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TOWN OF CAPE ELIZABETH, MAINE

PLANNING BOARD MINUTES

August 21, 1990

7:00 P.M.

Town Hall Cafeteria

Members Present: Ivan Most, Chairman
Richard Tinsman
Judith Kane
Stephen Etzel
Janet McCaa
Thomas Emery, Associate

Absent: None

Also present was Stephen Butler, Town Planner.

Mr. Most explained that the Planning Board is using the cafeteria for tonight's meeting as there is a special emergency School Board meeting in the town hall chambers so they can be broadcast live. Our meeting will be broadcast tomorrow night on TV. He will express the Board's displeasure with this arrangement in a note to the Town Council so that it will not become a regular practice, since a number of people in the town like to keep track of what is done at the Planning Board meetings.

Mr. Most announced that the newly appointed associate board member is Judith Lardner, who will be with us next month.

There was no discussion or corrections to the minutes of the July 17 meeting.

Mr. Etzel moved to accept the minutes as recorded. Ms. McCaa seconded the motion. There was a unanimous vote to accept the minutes.

The first item of business was a Public Hearing on the proposed amendment to Section 19-4-7(a)(2) of the Zoning Ordinance changing the time period for recording a variance to 90 days. This would change it from the present 30 days. No member of the public spoke on this issue.

Mr. McCaa moved to adopt the change. Mr. Etzel seconded. There was a unanimous vote to adopt the change to 90 days to record a Zoning Ordinance variance.

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KEVIN ZORSKI/ELISE THIBODEAU - Request for a Public Access Waiver for One Lot -
Beacon Lane, Map U-15, Lot 66

Mr. Etzel and Ms. Kane abstained from voting on this matter. Mr. Emery was appointed a voting member.

Mr. Zorski said that at the time of the site walk he was told he needed to get a site survey done on sight distances at the intersection of Beacon Lane with Two Lights Road. The survey was done in early August, and there was also one done by the Police Department on July 30. After that, on July 31 and August 1, after checking with the neighbors Mr. Zorski cut shrubbery on both sides, looking east and west along Two Lights Road. That significantly improved the sight distance and so there will be a discrepancy between the two reports. His survey was done 26' from the center of Two Lights Road. When you are 26' from the center of the road you are 15' back from the edge of the pavement. At 26' you could see 158', and when you moved it up to 21', which would be 10' from the edge of the pavement, you could see 345'. Then a car could be either totally or partially obscured from view by bushes on the public way which have been partially trimmed.

Looking west, the limiting factor is a knoll of dirt at the side of the road. If the knoll was dropped a foot, the sight distance would be much more than adequate.

Mr. Etzel seconded the motion and it was passed unanimously on completeness.

The next issue was acceptance of the application.

Ms. McCaa moved: BE IT ORDERED that the request for site plan approval for the CYR DAY CARE FACILITY, located at 95 Lydon Lane and proposed by Paul and Michele Cyr and Cindy Lydon, be granted in accordance with Section 19-2-9 of the Zoning Ordinance and the facts presented.

Ms. Kane seconded the motion and there was a unanimous vote to accept the application.

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CASCO NORTHERN BANK - Addition to an Existing Commercial Building (1234 Shore Road) -
Site Plan Review

Mr. Robert Cote said the bank is proposing to enclose an existing portico. There will be no elevation change. They propose to have a frost wall and pour concrete. They propose white framing for the enclosure to carry out the colonial design of the building. He presented a plan showing abutting properties. Two parallel parking spaces will be deleted to widen the traffic lane, and all traffic will be going in one direction around the building. Sufficient parking spaces are available for the customers at the front of the building, and sufficient parking for employees in the rear. There will be an "exit only" for cars going onto Shore Road. There will be no change in lighting or signage.

Mr. Cote introduced Steve Doe of Sebago Technics who explained additional landscaping plans which include installing a wood rail fence along the front of the property with 72 day lilies planted in front of it.

Mr. Most asked about the lighting. Mr. Cote said they presently have high pressure sodium lamps on all night for the security of customers. They are controlled by light sensors to come on at dusk. The improvements are estimated to cost around \$9,000.

Mr. Emery asked the applicant to review the width of the handicapped entry.

Mr. Tinsman expressed his approval of the planting of day lilies at this site, and also noted that Casco Bank has donated two trees to the Town.

Mr. Etzel commented on the difficulty of pedestrian traffic at that corner and said the Planning Board should consider how pedestrian traffic can be improved there.

Ms. Kane commented that she is very pleased with what they are planning to do with the building and is thrilled about the day lilies.

Mr. Butler referred to the checklist and said the application appears to be complete.

Mr. Etzel made the motion:

BE IT ORDERED that the site plan review application for the Addition to the Existing Casco Northern Bank Building, located at 1234 Shore Road, is deemed to be complete, in accordance with Section 19-2-9 of the Zoning Ordinance and the facts presented.

Ms. McCaa seconded the motion and there was a unanimous favorable vote on completeness.

The next issue was acceptance of the application.

Mr. Tinsman read the motion:

BE IT ORDERED that the request for site plan approval for the Addition to the Existing Casco Northern Bank Building, located at 1234 Shore Road, be granted in accordance with Section 19-2-9 of the Zoning Ordinance and the facts presented subject to the following conditions:

- a. That the entire site shall be developed as depicted on the presented site plan, except as amended by these conditions of approval. Approval of the Planning Board shall be required for any alteration to, or deviation from, the approved site plan;
- b. That the requirements of this approval and the abovementioned conditions shall be binding upon the present and future owners of this site; and
- c. That a covenant incorporating the abovementioned conditions shall be inserted into the deed of this property; said covenants shall be submitted by the applicant for review and approval by the Town Attorney and Town Planner and then recorded by the applicant with the Cumberland County Registry of Deeds prior to the issuance of a building permit.

Ms. Kane seconded the motion. There was a unanimous vote granting the application.

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Mr. Most called for a discussion on a proposed amendment to Sections 19-2-2 (1), 19-3-1 (b) and 19-3-2 (b) of the Cape Elizabeth Zoning Ordinance regarding setbacks. [Section 19-4-9]

The proposed change is to allow as a conditional use certain additions such as decks, rather than as a variance. On substandard lots it would allow for some intrusion into the setback.

Mr. Etzel made the motion:

BE IT ORDERED that the Planning Board will hold a public hearing on the proposed amendments to Sections 19-2-2(1), 19-3-1(b), and 19-3-2(b) of the Zoning Ordinance relating to setbacks at the September 18, 1990 Planning Board meeting.

Ms. McCaa seconded the motion. It was passed by unanimous vote.

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Mr. Most asked for a report from the Infrastructure Subcommittee composed of Mr. Etzel, Mr. Emery and Ms. Kane. He said they should be mentioned in a letter to the Town Council.

Mr. Etzel said they had considered what they could foresee as problems and methods of dealing with the expense of road construction, recreational areas, etc. The immediate needs, near future needs, and long range needs are prioritized on a matrix which is attached to the minutes of the August 14 workshop meeting.