

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: August 15, 2017
SUBJECT: BB District Landscape Contractor map and text amendments

Introduction

The Town Council has referred to the Planning Board a request by Brad Pearson to change the zoning at 27 Fowler Rd (U20-10) from Residence A (RA) to Business B (BB). Amendments to the BB District regulations are also under consideration to make a Landscape Contractor a permitted use. The zoning map and text changes will be reviewed in compliance with Sec. 19-10-3, Amendments [to the Zoning Map and Zoning Ordinance].

Procedure

- The Board should begin with a review of the proposed map and text changes.
- The Board should allow for public comment.
- The Board should then discuss the proposed amendments and make revisions as needed.
- At the close of discussion, the Board should table the amendments to the September 19th Planning Board meeting, when a public hearing may be scheduled.

Process to date

March 13, 2017	Town Council refers to Planning Board
April 4th	Planning Board Workshop
May 2nd	Planning Board Workshop
May 18th	Planning Board meeting
June 20th	Planning Board public hearing to hear comments
August 1st	Planning Board Workshop
August 18th	Planning Board meeting
September 19th	Planning Board public hearing (proposed)

Discussion

Attached is a map depicted the Zoning Map change to add 27 Fowler Rd to the BB District and text changes to the BB District regulations.

The text changes mirror the structure for an Earthwork Contractor. Based on discussion at the August 1st workshop the following text revisions have been made.

- The gross vehicle weight for landscape vehicles has been reduced from Class 6 (26,000 lbs) to Class 4 (16,000 lbs). Commercial vehicles are organized into 8 classes, with class 1-3 considered light duty, 4-6 medium duty, and 7+ heavy duty.
- Welding is limited to repair of landscape contractor equipment.
- The outdoor storage must be contiguous and remains limited to no more than 50% of the total lot area.
- Setbacks are road 40' (same as Earthworks Contractor) and 25' from all other property lines.

Motion for the Board to Consider

BE IT ORDERED that, based on the map and proposed text amendments, and the facts presented, the request of Brad Pearson to change the zoning for 27 Fowler Rd (U20-10) from Residence A to Business B and to make text changes to the BB District regulations to permit a landscaping contractor be tabled to the regular September 19, 2017 meeting of the Planning Board, at which time a public hearing will be held.

