

TOWN OF CAPE ELIZABETH
MINUTES OF THE PLANNING BOARD

November 27, 2006

7:00 p.m. Town Hall

Present: David Sherman, Chair
David Griffin

Peter Hatem
Barbara Schenkel

Absent: Jack Kennealy, Paul Godfrey, Jim Huebener

Mr. Sherman opened the meeting and asked for any comments on the minutes of the last meeting.

Mr. Griffin made a motion to accept the minutes.

Mrs. Schenkel seconded the motion. 4 in favor, 0 opposed.

Mr. Sherman proceeded to Old Business.

OLD BUSINESS

Funny Farm Site Plan – Scott Rockwell of the Funny Farm Daycare is requesting Site Plan Review and a Conditional Use Permit to operate a day care facility for 43 children located at 119 Old Ocean House Rd, Site Plan Public Hearing, Sec. 19-9, and Conditional Use Review Public Hearing, Sec. 19-5-5(D).

Scott Rockwell, owner of the Funny Farm Child Care Center, explained that no changes had been made to the plan since the last meeting and introduced his consultant Tom Emery of Land Use Consultants.

Mr. Emery noted that the project had received a Conditional Use Approval in 1997 from the Zoning Board and his firm had been contracted to pursue the Site Plan Approval at this time. Several waivers have been requested, primarily to do with stormwater and erosion control, which have been supported by the Town Engineer. The site works well now and it makes sense not to alter it in order to strictly comply with dimensional parking requirements.

Mr. Sherman opened the public hearing.

Peter Eastman, of Turkey Hill Farm, Old Ocean House Rd, said he had no objection to the project and that it had been operating for some time.

Mr. Sherman closed the public hearing.

Mr. Griffin asked if the Planning Board would be conditionally approving the septic system. Ms. O'Meara said that the Code Enforcement Officer is waiting for one more document before he will approve the septic system design, which is why a condition is proposed for the Board to consider.

Mrs. Schenkel made the following motion:

Findings of Fact

1. Scott Rockwell, representing the Funny Farm Realty Trust, is operating a day care facility for up to 43 children located at 119 Old Ocean House Rd which requires Site Plan Review and a Conditional Use Permit.
2. The existing septic system is not adequate for a day care facility for up to 43 children.
3. The application substantially complies with Sec. 19-9, Site Plan Regulations, and Sec. 19-5-5, Conditional Use Permits.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Scott Rockwell, representing the Funny Farm Realty Trust, for Site Plan Review and a Conditional Use Permit to operate a day care facility for up to 43 children located at 119 Old Ocean House Rd be approved, subject to the following condition:

1. That the applicant submit to the Code Enforcement Officer a septic system design with supporting data that is in compliance with local and state plumbing codes.

Mr. Griffin seconded the motion. The motion was approved 4-0.

Mr. Sherman stated that this was likely his and Dave Griffin's last regular Planning Board meeting. He thanked prior Planning Board chairs for their leadership and said it was a pleasure to serve on the Planning Board.

Mr. Griffin also noted that he had enjoyed his stay on the Planning Board.

Mr. Griffin made a motion to adjourn, seconded by Mr. Hatem. The motion passed 4-0. The meeting adjourned at 7:12 p.m.

Respectfully submitted,

Maureen O'Meara
Town Planner