

**Town of Cape Elizabeth
Planning Board Meeting Agenda**

September 17, 2019

7:00 p.m.

Town Hall

CALL TO ORDER

- 7:00 1. **Approval** of Minutes: August 20, 2019 meeting

NEW BUSINESS

- 7:05 2. **Executive Session** - The Planning Board will hold an executive session for consultation with its attorney concerning Christopher Munz and Julie Munz v. Town of Cape Elizabeth and Margaret Birlem and Noelle C. DeLuca, Title 1, Chapter 13 Public Records and Proceedings, Sec. 405, 6, E, State of Maine Statutes.
- 7:25 3. **Munz v. Town of Cape Elizabeth/Birlem/DeLuca remand** - The Planning Board will reopen the hearing and proceedings at the direction of the Superior Court on the application of Maggie Birlem and Noelle DeLuca for a private road review to establish frontage for a lot located at 8 Aster Ln (U49-42), Sec. 19-7-9, Private Road Review.
- 8:10 4. **Hemlock Hill Drainage improvements** - The Town of Cape Elizabeth is requesting a Resource Protection Permit and amendments to the Hemlock Hill and Oakhurst Glen Subdivisions to add drainage infrastructure for Hemlock Hill Rd, Sec. 19-8-3 Resource Protection Permit Completeness and Public Hearing, and Sec. 16-2-5, Amendments to previously approved subdivisions Completeness and Public Hearing.
- 8:30 5. **Cunner Lane Private Road review** - David Smith is requesting a private road review for a portion of Cunner Lane to relocated a turnaround located on the southwest side of 19 Cunner Ln(U14-26-1), Sec. 19-7-9, Private Accessway and Private Road Review Completeness.
- 8:50 6. **Pond Cove Playground shed site plan amendment** - The Town of Cape Elizabeth is requesting an amendment to a previously approved site plan to add a garden shed to the Pond Cove Elementary School Playground located at 12 Scott Dyer Rd, Sec. 19-9 Site Plan Amendment Completeness and Public Hearing.

OTHER BUSINESS

7. Public Comment

NOTE: The times on this agenda are approximate and are intended for the convenience of the public; however, an item may begin earlier or later than the indicated time.

Public Participation at regular Planning Board meetings

The intent of this policy is to allow for public participation by interested parties and to provide for orderly Planning Board deliberation.

Speaking on topics on the regular Planning Board meeting agenda

The public hearing or public comment period will be opened after the applicant has made a presentation describing the project, or the Planning Board Chair has described the ordinance amendment or policy issue under consideration. When the Planning Board is considering the completeness of an application, public comments shall be limited to completeness and no comments on the merits of the application shall be made. If the Planning Board finds the application complete, the Planning Board may then open a second public comment period on the substance of the application and under the terms described below.

Members of the public wishing to address the Board concerning an agenda item shall wait until the Chair asks for public comment. When recognized by the Chair, the speaker shall state the speaker's name and address in an audible tone for the record. The speaker is strongly encouraged to focus his/her comments on the development standards of review, or, in the case of an ordinance amendment or policy discussion, the issue under discussion. Each member of the public shall be allowed three (3) minutes, and such time may be extended at the discretion of the Chair. The Chair may decline to recognize any person who has already spoken on the same agenda item. Once the public hearing or public comment period is closed and the Planning Board has begun its deliberations on an item, no member of the public shall be permitted to address the Planning Board. The public hearing or public comment period may be reopened at the discretion of the Chair.

Speaking on topics not on the regular Planning Board meeting agenda

Persons wishing to address the Board on an item not appearing on the agenda may do so only after disposition of all items appearing on the agenda, and only at the discretion of the Chair.