

TOWN OF CAPE ELIZABETH
MINUTES OF THE PLANNING BOARD

April 15, 2008

7:00 p.m. Town Hall

Present: Barbara Schenkel, Chair
Scott Collins
Thomas Dolan
Beth Richardson

Elaine Falender
Peter Hatem

Absent: Jim Huebener

Mrs. Schenkel opened the meeting. Before attending to the Planning Board agenda, she wanted to encourage the public to attend a public forum that the Planning Board is hosting tomorrow night regarding rewriting the regulations for the BA District. The BA District overhaul is a recommendation of the Comprehensive Plan. Mrs. Schenkel also noted that a public hearing will be held tonight on a proposed amendment that would reduce the wetland buffer for properties in the BA District which are served by public water and public sewer. The Planning Board is considering this amendment in advance of the BA Overhaul zoning at the request of the Town Manager in light of the zoning restrictions encountered by an applicant. She asked the Town Planner to summarize the amendment.

Mrs. Schenkel asked for comments on the minutes of the March 18, 2008 meeting. No revisions were suggested and Mr. Dolan made a motion to accept the minutes, seconded by Mrs. Richardson. The minutes were approved by a vote of 6-0.

Mrs. Schenkel noted that the Planning Board had received correspondence, including several emails.

NEW BUSINESS

Comfy Cape Day Care Expansion Site Plan Amendment - Kim Newman is requesting an amendment to the previously approved site plan for the Comfy Cape Day Care, located at 111 Scott Dyer Rd, to expand the number of children from 12 to 20, Sec. 19-9, Site Plan Public Hearing.

Kim Newman presented her request to increase the number of children permitted at her day care, located at 111 Scott Dyer Rd, from 12 to 20 children. She said most of the increase will be infants and toddlers. Right now, there are a

maximum of a dozen kids outside playing at any one time. She does not anticipate an increase in noise or traffic, as most of the additional children will be siblings. Her state license with DHS limits children to 20 as a function of the number of teachers.

Mrs. Schenkel asked about the site changes. Mrs. Newman said they are proposing to relocate the fence to increase the play area from 1,500 sq. ft. to 3,232 sq. ft. Mrs. Schenkel also asked about the lot line and shed. Mrs. Newman said they will be removing the old shed, which is partially on the neighbor's property, and installing a new shed at the end of the driveway. Mrs. Newman would like to move the fence to the property line because her yard is sloped and she would like more room for a swing set.

Mrs. Falendar asked if she had reconfigured the parking lot. Mrs. Newman said the parking area will remain the same as it is now. What is there now is not what was originally approved because the prior owner did not install the parking per the original approval.

Mr. Dolan asked about signage and landscaping changes. Mrs. Newman said that she would like to increase the size of the sign from 20" x 31" to 30" x 35". No landscaping changes are proposed.

Mrs. Schenkel asked about the problem with the lot line. Mrs. Newman said that she submitted a new survey of the lot line. Mrs. Schenkel noted that it is confusing to have a site plan and a separate survey line plan.

Mrs. Schenkel asked why the wetland buffer is 100' when the RP1 wetland buffer is 250' wide. It was noted that the buffer was reduced to 100' because the area qualified as densely developed.

Mrs. Richardson also noted the difficulty with understanding the fence location in relation to the new surveyed line and existing landscaping.

Mrs. Schenkel asked if landscaping would be removed when the fence is relocated to the property line. Mrs. Newman said the landscaping is on the abutting property and would not need to be removed for the fence.

Mrs. Falendar asked if the revised survey line increase or decrease the size of the lot. It was determined that the lot would decrease. Mrs. Falendar also confirmed that the evergreen hedge is partially on your property line further back from the road. Mrs. Newman agreed.

Mrs. Schenkel then opened the public hearing.

Mike and Mark Bowdler, 2 Patricia Drive - Mike Bowdler spoke in opposition to the proposed expansion and referenced a letter he had previously submitted. He objects to the traffic, noise and devaluing of property. The area is now a pleasant residential environment and zoning regulations should foster well-being. He suggested that the proposal was a zoning relaxation and noted a State of California case where there was a moral question about what should locate next to a church.

Mark Bowdler passed out a map of the area where the property of people opposed to the expansion were outlined in red. The playground is 5' from his front yard. The noise from the kids playing makes it difficult to take a nap or for people who work the night shift.

