she and Melissa work together.

Melissa and Chuck Redman came to the podium. Mr. Redman stated that a nine by nine foot bedroom would be used as a studio to preform Reiki, an ancient Japanese therapeutic art of rechanneling the body's energy. It is non-toxic – no chemicals are used. There would be a portable massage table and consultations would be done before and after treatments. Melissa has a full-time job, so this would be done in the evenings and on week-ends. There would be no visible increase in traffic and no signage. There is off street parking. There would be no impact on the neighborhood.

In response to a question concerning parking, Mr. Redman replied that to the left of the house there is a paved area with room for four cars. They have three family cars so there is room for one additional car.

Chairman Carver asked the CEO about the septic requirements. Mr. McDougal replied that the septic system is sized for four bedrooms. There is plenty of capacity for an occasional client. CEO McDougal stated he had received neither comment nor inquiry from abutters.

Finding no public comment, Chairman Carver opened board discussion and stated that all requirements were addressed in the application.

Mr. Tadema-Wielandt moved to approve the request of Melissa Redman for a Conditional Use Permit for a Home Business Reiki studio at her house on 58 Kettle Cove Road (Map U16, Lot 24). Mr. Wisniewski seconded. All were in favor. Vote 5 – 0.

Findings of Fact:

1. This is a request for a Conditional Use Permit for a Home Business Reiki Studio at 58 Kettle Cove Road, Map U16 Lot 24.
2. Chuck and Melissa Redman are the owners of record of the subject lot.
3. The proposal is consistent with the definition of *Home Business* found in Section 19-1-3 of the Town of Cape Elizabeth Zoning Ordinance.
4. The proposed use will not create hazardous traffic conditions when added to existing and foreseeable traffic in its vicinity.
5. The proposed use will not create unsanitary conditions by reason of sewage disposal, emissions to the air, or other aspects of its design or operation.
6. The proposed use will not adversely affect the value of adjacent properties.
7. The proposed site plan and layout are compatible with adjacent property uses and with the Comprehensive Plan.
8. There are no proposed external alterations to the building or site.

Conditions:

1. If all four bedrooms ever become occupied, either the Home Business will be discontinued or the septic system will be expanded accordingly.
2. This approval is granted subject to all elements of the final plans and specifications submitted by the applicant and to all representations, oral or written, made by or on behalf of the applicant in support of the application.

All were in favor of the Findings of Fact and Conditions. Vote 5 – 0. Chairman Carver told the Redman's the request was approved.

2. Election of Officers. Chairman Carver agreed to continue as board chairman. Ms. Tourangeau made a motion for Josh Carver to continue as Chairman; seconded by Mr. Mosher. All were in favor. Vote 5 – 0. Mr. Carver abstaining. Ms. Tourangeau agreed to continue as board secretary. Mr. Tadema-Wielandt motioned for Ms. Tourangeau to continue as Zoning Board Secretary; seconded by Chairman Carver. All were in favor. Vote 5 – 0. Ms. Tourangeau abstaining.

F. Communications: None.

G. Adjournment: Mr. Wisniewski moved to adjourn. All were in favor. Vote 6 – 0. Chairman Carver adjourned the meeting 7:17 p.m.