

AGENDA

ZONING BOARD OF APPEALS AGENDA

OCTOBER 24, 2006

TOWN HALL 7:00PM

A. Call to Order

B. Approve the minutes of June 27, 2006

C. Old Business

D. New Business

1) To hear the request of Mary & Paul Godfrey, 11 Algonquin Road, Tax Map U12, Lot 106 for a left sideline variance of fifteen (15) feet from the required twenty five (25) feet for a 20' x 20' addition and a left sideline variance of five (5) feet from the required fifteen (15) feet for a 10' x 20' deck.

2) To hear the appeal of Catherine & Greg Miller, 7 Crescent View Ave., Tax Map U16, Lot 63 for a left sideline variance of five feet six inches (5' – 6") from the required twenty five (25) feet to allow an existing farm porch and 2nd floor addition to remain at 19' – 6" from said property line.

E. Communications

1) Meeting attendance

F. Adjournment

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DRAFT MINUTES

TOWN OF CAPE ELIZABETH

MINUTES OF THE ZONING BOARD

JUNE 27, 2006 7:00 P.M. TOWN HALL

Present: Len Gulino, Chair; Jay Chatmas, Michael Tranfaglia, Jim Walsh, Robert Chatfield

Absent: Peter Black

Also present was Bruce Smith, Code Enforcement Officer.

Mr. Gulino called the meeting to order and asked for comments on

the previous month's minutes. With no comments forthcoming, he asked for a motion.

Mr. Tranfaglia made a motion to approve the minutes as submitted.

Mr. Walsh seconded the motion. 4 in favor, 0 opposed.

Mr. Chatfield recused himself as he was absent from the prior meeting and did not watch the videotape.

OLD BUSINESS

To hear the request of Kerrilyn Rand Welch, 168 Two Lights Road, Tax Map U15, Lot 67 for a conditional use permit to operate a home business, specifically for the retail sale of homemade goods.

Mr. Gulino disclosed the most recent submissions from the applicant; which included pictures, and letters from neighbors.

Mr. Chatmas stated that he missed the prior meeting, however, had reviewed the tape from the prior meeting and felt he could participate in the meeting. The Board was in agreement.

Mrs. Welch gave an overview of the off-street parking, the walkway to the studio, and signage. Her hours of operation would be from 10am to 7:00pm, Sunday through Saturday, from April 1st to October 1st.

The Board discussed the applicant's proposal.

Public Hearing

Tory Ryden, 33 Murray Drive, stated that Mrs. Welch does a really nice job, is respectable, and would be able to police herself with this small business.

Robert Chatfield, 22 Beacon Lane, as a citizen, wanted to state that Mrs. Welch would not be adding traffic to Two Lights Road and has no objection to the business staying open until 7:00pm.

Mary Page, 172 Two Lights Road, has no problem with the proposed business.

Mr. Gulino closed the Public Hearing.

He reviewed the conditions of approval, which would include off-street parking, hours of operation from 10:00am to 7:00pm starting April 1st and closing October 1st.

CONCLUSIONS

1. The proposed use will not create hazardous traffic conditions when added to

existing and foreseeable traffic in its vicinity. 4 in favor, 0 opposed, 0 abstained

2. 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. 4 in favor, 0 opposed, 0 abstained

3. The proposed use will not adversely affect the value of adjacent properties.

4 in favor, 0 opposed, 0 abstained

4. The proposed site plan and layout are compatible with adjacent property

uses and with the Comprehensive Plan. 4 in favor, 0 opposed, 0 abstained

5. The design and external appearance of any proposed building will constitute

an attractive and compatible addition to its neighborhood, although it need not have a similar design, appearance or architecture. determined not applicable.

6. The business square footage should not occupy more than 20% of the main dwelling. 4 in favor, 0 opposed, 0 abstained.

7. All signs should comply with the sign ordinance. 4 in favor, 0 opposed, 0 abstained.

8. There will be no outdoor storage of equipment or materials. 4 in favor, 0 opposed, 0 abstained.

Mr. Gulino asked for a motion.

Mr. Tranfaglia made a motion in the matter of the application for home business conditional use permit, of Mrs. Kerrilyn Welsh, 168 Two Lights Road, Tax Map U15, Lot 67 be approved as a seasonal operation from April 1 to October 1 with the hours of operation from 10:00am to 7:00pm .

Mr. Walsh seconded the motion.

There was discussion amongst the Board concerning minutes and emails.

Mr. Tranfaglia made a motion for the Board to adjourn.

Mr. Walsh seconded the motion.

Meeting adjourned at 7:40pm.

Respectfully submitted,

Laurie Palanza

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TOWN OF CAPE ELIZABETH

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