Sue Murray Guerrette, 8 Patricia Dr. - Mrs. Guerrette's mom lives at 8 Patricia Drive and Mrs. Guerrette currently lives in Shore Acres. Mrs. Guerrette lived at 4 and 8 Patricia Drive as a child. When the Rancourts made the original application for a daycare, the neighborhood compromised. When Mrs. Guerrette was growing up, there was a pond. Now with land expansion, properties flood out and water doesn't flow anymore. Doubling the size of the playground will compromise her mother's property. Traffic was researched for the Rancourt application. The hammerhead created at the end of Patricia Drive was not built as a commercial turnaround. Why does this neighborhood have the most intensive daycare in Cape when a daycare proposed in the Brentwood West neighborhood was denied? The Planning Board should revisit the Rancourt application.

Albert Carville, 19 Patricia Dr - He has two concerns. The original approval was to be owner occupied with a specified number of children in the daycare. The expansion negates the original work. He is concerned with the wetland impacts. The old pond now backs up into 8, 19 and 15 Patricia Dr.

Anne Marie Rosenfield, 6 Patricia Dr. - Mrs. Rosenfield is sorry because Mrs. Newman is such a lovely person but she works as a professional realtor for Coldwell Banker and is concerned with the negative impact of the daycare on her property value. Her son is playing hockey right now but he is opposed to the day care due to the noise level from the kids waking him up.

James Mooney, 3 Patricia Dr - Mr. Mooney urged the Planning Board to reference the original agreement when only 15 children were allowed, and it must be owner occupied, which was one of the few reasons it was approved. Now it's not a home day care but a day care center. The staff increase limits it to 20, but is this the last increase? At times it is quite noisy, but not always.

Claudette Villandry, 14 Brentwood Rd - Mrs. Villandry said her observation from the past to the current owner is that the area is distinctly different with less maintenance now. She questions the larger sign and suggests that landscaping be added to make the building look more like a residence.

Mrs. Schenkel closed the public hearing.

Mr. Dolan confirmed that the Planning Board had a copy of the original Planning Board approval.

Mr. Collins asked if this is a conditional use. Ms. O'Meara said it was and obtained conditional use approval as part of the original site plan. The ordinance provides for the Planning Board to grant conditional use approval when site plan review is also required.

Mrs. Schenkel noted that there is serious opposition. The applicant may want to have infants but would not be limited to infants. Mrs. Newman confirmed that she anticipated the increase would be mostly infants.

Mrs. Falendar stated that the current play area is large enough to meet the standards for 20 children without expansion. Mrs. Newman confirmed that.

Mrs. Falendar is concerned with moving the playground closer to the property line. Perhaps the playground expansion could be away from the property line, to the side. Mrs. Newman said that most of the expansion is away and showed where the current and proposed would be located.

Mrs. Falendar noted the ongoing confusion with the plans and said the playground would still move closer to the property line. The applicant pointed out that Mr. Bowdler built his rental property next to her property.

Mrs. Falendar asked if it was possible to expand the playground closer to Patricia Dr.

Mr. and Mrs. Newman expressed safety concerns with moving the playground closer to the road. They did not think a distance of 5' would make much difference with sound. If they move closer to Patricia Dr, they have slope issues with the lot. There is an existing tree and shrub that may need to be removed, resulting in less buffer for the people on the other side of Patricia Drive. The applicants pointed out that the Bowdlers rent their property and do not live there. The day care was already there when they bought the lot. The children are not out all day. They go out to play beginning around 9:30 a.m. to 10:30 a.m. and

then from 3-5 p.m. They are not out in the winter time. Other kids in the neighborhood have fun outside too.

Mr. Collins suggested that if the applicant can meet the noise standard, then we do not need to focus on how close they place the fence.

Mrs. Schenkel said she is still concerned with a buffer.

Mr. Collins did not agree.

Mrs. Schenkel noted that the original approval included a specific condition that the parking should have a 10' setback from the property line. Is that condition no longer met?

Ms. O'Meara explained that, when the original approval was granted, the Rancourts owned both the current lot and the Bowdler lot. Their intentions were unclear about committing both lots to the daycare, so an effort was made to make it clear that the daycare could be accommodated on one lot.

Mrs. Richardson said she was uncomfortable because we don't have an accurate site plan. Without it, it is difficult to make a reasonable decision when you are considering the care of children and a peaceful existence.

Mrs. Schenkel said she wants to look at the site and Mrs. Falendar said she wants an accurate plan first. Mrs. Richardson was sorry about the cost, but agrees there needs to be an accurate site plan and then a site walk.

