

AGENDA

TOWN OF CAPE ELIZABETH

PLANNING BOARD AGENDA

April 29, 2004 7:00 p.m. Town Hall

CALL TO ORDER

7:00 Minutes of previous meeting: March 16, 2004

Correspondence:

- Letter from FitzPatrick Assoc. re: Leighton Farms
- Memorandum from Town Planner re: Comfy Cape, Hamlin St
- Letter from K. Newman re: Comfy Cape Day Care
- Letter from S. Blais re: Hamlin St Subdivision

CONSENT AGENDA

1. Aucocisco School Site Plan Amendments - Barbara and Harvey Melnick of the Aucocisco School, located at 126 Spurwink Ave (U29-65), is requesting approval for several site changes to the original site plan approval, Sec. 19-9-6, Site Plan Amendments.

OLD BUSINESS

7:05 Cape Elizabeth Commons Site Plan - Request by Isis Development, LLC for Site Plan Review of a mixed commercial/residential building proposed at 316 Ocean House Rd (U11-16A), Sec. 19-9, Site Plan Public Hearing.

7:35 Pond Cove Addition/Cape High School Renovation Site Plan - Request by the Town of Cape Elizabeth for Site Plan Review of the construction of an addition to Pond Cove Elementary School, located at 6 Scott Dyer Rd (u21-12) and a combination of renovations and cafeteria addition to the Cape Elizabeth High School, located at 345 Ocean House Rd, Sec. 19-9, Site Plan Review.

NEW BUSINESS

8:00 Inn by the Sea Site Plan Amendment - The Inn by the Sea, located at 40 Bowery Beach Rd (U17-40), is requesting an amendment to the previously approved site plan to increase the number of function guests from 176 to 320, Sec. 19-9-6, Site Plan Amendments.

NOTE: The times on this agenda are approximate and are intended for the convenience of the applicants; however, your time could be called earlier or later than the indicated time.

DRAFT MINUTES

TOWN OF CAPE ELIZABETH

MINUTES OF THE PLANNING BOARD MEETING

FEBRUARY 23, 2004 7PM, TOWN HALL

Peter Hatem Absent: David Griffin

Dave Sherman

John Ciraldo

Peter Cotter

Barbara Schenkel

Also present was Maureen O'Meara, Town Planner.

Mr. Ciraldo opened the meeting by reviewing the agenda. The first item on the agenda was approval of the minutes from the December and January meetings.

Mrs. Schenkel had two corrections.

Mr. Sherman made a motion to accept as amended and Mr. Hatem seconded and carried 5 in favor, 0 opposed.

Mrs. Schenkel had a correction to the January minutes.

Mr. Cotter made a motion to approve as amended. Mr. Sherman seconded the motion and carried 5 in favor, 0 opposed.

Mr. Ciraldo reviewed correspondence received, and then moved on to the agenda.

United States Cellular Generator Site Plan Amendment - United States Cellular is requesting an amendment to the October, 2003 Utility Building Site Plan approval to add a generator to the site located at 14 Strout Road (R5-24), Sec. 19-9-6, Amendments.

Mr. Ciraldo reminded the Board that if any member would like to remove the item from the Consent Agenda they could do so. With no comments forthcoming, Mr. Ciraldo asked for a motion for the Amendment.

Mr. Cotter made the following motion:

BE IT ORDERED that, based on the plans and materials submitted, the application of U.S. Cellular to amend an existing

site plan to place a generator adjacent to the utility building at the base of the tower on Strout Rd be approved as a Consent Agenda item.

Mrs. Schenkel seconded the item and carried 5 in favor, 0 opposed.

NEW BUSINESS

Nedwell Private Accessway Permit - Philip and Darlene Nedwell are requesting a Private Accessway Permit for a lot adjacent to 3 South Street (U29-51A/51C), Sec. 19-7-9, Private Accessway Completeness.

Owens McCullough, a civil engineer from Sebago Technics, represented the applicants.

