

TOWN OF CAPE ELIZABETH
DRAFT MINUTES OF THE PLANNING BOARD

January 20, 2015

7:00 p.m. Town Hall

Present: Victoria Volent, Chair
Josef Chalot
Peter Curry

Carol Anne Jordan
Elaine Falender
Henry Steinberg

Absent: Liza Quinn

Also present was Maureen O'Meara, Town Planner.

Ms. Volent opened the meeting and called for the approval of the December 16, 2014 Minutes. They were approved without correction 6-0.

Ms. Volent then called for the nominations for Planning Board Chair. Mr. Curry was nominated and approved 5-0 (1 abstain).

Mr. Curry was seated as Chair, and thanked Ms. Volent for her high level of service on behalf of the Board.

Ms. Jordan was nominated for Vice Chair and approved 5-0 (1 abstain).

NEW BUSINESS

Petersen Hidden Court Subdivision Amendment - Nathalie and Alexander Petersen are requesting amendments to the Hidden Court Subdivision, located at 340 Ocean House Rd, to change the lot lines for lots 4-1 and 4-3, Sec. 16-2-5, Amendments to Previously Approved Subdivisions completeness.

Ms. O'Meara said this property is in the Residence A District, which has 80,000 sq. ft. as a minimum lot size. These lots are well within the minimum size. This subdivision was approved in 1989 and therefore is 25 years old.

Stephen Mohr presented the project on behalf of Nathalie and Alexander Peterson. This subdivision was approved in 1989 and amended later in 1989. He showed the plans as approved in the amended plan. The Stone House Lot is 42 acres. The Garden House Lot is 10 acres. Both lots are owned by the Petersens. The proposed change is to convey a portion of the Stone House Lot to the Garden House Lot. The portion to be conveyed is most of the view corridor that now exists as an easement in favor of the Garden House Lot. They also are shifting the lot lines to make them more consistent with the natural features that exist on the property.

He then showed the proposed plan, and noted that the Garden Lot has grown from 10 acres to 13.2 acres. They have also made a change in the building window. They have decreased the size by increasing the distance from the neighboring lot line. They have also added notes to specify what activities can be done outside the building envelope.

Mr. Curry opened the public comment on completeness.

Frank Strout of 1184 Shore Road said his family once owned this property. He is a partial owner of the abutting property. He thinks this project makes sense. The lots were originally laid out in the 1980's to protect the natural resources. He does not want the building lot to be able to be moved from where it is now being located.

Tom Dunham of 11 & 12 Becky's Cove supports this plan and wants the Board to be sure to keep the building envelope where it is now proposed. Preserve the open field as it is.

Mr. Curry closed the public comment period.

Ms. Falender had a question about easements across the Garden Lot.

Mr. Mohr said there is an easement that allows access for foot traffic, not vehicular access across the lot.

Ms. Falender was concerned about the driveway being closed off.

Mr. Mohr said the Stone House has access to its own driveway and does not need to use the garden House driveway.

There was further discussion about some items shown on the plan. Mr. Mohr explained several items on the plan, including driveways, multiple easements and physical features.

Mr. Chalat made the following motion:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Hidden Court LLC, owned by Nathalie and Alexander Petersen, for amendments to the Hidden Court Subdivision, located at 340 Ocean House Rd, to adjust lot lines, building envelopes, and separate driveway access rights be deemed complete.

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

Ms. Volent had a number of questions and corrections regarding the plans.

Mr. Mohr gave some explanations, and agreed to add the corrections as proposed by Ms. Volent.

The Board agreed that they did not need a site walk.

Ms. Falender was concerned that the vegetation is mostly not shown on the plans. She wants the vegetation to be shown so it shows there is evidence that there is an adequate buffer between this plan and the abutting property. She was also concerned about whether the fire truck will have enough room to get into the driveway between the gates. She would like the fire chief to be consulted to be sure he is in acceptance of this entry.

Ms. Falender made the following motion:

BE IT ORDERED that the above application be tabled to the regular February 23, 2015 meeting of the Planning Board, at which time a public hearing will be held.

Mr. Chalot seconded the motion and it was approved, 6-0.

Mr. Curry opened the public comment period. No one was present in the audience, so the public comment period was closed.

The Board voted 6-0 to adjourn at 8:00 p.m.

Respectfully submitted,

Hiroshi Dolliver
Minutes Secretary