

TOWN OF CAPE ELIZABETH
MINUTES OF THE PLANNING BOARD

October 19, 2010

7:00 p.m. Town Hall

Present: Peter Hatem, Chair
 Elaine Falender
 Barbara Schenkel
 Carol Anne Jordan
 Liza Quinn
 Victoria Volent

Absent: James Huebener

Also present was Maureen O'Meara, Town Planner.

Mrs. Schenkel made a motion to accept the minutes of September 21, 2010.
Ms. Jordan seconded the motion and it was passed 5-0. (Ms. Quinn abstained)

CONSENT AGENDA

Cape Family Medicine Storage Building Amendment - Dr. Craig Johnson is requesting amendments to the previously approved storage building located at 1226 Shore Rd to increase the size of the second floor for storage, Sec. 19-9, Site Plan Amendment.

Dr. Craig Johnson outlined his proposal to alter a previously approved building. He wants to raise the pitch of the roof, add a small mudroom, add an extension for a stairwell and move a light post.

Ms. Quinn said she wants to move this item to the regular agenda in light of the design standards for the Town Center.

Mrs. Volent seconded the motion to move the item to the regular agenda.

Mrs. Schenkel does not agree with the motion. She thinks the plans are very clear.

The Board voted 4-2 to move the item from the Consent Agenda to the Regular Agenda.

Dave Sinclair, a Contractor from South Portland, spoke next about the project. He cited the fact that they have already built a cupola type addition on the backside of the building. It is almost identical to what they are now proposing.

Ms. Quinn said her specific concerns are about pedestrians using the road from the Town Hall to Shore Road and how there are not buffers and there is a wall

with no windows. There are no windows on the pedestrian side, but there is one on the back where it will not be seen.

Mr. Sinclair said there is a plan to have windows on both sides of the building. They will let natural light into the addition.

Ms. Quinn said the windows are not in the plans. That elevation is not accurate.

After further discussion between Ms. Quinn and Mr. Sinclair, Mr. Hatem tried to move the item along. He outlined the issue as a lack of the window being shown on the elevation. He would like to add a condition that the elevation be amended to show the window identical to the one on the other side of the addition.

Dr. Johnson and Mr. Sinclair agreed that it was their plan to put an identical window on the side in question.

Mrs. Falender made the following motion:

Findings of Fact

1. Dr. Craig Johnson, of Cape Elizabeth Family Medicine located at 1226 Shore Rd, is requesting an amendment to the previously approved site plan for a storage building located at the rear of the lot 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 Dr. Craig Johnson, of Cape Elizabeth Family Medicine located at 1226 Shore Rd, for an amendment to the previously approved site plan for a storage building located at the rear of the lot to add a mudroom, an extension for a stair and a more steeply pitched roof to increase storage on the second floor, as well as relocate a light and delete 1 parking space, be approved on the following condition:

1. That the applicant shall provide an amendment to the garage west elevation plan depicting the stairway extension which shall include a window on the westerly side of the stairway extension of the same size and character as the window shown on the garage east elevation.

Ms. Jordan seconded the motion and it passed 6-0.

OTHER BUSINESS

Planning Board Rules of Procedure - The Cape Elizabeth Planning Board is considering revisions to the Planning Board Rules of Procedure, including amendments to increase the opportunity for the public to speak at meetings.

Ms. O'Meara spoke about the changes that have been made. In Section 3 Item C they have modeled what they are doing after the Town Council's public comment section with a couple of changes. The paragraph that describes the workshops has been moved to the very beginning of the section. Workshops will not allow comment from the public. There was a letter from the Maine Municipal Association advising the Board that if public comment at a workshop became a substantive discussion of a project, it could cause legal problems.

Item 2 is where the Board has added a public comment period to every meeting on every item on the agenda. This is in addition to the public hearings which the Board already schedules. The rules and conditions on the public comment are spelled out in section B of Item 2.

Item 3 addresses a new public comment period for items not on the agenda.

Ms. Falender made the following motion:

BE IT ORDERED that the Planning Board Rules of Procedure in accordance with the document draft dated October 18, 2010 be recommended to the Town Council for adoption.

Ms. Quinn seconded the motion and it was approved 6-0.

Ms. O'Meara asked the Board to formally schedule the site walk to the Inn By the Sea they had discussed at their recent workshop. The site walk has been set for 9:00 am Saturday November 6, 2010.

Ms. Falender moved to adjourn the meeting and was seconded by Mrs. Schenkel. It passed by a vote of 6-0.

Respectfully submitted

Hiromi Dolliver
Board Secretary