Mr. McCullough displayed a map showing the Nedwell's current property, the property they purchased next to it, and where they were asking for an extension of South Street for 150 ft. He addressed the extension of an 8-inch sewer, as requested by Bob Malley, the Public Works Director. He stated that they were moving the driveway slightly and building a hammerhead turnaround as requested by the Fire Chief and the Town Engineer. Mr. McCullough stated they had received the Planner and Town

Engineer's review comments, which will be addressed and revised on the plan. He addressed the letter received from the Town Attorney and will make revisions based on his recommendations concerning the Road Maintenance Agreement.

Mr. Ciraldo reminded the Board that the first item to consider is completeness.

Mr. Sherman made the following motion for the Board to consider:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Philip and Darlene Nedwell for a Private Accessway Permit for a lot located at 5 South Street (U29-51D) be deemed complete.

Mr. Hatem seconded the motion and carried 5 in favor, 0 opposed.

Mr. Ciraldo recommended tabling the item to the following meeting to review revised plans and asked the Board for discussion on having a site walk and/or Public Hearing.

Mrs. Schenkel asked Ms. O'Meara for her recommendation.

Ms. O'Meara recommended a Public Hearing.

Mrs. Schenkel stated that there was a discrepancy with the

zoning displayed and the frontage and minimum lot size.

Mr. Sherman made the following motion:

BE IT FURTHER ORDERED that the above application be tabled to the regular March 16, 2004 meeting of the Planning Board, at which time a public hearing shall be held.

Mrs. Schenkel seconded and carried 5 in favor, 0 opposed.

Fort Williams Playground Site Plan - The Town of Cape Elizabeth is requesting site plan approval to construct a playground in Fort Williams Park in the area of the park maintenance building, Sec. 19-9, Site Plan Completeness.

Patrick Carroll, of Carroll Associates and representing the Town of Cape Elizabeth, has been working with the playground committee and described the location of the proposed playground in the south central portion of the Park.

He described the layout for the playground and the parking and pathways surrounding the proposed project. This playground is geared toward younger, preschool age children. Mr. Carroll described the type of playground equipment that would be installed and is working with a supplier but due to funding, this will go to bid and equipment could slightly change. The climbing structure is designed to resemble a boat to reflect the heritage of the community. They have addressed the drainage issue with Public Works to prohibit ponding. Mr. Carroll stated existing trees would be preserved. He stated they will be planting some evergreens, flowering trees, shrubs, as well as a 4 ft chain link fence.

Mr. Ciraldo reminded the board the first item to address is completeness.

Mrs. Schenkel made a motion for the Board to consider:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Town of Cape Elizabeth to construct a playground in the southwest preserve area of Fort Williams Park, located on Shore Rd, be deemed complete.

Mr. Hatem seconded the motion and carried 5 in favor, 0 opposed.

Mr. Ciraldo asked the applicant for a time of start/completion.

Mr. Carroll stated that they would like to start in June.

Mr. Ciraldo stated the Board should consider a Public Hearing and asked Ms. O'Meara if she had received any inquiries in the project. No inquiries had been made.

Mrs. Schenkel stated that since a Town committee has been involved in this, no public hearing is needed and Mr. Sherman concurred.

Mr. Ciraldo stated that Mr. Carroll and the committee had done a great job and the playground would be a great addition to the park.

Mr. Sherman referenced the parking and wanted to agree with the Planner that extra parking spaces would not be needed, as there is not any employee parking.

Mr. Carroll agreed and, with the exception of spring baseball, it should not be an issue.

Mr. Cotter made a motion for the Board to consider:

Findings of Fact

1. The Town of Cape Elizabeth is requesting Site Plan Review to construct a playground in the southwest preserve area of Fort Williams which requires Site Plan Review under Sec. 19-9.
2. The project will utilize existing underdrain systems and landscaping as part of the project design and preservation plan.
3. 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 Town of Cape Elizabeth to construct a playground in the southwest preserve area of Fort Williams Park, located on Shore Rd, be approved with the following conditions:

1. That the contractor work with the Department of Public Works regarding connection to underdrain systems; and
2. That the applicant prepares a landscape preservation plan acceptable to the Town Planner.

Mr. Sherman stated that there should be an amendment under condition #2 that the Town Planner approves the landscape preservation plan.

Mrs. Schenkel seconded the motion with amendment and carried 5 in favor, 0 opposed.

