

MINUTES OF THE PLANNING BOARD  
TOWN OF CAPE ELIZABETH

June 25, 2018

7:00 p.m. Town Hall

Present:     Josef Chalut, Acting Chair     James Huebener  
              Peter Curry                     Jonathan Sahrbeck  
              Andrew Gilbert                Victoria Volent

Absent: Carol Anne Jordan (recused from both items)

Also present, Maureen O'Meara, Town Planner.

CALL TO ORDER

Mr. Chalut called the meeting to order and asked for the approval of the minutes of May 15, 2018. Mr. Gilbert asked for a correction of a name and the minutes were approved as amended, 6-0.

OLD BUSINESS

**19 Wells Rd Telecommunications Tower** - Global Signal Acquisitions IV, LLC (Crown Castle) is requesting Site Plan review, a Resource Protection Permit, and Shoreland Zoning review to construct a 180' tall telecommunications tower to be constructed at 19 Wells Rd (R5-30), Sec. 19-9 Site Plan, Sec. 19-8-3, Resource Protection Permit and Sec. 19-8-2, Shoreland Zoning Performance Standards Request to Table.

Victor Manougian from Global Acquisitions IV, LLC said they have asked for continuances since they were last here in January, 2018. The reason is that they have been looking for a new accessway. They are now redesigning the original accessway and are requesting to table the application for 6 months.

There was no public comment, so the public comment period was closed.

The Board had no comment.

Mr. Huebener made the following motion:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Global Acquisitions IV LLC for Site Plan Review, a Resource Protection Permit, and Shoreland Zoning review to construct a 180' tall telecommunications tower to be located at 19 Wells Rd be tabled to the December 18, 2018 meeting of the Planning Board.

Mr. Sahrbeck seconded and the motion passed, 6-0.

#### OTHER BUSINESS

**14 Strout Rd Tower Overlay District Amendment** - Tower Specialists Inc, representing the Strout family, are requesting reduction in the size of the existing Tower Overlay District located at 14 Strout Rd, Sec. 19-10-3, Zoning Map Amendment Public Hearing.

Ms. O'Meara explained that a tower overlay district is an addition to the underlying district that adds another use. In this case, it adds commercial telecommunications towers to that use. When this tower overlay district was created, it encompassed the entire property. The applicant is now requesting that the district be shrunk from the north to the center and from the south to the center. There is an existing tower that is potentially coming down at the end of next year and the Planning Board has asked that all of the setback area for that existing tower remain in a tower overlay district. This is a phased tower overlay district amendment.

Justin Strout is representing the Strout Trust and Tower Specialists. He said they want to shrink the tower overlay district so it encompasses less of the remaining lot, and more of what it was designed for.

Mr. Chalot opened the public hearing. No one spoke, so the public hearing was closed.

Ms. Volent made the point that the board has held an extensive review of the project in the workshop.

Mr. Sahrbeck agreed that they had thoroughly reviewed the project in two workshops.

Mr. Curry said he feels this is consistent with the overlay district standards and is tuning it to reflect the intended use.

Mr. Gilbert said he thinks the phasing is a good solution.

Mr. Sahrbeck made the following motion:

BE IT ORDERED that, based on the plans and the facts presented, the Planning Board recommends the 14 Strout Rd Tower Overlay District Zoning Amendment Phase 1 and Phase 2, with the stipulation that the Phase 2 zoning boundary will take effect after the Crown Castle tower has been removed and not replaced and the property owner provides to the Town

of Cape Elizabeth written notification confirming that the tower has been removed and not replaced no later than April 1, 2020.

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

The board voted unanimously to adjourn at 7:10 pm.

Respectfully submitted,

Hiroshi Dolliver  
Minutes Secretary