

TOWN OF CAPE ELIZABETH, MAINE
MINUTES OF PLANNING BOARD MEETING

January 15, 2002

7 P.M., TOWN HALL

Present: David Griffin, Chair
Andrew Charles
John Ciraldo
Peter Cotter
Karen Lowell
Barbara Schenkel
David Sherman

Absent: None

Also present was Maureen O'Meara, Town Planner

Chairman David Griffin opened the meeting and asked for action on the minutes from the previous meeting of December 18, 2001. With no amendments suggested, Mr. Sherman made a motion to accept the minutes. Motion was seconded by Mr. Charles and carried 7 in favor and 0 opposed.

Mr. Griffin next reviewed correspondence.

Before addressing old business, Mr. Griffin asked for a motion to approve the nominations for Officers for the year 2002. Mr. Cotter made the motion to approve the nomination of David Griffin for Board Chair and John Ciraldo for Vice-chair. Ms. Lowell seconded the motion and motion carried 7 in favor and 0 opposed.

OLD BUSINESS

New Board member Barbara Schenkel stated for the record that she had walked the Blueberry Ridge site with Maureen O'Meara and reviewed all the correspondence and Board minutes relating to that project.

Andrew Charles, who was not present at the last Planning Board meeting, also wanted to affirm that he had thoroughly reviewed the minutes as well as the videotape of the December meeting and was fully updated on the project.

NEW BUSINESS

Romeo's Pizza Site Plan Review - Dimitrios Mihos is requesting Site Plan Review to convert a vacant space in the Pond Cove Shopping Center, located at 327 Ocean House Rd (U21-3B), to restaurant space for Romeo's Pizza, Sec. 19-9, Site Plan Completeness.

Dimitrios Mihos introduced himself as the owner of Romeo's Pizza and presented the plan for his restaurant, making note of one change which did not appear on the plan. He intends to construct a roof overhang above the coolers which will be located on the loading dock at the back of the building.

Mr. Sherman raised a question with regard to the parking availability. He did not find sufficient information in the application to answer whether or not Mr. Mihos met the necessary space requirements. Ms. O'Meara explained that the shopping center is 26,735 square feet. If all of that area is allotted to retail use, and some would actually be used as storage, then using the retail space parking requirement of 3 spaces per 1,000 sq.ft. , a total of 80 spaces is needed for the shopping center. For a restaurant with 56 seats and six employees, the parking demand would be 20 spaces. Subtracting the 4 retail spaces from the 80 space total, and then adding 21 spaces for the restaurant, no more than 96 parking spaces would be required for the shopping center including the proposed restaurant. The site plan depicts 136 parking spaces.

Mrs. Schenkel asked for more description of the lighting at the rear of the building. Mr. Griffin requested definition on the plan showing wattage and area impacted by the illumination. He noted that approval for the project could be subject to clarification on the lighting on the plan.

Mr. Sherman addressed Maureen O'Meara on the necessity of a Public Hearing. She responded that she had received no comments opposing the project.

Mr. Charles made the following motion for completeness with conditions that certain clarifications meet approval by the Town Engineer:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Dimitrios Mihos for Site Plan Review to convert 2,228 sq. ft. to a 56-seat restaurant with loading dock and coolers and 1,247 sq. ft. to a storage and prep area in the existing Pond Cove Shopping Center located on Ocean House Rd. be deemed complete.

The motion was seconded by Mr. Sherman and carried 7 in favor and 0 opposed.

Mr. Sherman suggested that the Board consider waiving the need for a Public Hearing and site walk. Mrs. Schenkel agreed since the project represented no change in use.

Ms. Lowell had concerns regarding the location and specifics of the propane tanks located behind the property. She requested better depiction of the tanks and their barrier wall on the plan and wanted input from the Code Enforcement Officer or Town Engineer with regard to both. Mr. Griffin supported those concerns. Mr. Mihos agreed to amend the plans.

Mr. Griffin asked that a motion be made for approval.

Mr. Sherman made a motion for the Board to consider:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Dimitrios Mihos for Site Plan Review to convert 2,228 sq. ft. to a 56-seat

restaurant with loading dock and coolers and 1,247 sq. ft. to a storage and prep area in the existing Pond Cove Shopping Center located on Ocean House Rd. be approved with the following conditions prior to issuance of a building permit:

1. The applicant provide information that any new lighting will not exceed .5 foot-candles on the property line prior to issuance of a building permit.
2. That the shed/roof over the outdoor coolers be added to the plan.
3. That the placement and the guarding of the gas tanks and the gas tank area be approved by the Code Enforcement Officer, and that those be added to the plan.

Mr. Ciraldo seconded the motion and motion carried 7 in favor and 0 opposed.

Motion was made by Mr. Cotter to adjourn and seconded by Ms. Lowell. Motion carried 7 in favor and 0 opposed.

Meeting adjourned at 7:30PM.

Respectfully submitted by,

Barbara H. Lamson, Minutes Secretary