

TOWN OF CAPE ELIZABETH
MINUTES OF THE PLANNING BOARD

November 17, 2009

7:00 p.m. Town Hall

Present: Beth Richardson, Acting Chair
Liza Quinn

Thomas Dolan
Barbara Schenkel

Absent: Elaine Falender, Peter Hatem, James Huebener

Also present was Maureen O'Meara, Town Planner.

Mrs. Richardson called the meeting to order and asked for additions or corrections to the minutes of the September 15, 2009 meeting. Mrs. Schenkel moved to approve the minutes and was seconded by Mr. Dolan. The motion passed **4-0**.

CONSENT AGENDA

Fort Williams Arboretum Site Plan - The Town of Cape Elizabeth is requesting a 1 year extension of the previously approved site plan for an arboretum at Fort Williams Park located on Shore Rd, Sec. 19-9-4 Site Plan Extension.

There was no discussion.

Mrs. Schenkel made the following motion:

BE IT ORDERED that, based on the plans and materials previously submitted and the facts presented, the request of the Town of Cape Elizabeth for a one-year extension of the Site Plan approval for the Arboretum at Fort Williams be approved with an extension to November 17, 2010.

Mr. Dolan seconded the motion and it was approved **4-0**.

Purpoodock Club Site Plan - The Purpoodock Club is requesting an amendment to the previously approved site plan for 300 Spurwink Ave to add a parking lot (R4-3), Sec. 19-9-6, Site Plan Amendment.

There were no questions from the Board.

Mr. Dolan made the following motion:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Purpoodock Club, located at 300 Spurwink Ave, to amend the previous Site Plan approval to add an overflow parking lot to an area used for staging be approved as a Consent Agenda item.

Mrs. Schenkel seconded the motion and it passed, **4-0**.

NEW BUSINESS

Cape Café Site Plan - James Wagner, Dr. Samir Haydar and David Leopold are requesting Site Plan Review for a 60-seat, 2,294 sq. ft. café in the Pond Cove Shopping Center located at 327 Ocean House Rd, Sec. 19-9, Site Plan Completeness.

James Wagner presented the plan to the Board for the Cape Cafe. The proposal is for a cafe and wine bar to be located at the Pond Cove Shopping Center, just to the right of the CVS Pharmacy. The plan is for 2294 square feet.

He is requesting that the application be deemed complete. He addressed the parking and noted a memo from the Town Planner that deals with the parking at the shopping center. He requested that the Board accept this memorandum in lieu of an independent parking study.

The lighting will be in 5 locations. One on either side of the sign, new shielded lights to show the sign, downlights over the door, and LED lights on both sides of the window.

He requests that no public hearing be held and the application proceed before the Town Council.

Ms. Quinn asked about the parking lot in the back of the building. It seems congested there and she wants to know where the supplies will come in. She said there were some propane tanks back there and she is concerned about the space.

Mr. Wagner said the intent is to have deliveries come to the back door, or to the front if it is in the early morning.

Mr. Dolan made the following motion:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of James Wagner, Dr. Samir Haydar and David Leopold for Site Plan Review for a change of use of an existing space in the Pond

Cove Shopping Center, located at 327 Ocean House Rd, to restaurant for the Cape Café Wine Bar be deemed complete.

Mrs. Schenkel seconded and the motion was adopted, **4-0**.

The Board then discussed the need for a site visit. Mr. Dolan did not feel that he needs a site walk.

Mrs. Schenkel wants to go and look at the back of the building.

Ms. Quinn is concerned that the plans do not show all the things that are there in the back.

It was decided to have a site walk on Friday November 20, at 1:00 pm.

A discussion with Mr. Wagner about the plans ended with his agreement to add the propane tanks and other semi-permanent items to the plans.

It was agreed to have a public hearing.

Mr. Dolan made the following motion:

BE IT FURTHER ORDERED that the above application be tabled to the December 15, 2009 meeting of the Planning Board, at which time a public hearing will be held.

Mrs. Schenkel seconded the motion, and it passed, **4-0**.

Mr. Dolan made a motion to adjourn, seconded by Ms. Quinn. It was passed **4-0**.

The meeting was adjourned at 7:20 pm.

Respectfully submitted,

Hiromi Dolliver