

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: May 15, 2018
SUBJECT: 14 Strout Rd Tower Overlay District map amendment

Introduction

At the March 12, 2018 meeting, the Town Council referred to the Planning Board a request by Tower Specialists Inc, representing the Strout Family, to shrink the Tower Overlay District located at 14 Strout Rd. The property owner is doing estate planning. The property owner wishes to shrink the area the tower overlay district covers on the lot in anticipation of residential development on the non-tower portions of the property. The zoning map amendment will be reviewed under Sec. 19-10-3, Zoning Map amendment.

Procedure

- The Board has met with the applicant at two workshops and a modified map amendment has been prepared. The board should review the proposed map amendment.
- The board should allow up to 15 minutes of public comment.
- Board members may discuss the proposed amendment at any time.
- At the close of discussion, the Board should table the amendment to the June 25th meeting at which time a public hearing will be held, or table the amendment to a future workshop for further review.

Discussion

At the May 1st workshop, the Planning Board discussed a map amendment that would shrink the area of the Tower Overlay District (TOD) to exclude areas on the southern portion of the lot that, due to elevation and topography, are not desirable for telecommunication tower siting. An area on the northern end of the lot is similarly removed. The middle of the lot is preserved as a tower overlay district. The middle accommodates 2 existing plus 1-2 possible future towers. The area includes the tower setback (fall zone) for the existing Crowne Castle tower identified for removal.

The Planning Board is considering an option of phasing the TOD amendments. Phase I includes the Crowne Castle tower fall zone. The TOD would shrink to a Phase 2 area if the Crowne Castle tower is removed by April 1, 2020. Failure to

remove the tower by April 1, 2020 would lock in the Phase I rezoning and any additional zoning change would require initiating a zoning amendment application. The Tower Overlay District does not preclude development in accordance with the underlying zoning, in this case predominantly the Residence A District.

Attached are plans showing the Phase 1 and Phase 2 TOD boundaries.

Motion for the Board to Consider

BE IT ORDERED that, based on the plans and the facts presented, the 14 Strout Rd Tower Overlay District Zoning Amendment be tabled to the regular June 25, 2018 meeting, at which time a public hearing will be held.