

MINUTES OF THE PLANNING BOARD
TOWN OF CAPE ELIZABETH

November 19, 2019

7:00 p.m. Town Hall

Present: Josef Chalot, Chair Peter Curry
 Daniel Bodenski Carol Anne Jordan
 James Huebener Jonathan Sahrbeck

Absent: Andrew Gilbert

Also present was Maureen O'Meara, Town Planner.

CALL TO ORDER

Mr. Chalot called the meeting to order and asked for the approval of the minutes of October 15, 2019. The minutes were approved as presented, 5 -0 (one abstain).

The minutes of the November 5, 2019 special meeting were approved, 5-0 (one abstain)

NEW BUSINESS

Ocean House Common Site Plan Amendment and Subdivision - David Jacobson is requesting subdivision review to create a 4-lot subdivision located at 326 Ocean House Rd, plus amendments to the site plans for 326 Ocean House Rd and 320 Ocean House Rd (Town Hall lot) to connect to the parking lot, Sec. 16-2-3 Subdivision Completeness, Sec. 19-9 Site Plan Amendment Completeness.

John Mitchell of Mitchell and Associates presented the project. It is a multi use village green project on 4.1 acres on Ocean House Road. Since they received approvals in May 2019, there has been an increased interest in the development. They are asking to create a subdivision and complete the infrastructure, rather than phase it. He showed the site plan that was approved last May. He also showed the master plan of the entire proposed development. There will be four separate buildings. The access road will go from Ocean House Road to the Town Hall Lot. The road pavement was phased, but will now be paved and include 71 parking spaces. All sidewalks will be constructed and utilities will be extended. Two light fixtures and all plantings will be put in. They have shown "reserve Parking spaces" on the plan. They will not be built at this time, but they are showing them so they do not have to come back for approval when they build them if needed.

They are amending the plan for the Town Hall Lot. They will remove 5 parking spaces, but the removal of the recycling bins will give them 12 more spaces for a net increase of 7 spaces.

For the village green, they propose to combine the storm water management area in the rear of the property with the village green parcel for a total of approximately 3/4 acre and donate it to the town. For the parking, there will be 71 spaces plus 11 reserve spaces. They are requesting provisions for shared parking. Anticipated uses of the buildings are offices or retail on the first floor and apartments on the second floor. They are pursuing a parking license agreement with the Town for use of ten spaces at the rear of Town Hall.

They are requesting 3 waivers for the private road.

1. Road right-of-way width of 44 ft. instead of 50 ft.
2. Centerline road alignment. There is a deviation of 10 ft. from the true centerline of the road right of way.
3. Centerline radius. The ordinance calls for a 125ft. minimum centerline radius and they are asking for a 102 ft. radius.

He showed a rendering of the approved dental office building with the proposed addition. They are adding one apartment for a total of 3. The addition is comprised of a 20 ft. extension for a total of 850 sq. ft.

Mr. Mitchell addressed all of Mr. Harding's comments, and also addressed the comments from Ms. O'Meara. He said they are not in favor of sidewalks on both sides of the roadway. They are opposed to that suggestion. He outlined all the sidewalks in the development.

Mr. Sahrbeck asked if the Town is Ok with the plan. Is the second parcel part of the village green or a second village green.

Ms. O'Meara said the applicant was encouraged to donate the second parcel. It is now part of the open space requirement for the subdivision and will likely be merged into the village green lot.

Mr. Huebener said the Town will have to do the maintenance on the second parcel.

Ms. O'Meara said the Town is looking at this right now.

Mr. Curry asked about the stormwater plan.

Mr. Mitchell said the master plan requires a DEP stormwater permit.

Mr. Chalot opened the public comment period. No one came forth to speak, so the public comment was closed.

Ms. Jordan made the following motion:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of David Jacobson for a 4-lot commercial subdivision located in the Town Center at 326 Ocean House Rd, and amendments to the 326 Ocean House Rd site plan and town hall site plan, located at 320 Ocean House Rd, be deemed complete.

Mr. Huebener seconded the motion and it was passed, 6-0.

The Board decided that a site walk was not necessary. They have already had one.

Mr. Sahrbeck said he does not see a need for a second sidewalk, Mr. Huebener, Ms. Jordan and Mr. Curry agree.

Mr. Sahrbeck asked about the paving for the sidewalks. Some are asphalt and some are pervious pavers.

Mr. Mitchell said the pervious pavers are for stormwater management purposes. They are a very expensive treatment.

Mr. Chalot agrees about the lack of a necessity for sidewalks on both sides of the street. He asked Ms. O'Meara about the second parcel of the village Green and that it is the drainage for the entire site. Does the Town want to take this on?

Ms. O'Meara said the Town Engineer is still looking at this.

Mr. Mitchell said it is not a detention basin. Water will sheet flow into the lower area and then will drain to focal points and be discharged. Only during the peak storms will it pond and then will shortly drain. The vast majority of the time it will be dry.

Mr. Chalot asked if Mr. Mitchell has consulted with the Fire Chief about the reduced radius on the road curve.

Mr. Mitchell said he did not, but he will.

Ms. Jordan asked about the stormwater that comes off the site.

Ms. O'Meara said the Town wanted them to use the Town's stormwater system that is in Ocean House Road. The Town is doing a stormwater study, it is almost done, and they are not finding any significant flooding downstream from taking on the water from this project.

Ms. Jordan made the following motion:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of David Jacobson for a 4-lot commercial subdivision located in the Town Center at 326 Ocean House Rd, and amendments to the 326 Ocean House Rd site plan and town hall site plan, located at 320 Ocean House Rd, be tabled to the regular December 17, 2019 meeting of the Planning Board, at which time a public hearing will be held.

Mr. Sahrbeck seconded the motion.

Mr. Chalut asked if anyone has an objection to the waivers that have been requested.

No one raised an objection.

The Board voted 6-0 to approve the motion.

Since no other issues were raised, the Board voted unanimously to adjourn at 7:45 p.m.

Respectfully submitted,

Hiroshi Dolliver
Minutes Secretary.