

TOWN OF CAPE ELIZABETH
MINUTES OF THE PLANNING BOARD

July 19, 2005

7:00 pm Town Hall

Present: David Sherman, Chair
David Griffin
Jack Kennealy
John Ciraldo
Peter Hatem
Paul Godfrey

Barbara Schenkel

Also present was Maureen O'Meara, Town Planner.

Mr. Sherman asked for comments or a motion on the June minutes.

Mr. Griffin made a motion to accept the minutes as submitted. Mr. Kennealy seconded the motion.

Mr. Sherman reviewed correspondence and proceeded to the only item of business.

NEW BUSINESS

POOLE PRIVATE ROAD REVIEW- Victoria S. Poole is requesting an amendment to the previously approved Private Road Review of Old Mill Rd to lift a requirement that easements be obtained on Boat Cove Rd to preserve the existing loop road access, sec. 16-3-2, Road Design and Construction Standards.

Bob Metcalf, Mitchell & Associates, stated that one of the conditions from the May 17, 2005 approval, to gain access easements with rights to the Town. Mrs. Poole was unable to gain these easements and they are looking to get that condition lifted. He gave an overview of the other conditions met.

Mr. Sherman stated that the Board is being asked to waive one requirement from a prior approval and asked if they had any questions.

Mr. Griffin made the following motion.

Findings of Fact

1. Victoria S. Poole is requesting an amendment to the Private Road approval of Old Mill Rd granted by the Planning Board in May 2005 to lift the requirement that emergency access easements over Boat Cove Road be provided, which requires review under Sec. 16-3-2, Subdivision Road Standards.
2. The owners of Boat Cove Rd have refused to provide easements.

3. The applicant has agreed to install a fire hydrant and provide emergency access easements that connect to Boat Cove Rd in lieu of widening Old Mill Rd.
4. The application, with waivers, substantially complies with the intent of Sec. 16-3-2, Subdivision Road Standards.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the request of Victoria S. Poole to lift the requirement for emergency access easements on Boat Cove Rd as part of the approval of Old Mill Rd as a private road be approved, subject to the following conditions:

1. That all the other conditions of the original May 17, 2005 approval must still be met; and
2. That the plan be revised per the comments of the Town Engineer in his letter dated 7/11/05.

Mr. Kennealy seconded the motion.

Mr. Sherman thanked the applicant and welcomed John Ciraldo back to the Board from an absence.

Mr. Griffin made a motion to adjourn.

Mr. Kennealy seconded the motion and was unanimous.

Meeting adjourned at 7:10 p.m.

Respectfully submitted,

Laurie Palanza