

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: September 19, 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 summary of the proposed map and text changes.
- The Board should open the public hearing advertised for this evening.
- When the public hearing ends, the Planning Board may discuss the proposed amendments and make revisions as needed.
- At the close of discussion, the Board has the option to table the amendments to a Planning Board workshop, or to recommend/not recommend the amendments to the Town Council.

### 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
August 30th	Planning Board site visit to 27 Fowler Rd
September 19th	Planning Board public hearing

### Discussion

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

The text changes mirror the structure for an Earthwork Contractor. Since the last meeting, the limit on the size of landscape contractor vehicles to be kept on site has been reduced from 16,000 lbs. gvw to 14,000 lbs. gvw. The reduction is based on the heavy duty pick-up truck that the applicant indicated at the site visit. That truck has a 10,000 gvw. (See attached truck specifications)

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 recommended/not be recommended) to the Town Council.