Mr. Dolan is concerned that the historical representations were not carried out. He would be interested in conditions that addressed issues of owner occupied, and hours of play. He is also interested in more information on signage.

Mrs. Richardson stated that the current proposal does not include any alterations in the wetland and she does not see how fencing and eight additional children endangers the wetland. She does not expect any wetland impact. Mrs. Schenkel agreed that it does not appear to increase wetland impacts.

Mrs. Falendar clarified that she would like to see the original approved plan, a plan that shows the current conditions and then the proposed changes.

Mrs. Schenkel asked about the timing of a new plan and a site walk. The Board wanted a new site plan before they visited the site. Ms. O'Meara explained that the applicant could prepare a new site plan for consideration at the May 20th

meeting, and then a site walk could be scheduled and the Board could meet again in June.

The Planning Board agreed that the delay was necessary.

Mr. Hatem made the following motion, seconded by Mr. Dolan:

That the application of Kim Newman to increase the size of the Comfy Cape Day Care, located at 111 Scott Dyer Rd, from 12 children to 20 children, be tabled to the regular public meeting on May 20, 2008 and that the applicant submit a revised plan per our comments tonight by the appropriate date for that meeting.

The motion was approved by a vote of 6-0.

Inn by the Sea Site Plan Amendments - Inn by the Sea LLC, represented by Steve Bradstreet of Oak Engineers, is requesting amendments to the previously approved site plan for the Inn by the Sea, located at 40 Bowery Beach Rd, for walkway changes, improvements to the outdoor event areas and allowing outdoor events with up to 150 guests without closing indoor meeting rooms, Sec. 19-9, Site Plan Public Hearing.

Steve Bradstreet, of Oak Engineers, summarized the application. The Olympia Companies, who own the Inn by the Sea, would like to reconstruct the walkways on the ocean side of the Inn. The existing serpentine walkways will be pulled closer to the units and made more intimate. The grand promenade, which currently has two parallel walkways separated by a planter will be reconstructed as one walkway with a combination of planter/seating along the sides. Within the 250' Shoreland Zoning overlay, there will be no increase in impervious surface and an actual reduction of 209 sq. ft. The sideyard event area hardscape has been eliminated and regrading only is proposed. The shuffleboard has been replaced with a bocci court.

Mr. Bradstreet also noted that a December, 2007 agreement with St. Bart's provides for 60 off-site parking spaces. With this increase in parking capacity, the Inn is requesting a modification to their outside event approval to allow meeting rooms and the restaurant to remain open during outside events of up to 150 guests. Bruce Smith has reviewed the septic system and agreed that it had capacity to handle the increase.

Ms. O'Meara noted that the plans had to be revised to comply with zoning and the current plan has not been reviewed by the Town Engineer, but because there is no increase in impervious surface, further engineering review is not needed.

Mrs. Schenkel began by asking the Board to agree that the application is complete. Board members agreed.

Ms. O'Meara asked to update the Planning Board on the mechanical building. At the request of an abutter, she visited the site earlier today. The mechanical building and condenser are not constructed as shown on the approved plans.

Mrs. Schenkel confirmed that all of the equipment will go behind fencing. She then opened the public hearing.

Raymond Neveu, 32 Bowery Beach Rd, said he has informed the planner about the mechanical building. The people working at the Inn have done a great job not bothering us. He is concerned with the noise from the condenser and the planner could not identify the building because it was not labeled on the plan.

Cynthia Doucette, 43 Richmond Terrace, is concerned with the increased capacity for functions inside and outside the Inn. The Inn is still on a septic system. She lives on the beach and the septic impacts the stream. If the Inn is increasing in size, it should be on the sewer. There must be overflow from the septic system into the stream. They have also allowed parking in the bike lane. She wonders if the Inn guests are paying fees to the state for use of the park.

Carl Dittrich, 500 Ocean House Rd, questioned the impact on traveling back and forth to the parking at St. Bart's.

Mrs. Schenkel responded that the Inn has used St. Bart's for parking as a valet service in the past.

Raymond Neveu, 32 Bowery Beach Rd, would like to add to the previous speaker comments on the septic system. The Inn has worked hard to resolve that, but there are still odors at times. They have increased the capacity of the sewer system and may have used part of the 10' right-of-way the town owns. When they put it in, he asked about the property line and did not get an answer. He doesn't want to cause trouble for the Inn, but there are odors and parking during construction has blocked his sight distance.