Pond Cove Addition/Cape High School Renovation Site Plan - Request by the Town of Cape Elizabeth for Site Plan Review of the construction of an addition to Pond Cove Elementary School, located at 6 Scott Dyer Rd (U21-12) and a combination of renovations and cafeteria addition to the Cape Elizabeth High School, located at 345 Ocean House Rd, Sec. 19-9, Site Plan Completeness.

Mr. Sherman addressed the Board and recused himself from consideration of the application, as his law firm is counsel for the school.

Tom Greer, representing the Town of Cape Elizabeth and Pinkham and Greer, displayed updates and improvements of the proposed plan. He stated how they were making improvements to the entrance to the site by widening the entrance out and exit lanes, adding an esplanade and sidewalks, modify the parking lot with additional parking spaces in the student lot, change the plaza area in front of the school, provide a drop off lane and an access road that goes to the gymnasium. He demonstrated the additional 1500 sq. ft. to be added to the existing cafeteria with a small plaza as well as a walkway that connects the lower parking and upper parking lot. They are going to landscape the area with larger trees to give the school a campus feel.

Mr. Greer stated the Pond Cove School addition is the first project to undergo construction. The school should be receiving bids by the end of April and begin construction immediately after. The parking lot and athletic fields would be started in 2005 to make sure there is adequate funding to complete the entire project. The Pond Cove School addition is a single story wing with 4 classrooms, teacher space, and restrooms. They are reconstructing the walkway around the addition and increasing to 8 ft. to make it plowable. They are also adding gravel as the Fire Chief requested. The new walkway will have a grass embankment and the landscaping is going to include small and larger trees, no shrubs as requested.

Mr. Greer discussed the changes to the high school cafeteria, which will be adding 1500 sq.ft. They are adding concrete squares on which picnic tables will be placed and the landscaping will continue the campus feel. He showed the ADA entrance to the Gymnasium. They also allowed a large radius to accommodate rescue vehicles that will be able to access the fields if there is a need.

They are increasing the length of the soccer field by 25% to make it regulation. The existing field is 2.5 - 3% grade and they propose to level it to 1% with fill from the school construction. They will be tying into existing drainage. The existing scoreboards will have new foundations; which will raise them approximately 5 feet.

The utility improvements will include a new fire main that will go into the building for sprinklers, also a new hydrant out front and 8" line around to the back of the building.

Bob Howe introduced himself being from HKTA Architects, and would review the architectural components of this project. They have lowered the front entrance area for handicap accessibility, and then midway are a set of stairs to the existing levels. After the new two-tier entry, the administration will be located on right

and guidance area on left. Signage to announce the building is still being discussed.

The Pond Cove addition of 4 classrooms and support space is strategically located to make use of the existing elevator. The proposed addition is close to the cafeteria, gymnasium, and administration. It was designed to someday be able to accommodate a second floor. He showed different views and elevations of new addition, and they will be using same brick, window patterns as existing.

Mr. Ciraldo asked for the construction schedule.

Mr. Howe stated that they are having discussions with project manager. He expects some work done this summer with substantial completion in 18 mos.

Mr. Ciraldo stated the Board is to consider the issue of completeness and asked if there were any questions. He stated that although signage had yet to be determined, he did not think that should hold up completeness as long as the Board sees the signage when it is determined.

Mrs. Schenkel made a motion for the Board to consider:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Town of Cape Elizabeth for Site Plan Review of an addition to Pond Cove Elementary School and renovations to the High School and related improvements located on Scott Dyer Rd and Ocean House Rd be deemed complete.

Mr. Hatem seconded the motion and carried 4 in favor and 0 opposed.

Mr. Ciraldo stated there should be a Public Hearing scheduled for the next month and asked for a motion on that.

Mrs. Schenkel made the following motion for the Board to consider:

BE IT FURTHER ORDERED that the above application be tabled to the regular March 16, 2004 meeting of the Planning Board, at which time a public hearing shall be held.

Mr. Hatem seconded that and carried 4 in favor and 0 opposed.

Mr. Hatem made the motion to adjourn.

Mrs. Schenkel seconded the motion and carried 4 in favor and 0 opposed.

Meeting adjourned at 8:30p.m.

Respectfully Submitted,

Laurie Palanza

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