Mrs. Schenkel closed the public hearing.

Mr. Bradstreet said he understands there was some concern with parking during construction.

Mr. Hatem suggested that the Board deal with the request made by the applicant. Ms. O'Meara noted that the plan before you shows the mechanical building as it has been constructed.

Mrs. Schenkel asked the applicant to go over the other issues.

Mr. Bradstreet reviewed the sewer capacity letter provided by Al Frick and approved by Bruce Smith. The Inn is well over the capacity needed. All the tanks are new and there is a pump station upgrade. Nothing was touched on the east side of the Inn keeper's house. We have appeared before the Planning Board before on the sewer issue and shown that septic is acceptable. He is unsure where bike path is and does not know about fees paid to the state park. All parking is on-site except for the valet parking at St. Bart's.

Mrs. Falendar asked if all the parking is valet. Was there illegal parking during construction? Mr. Bradstreet said that the Inn has been shut down during construction and the parking problems were related to construction vehicles.

Mrs. Schenkel said the state park fees are beyond the Planning Board's purview. She did question the gray water noted by Bruce Smith. Mr. Bradstreet said the outdoor shower has been eliminated.

Mr. Bradstreet said that he would remove the plan that shows the mechanical building. He is certain that the Planning Board has granted approval for the mechanical building as proposed. Ms. O'Meara distributed a plan from the file showing the mechanical building in a different orientation from what has been constructed.

The Board agreed to grant approval for the walkways and return to the mechanical building issue next month when the planner and the applicant can further research the issue.

Mr. Hatem made the following motion, seconded by Mr. Dolan:

Findings of Fact

1. The Inn by the Sea, located at 40 Bowery Beach Rd, is requesting an amendment to the previously approved site plan to reconfigure the ocean side walkways and host outside events without closing the restaurant, which requires review under Sec. 19-9, Site Plan Regulations.
2. The application substantially complies with Sec. 19-9, Site Plan Regulations.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Inn by the Sea, located at 40 Bowery Beach Rd, for amendments to the previously approved site plan to reconfigure the ocean side walkways and host outside events for up to 150 guests without closing the restaurant be approved, subject to the following conditions:

1. That the prior approval regulating the noise from outside events, including the use of sound blankets and a calibrated noise meter, remain in effect;
2. That the applicant agrees to return for further hearing at our regular public meeting on May 20, 2008 to address issues raised regarding the placement and location of the electrical and mechanical building as raised in this meeting;
3. That this approval shall not be construed to change the existing approvals of the placement and location of the electrical and mechanical building as raised in this meeting; and
4. That the applicant not hold outside events at days and/or times of the week in excess of its License Agreement with the Roman Catholic Bishop of Portland.

The motion was approved by a vote of 6-0.

BA Wetlands Zoning Amendment - The Planning Board will review a proposed amendment to the Zoning Ordinance that would reduce the RP1 Buffer from 250' to 100' for properties in the BA District which are served by public sewer. Sec. 19-10-3, Zoning Amendments Public Hearing.

Mrs. Schenkel introduced the proposed zoning amendment. She noted that this was recommended in the Comprehensive Plan and the final decision would be made by the Town Council. The wetland buffer can be reduced under four conditions. The Planning Board was asked to consider this amendment right away due to a pending application. The Planning Board will be holding public forum tomorrow night on the BA District Overhaul and the public is encouraged to attend. Ms. O'Meara read the text of the amendments.

Mrs. Schenkel noted that the Planning Board had received many emails and then opened the public hearing.

Jane Snerson, 7 Salt Spray Lane, said she has lived in Cape for 20 years and said long-term residents reinforce a sense of community. She said that Jordan Farm Rd was not opened because of concerns with wetland impacts. She suggested that the Planning Board carefully consider easing wetland restrictions for buildings in light of the potential for more dangerous drivers.

Joseph Foley, 511 Ocean House Rd, asked the Planning Board to deny the amendment. Has there been a recent inspection or mapping of wetlands? Are there vernal pools or endangered species? Wetlands are an important part of the Great Pond watershed. The wetlands absorb spring and fall runoff, serve as a habitat, and provide a buffer between developed and undeveloped land. This amendment is out-of-order without the BA District guidelines. The Planning Board should save wetlands.

Jack Orr, 505 Ocean House Rd, said it was important to know where the wetlands are to understand the impact. When you reduce the buffer to 100' and have a 10% error in location, the wetland is gone. The burden is on the town to establish the boundary.

Dan Fishbein, 19 Salt Spray Lane, represents the opinion of neighbors. The Town Council asked you to consider this but wants to clarify that the Town Council has not asked you to take this out of sequence. Changing zoning for a single applicant is spot zoning. You should take all the changes into consideration in the BA District overhaul. If you take one out of sequence, you risk granting approval to a project that would be denied with new regulations. He supports tabling this and adding it to the BA District overhaul project. He also supports considering the bar/tavern ordinance, referred by the Town Council, in the same package.

Cynthia Doucette, 43 Richmond Terrace, is opposed to the amendment. The businesses are grandfathered in and a 250' buffer was established for a good reason. There is room in the Town Center for businesses. She is not aware that Rudy's is allowed to be a pub.

Gail Schmader, 511 Ocean House Rd, is opposed to the amendment. There are no scientific studies of the Great Pond watershed, vernal pools. The 1997 Great Pond survey by Scott Williamson cautioned monitoring nonpoint source pollution. It is better to protect than to restore water quality. It doesn't make sense to reduce the buffer.

Morris Krietz, 524 Ocean House Rd, said he was uninformed about wetlands until last April's Patriot's Day storm when he found a vernal pool in his basement. He doesn't know if 100' or 250' is proper, but we should know where

the wetlands are. Consider the amendment on the merits of protecting wetlands rather than expediting the expansion of the local watering hole.

Patrick Babcock, 503 Ocean House Rd, said the Planning Board is noting the mechanical building at the Inn when someone has allowed a bar in our backyard. Why and how is a bar legally allowed? He asks the Planning Board to be methodical in considering setback reduction.

Mr. Hatem pointed out that we are the Planning Board, not the Town Council.

Carl Best, 12 Pond View Rd, asked the Planning Board to carefully consider the reduction. The change will allow business expansion with revenue from development, but at the detriment of the neighbors. The changes will be negative and reduce privacy and property values.

Martha Duncan, 196 Two Lights Rd, is opposed to the amendment. She supports comments to protect wetlands. Change should be considered in proper sequence, not piecemeal, and with forethought.

Christine Morgan, 507 Ocean House Rd, lives 250' from Rudy's. She enjoys walking her dog and seeing wildlife. Reducing the setback will negatively impact wildlife.

Carl Pearson, 27 Fowler Rd, owner Jordan Lawn and Garden, said we can't prevent something from happening by using the wetland zoning. He was on the Town Council when the wetlands regulations were adopted. The State has a 100' setback and Cape chose a 250' setback. The history of many neighborhoods is that wetlands were filled in for construction and they are now benefiting from what is now disallowed. He agrees that the wetlands should be mapped by the Town. Route 77 caused some wetlands. The old farmers said the drainage worked well. If you have a building within the 250' buffer, the Hatem amendment is very nice and should be part of the planning process. He also goes to Rudy's after work and has a nice time, meal and a beer, same as the Good Table. There is a good mix of people. The Town Council has considered this amendment before and we should not tie up progress.

Mary Page, 507 Ocean House Rd, said she sat here tonight and heard two applications in the RP1 buffer. It was ok for those projects because of the impervious surface and densely developed area. She started this quest 4 years ago and has connected to the public sewer. There are 2 buildings behind me, brand new. The Good Table is in a wetland and had an error in the survey. She would like the same courtesy.

Jan Corey, South Portland and ¼ owner of 509 Ocean House Rd, asked what you want Cape to look like in 10 years, more businesses on the strip? You didn't want Dunkin Donuts. Want to encourage coffee shops, bars?

Mrs. Schenkel said we are asking those questions tomorrow night. The public hearing was closed.

Mrs. Richardson said that Mary Page is not losing her liquor license if the buffer is not changed. The concern is with an establishment serving liquor and the buffer will not impact that. She supports addressing the wetlands issue as part of the BA Overhaul amendments.

Mrs. Schenkel asked where the wetlands are located. Ms. O'Meara said we have some field information but have not mapped the whole wetland. The Planning Board can use its special studies funds to map the wetland.

Mr. Hatem said that this was a more isolated amendment the last time it was considered. Now it is a part of the comprehensive plan. Perhaps the town should map the wetland because this amendment is part of the zoning overhaul of the BA District. The Planning Board originally favored this amendment in 2005. The Town Council did not turn it down, but rather sent it to the Comprehensive Plan Committee, where a positive recommendation was made.

Mr. Dolan asked if this impacted all wetlands or just those in the BA District and was told only in the BA District.

Mrs. Schenkel said we have a public forum tomorrow night and we need information on the wetland boundary.

Mr. Dolan said the rationale course of action is to consider the BA District in totality. He supports funding to map the wetland.

Mrs. Richardson made the following motion, seconded by Mr. Dolan (?):

That the Planning Board authorizes the Town Planner to retain an appropriate consultant to map the wetland adjacent to the BA District on Route 77 using the Planning Board's special project funds.

Mrs. Falendar questioned the precedent of the town assuming the cost for mapping wetlands. Who paid for the wetland mapping on Jordan Farm Rd?

Mr. Hatem said we are doing this as part of the BA amendments and implementation of the Comprehensive Plan. This is not done to help or hinder an application, but part of our Comp Plan charge.

Mr. Collins asked that the wetland consultant also perform a functions and values assessment.

The Planning Board agreed that the functions and values assessment be performed.

Ms. O'Meara cautioned that obtaining a functions and values assessment in addition to mapping the wetland boundary may exceed the Planning Board budget and that this was not a good time to ask for more funding.

Mr. Collins suggested that the wetland budget come back to the Planning Board for discussion at the May 20th meeting.

Mrs. Schenkel wanted to assuage concerns. The Planning Board rarely spends its annual special studies budget. This is not about applicants, but about the BA District as a whole. We can't make a rational decision without this information.

Mrs. Richardson wants Mrs. Falendar's point on the record that we wouldn't be spending money to map wetlands without a pending amendment to consider.

Mrs. Falendar wants the entire wetland edge within the BA District, including the wetland on the east side of Route 77 mapped. Ms. O'Meara explained that she had not intended to map that wetland because there is no field mapping available that suggests that it is not correctly shown, which is the case for the wetland on the west side of Route 77. In addition, funding may not cover that cost.

The Board agreed that Ms. O'Meara should obtain a proposal to map the wetland boundary located on the west side of Route 77, then a cost for a functions and values assessment, and then a cost for mapping the wetland on the east side of Route 77. If the total cost exceeds \$5,000, Ms. O'Meara should obtain approval for the amount of work that could be purchased for \$5,000. The Planning Board asked her to try to get estimates in time for the meeting the following evening.

The Board voted 5-1(Collins) to authorize spending for wetland mapping.

The Board then discussed the "Hatem amendment" which has been added to the BA District amendments. Mr. Hatem explained that the amendment would allow existing, developed sites to be reused as long as no increase in impervious

surface occurs and the use is permitted in abutting district. Mr. Hatem said this was a common sense approach to a common problem and not created to accommodate a specific proposal.

Mr. Dolan said he thought the amendment was appropriate and should be incorporated into the BA District overhaul amendments.

Mr. Dolan made the following motion, seconded by Mrs. Richardson:

BE IT ORDERED that, based on the information presented, the Business A Wetland Amendments that allow the RP1 Buffer to be reduced to 100' and that allow expansion of nonconforming uses where there are no exterior changes, located in Sec. 19-6-9 of the Zoning Ordinance, be tabled to the May 20, 2008 meeting of the Planning Board.

The motion was passed 6-0.

Bed and Breakfast Zoning Amendments -The Planning Board will consider amendments to the Zoning Ordinance that will make Bed and Breakfasts a permitted use on lots with frontage on an arterial, collector or rural connector road, Sec. 19-10-3, Amendments to the Zoning Ordinance.

Mrs. Falendar said that B&B's are more intensive than residential uses. She questions allowing them on nonconforming lots and would make the following changes. She would increase the minimum lot size in the RA District to 80,000 sq. ft. with a minimum of 125' of frontage. She would increase the minimum lot size in the RC District to 20,000sq. ft. with a minimum of 100' of frontage.

Mrs. Schenkel concurred.

Mr. Dolan confirmed that a B&B on a nonconforming lot would still require site plan review and expressed support for the amendments. Mr. Collins and Mr. Hatem concurred.

Mr. Dolan made the following motion, seconded by Mrs. Richardson:

BE IT ORDERED that, based on the draft text presented, the Planning Board tables the Bed and Breakfast Amendments to the Zoning Ordinance until the May 20, 2008 meeting, at which time a public hearing will be held.

The motion passed by a vote of 6-0.

Mr. Hatem made a motion to adjourn, seconded by Mrs. Richardson. It passed by a vote of 6-0. The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Maureen O'Meara
Acting Minutes Secretary