

## TOWN COUNCIL MEMBERS

<a href="#">Henry Berry</a>	6/2000	110 Two Lights Road
<a href="#">Anne Swift-Kayatta</a>	6/2002	14 Stone Bridge Road
<a href="#">Carol Fritz</a>	6/2000	1 Stirrup Road
<a href="#">Ruth McCleery Watson</a>	6/2001	7 Winding Way
<a href="#">John (Jack) E. Roberts Jr.</a>	6/2002	1 Dean Way
John W. McGinty	6/2001	86 Brentwood Road
<a href="#">Penelope P. Carson</a>	6/2000	36 Trundy Road

[Return to top](#)

Agendas

### DRAFT CAPE ELIZABETH TOWN COUNCIL AGENDA

#### CAPE ELIZABETH TOWN COUNCIL AGENDA

Regular Meeting # 10-99-00

February 14, 2000

7:30 p.m.

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Presentations

Reports and Correspondence

Town Manager's Report

Citizens' Discussion of Items Not on the Agenda

Minutes of Meeting # 9-99-00 held January 10, 2000

**Item # 73** Consideration of a proposed amendment to the sewer user fees which would bill all customers based on a minimum monthly fee of \$26.50 and \$4.00 per hundred cubic feet of measured water usage for all use over 100 hundred cubic feet.

It is recommended a public hearing be set for March 15, 2000.

**Item # 74** Consideration of a proposed amendment to the sewer

fee for the Cape Elizabeth School Department that would over two years base the school sewer charge on measured water usage.

It is recommended a public hearing be set for March 15, 2000.

**Item # 75** Consideration of a proposed amendment to the sewer connection fee which would increase the connection fee from the current \$2,700 to \$3,000.

It is recommended a public hearing be set for March 15, 2000.

**Item # 76** Consideration of proposed amendments to the Zoning Ordinance recommending changes to the variance standards that would replace the “undue hardship” standard with a “practical difficulty” standard for variances outside of the Shoreland Performance Overlay District and a recommendation that no variances be granted which reduce a setback to less than 10’ or the shortest nonconforming setback distance created by an existing building.

It is recommended a public hearing be set for March 15, 2000.

**Item # 77** Consideration of a proposed amendment to the Zoning Ordinance in the form of a chart which would adjust front side and rear setbacks.

It is recommended that this proposal be tabled indefinitely.

**Item # 78** Consideration of proposed amendments to the Comprehensive Plan and the Zoning Ordinance relating to telecommunication towers and tower overlay districts.

It is recommended a public hearing be set for March 15, 2000.

**Item # 79** Consideration of a recommendation from the Fort Williams Advisory Commission recommending a group use policy for Fort Williams Park.

It is recommended a public hearing be set for March 15, 2000.

**Item # 80** Consideration of a report from the Enhanced 911 Addressing Committee recommending the designation of certain street names.

The committee is recommending action on five street names. In addition, a resident of a driveway that was previously voted to become Robinson Cove Road wishes the Town Council to consider Marr’s Cove Lane as an alternative.

After discussion with the US Postal Service, it is recommended that all street names be effective September 1, 2000.

**Item # 81** Consideration of conditional acceptance of a revised parcel of land that is part of the Hemlock Hill Subdivision

Fitzpatrick Associates wishes to increase the size of the lot previously offered to and conditionally accepted by the Town Council.

**Item # 82** Consideration of a report from the Appointments Committee recommending a citizen to serve as a Trustee of the Thomas Memorial Library

The committee recommends the appointment of Hank Kinsley for a term to expire January 1, 2002.

**Item # 83** Consideration of a quitclaim deed for property located at 19 Cottage Farms Road

It is recommended the town manager be authorized to sign the quitclaim deed.

**Item # 84** Review of a request from the Fort Williams Advisory Commission for approval of the use of Fort Williams Park on June 17, 2000 (rain date 6/24/00) for the 19th annual Family Fun Day.

The Fort Williams Advisory Commission recommends approval.

**Item # 85** Approval of 7:00 a.m. as the poll opening time for the Presidential Preference Primary to be held on March 7, 2000.

The town clerk recommends approval.

Citizens Discussion of Items Not on the Agenda

**Item # 86** Action upon request to enter into executive session to give instructions to the town manager relating to collective bargaining negotiations and to complete the annual evaluation of the town manager.

Adjournment

[Return to top](#)

**DRAFT MINUTES OF Jan. 10, 2000 COUNCIL MEETING**

MEETING # 10-99/00

February 14, 2000

7:30 P.M.

**ROLL CALL BY THE TOWN CLERK**

Councilor	Term Expires	Address	Telephone	Present	Absent
Henry Berry	6/2000	110 Two Lights Road	799-6500	X	

Ann E. Swift-Kayatta	6/2002	14 Stone Bridge Road	767-5754	X
Carol Fritz	6/2000	1 Stirrup Road	767-3737	X
Ruth McCleery Watson	6/2001	7 Winding Way	799-3559	X
John E. "Jack" Roberts	6/2002	1 Dean Way	767-4526	X
John W. McGinty	6/2001	86 Brentwood Road	767-0139	X
Penelope P. Carson	6/2000	36 Trundy Road	799-8029	X

#### STUDENT REPRESENTATIVES-

Rebecca Boulos	X
Andrew Rowe	X

#### Pledge of Allegiance to the Flag

#### Reports and Correspondence

Debra Lane, Town Clerk

Nomination papers for Town Council and School Board are available. Deadline for submission is Monday, March 20, 2000 5:00PM.

The Town is looking for its oldest citizen to be presented with The Boston Post Cane. Information should be provided to the Town Clerk by February 25, 2000.

Councilor Swift-Kayatta reported on the GPCOG meeting re: Agricultural development in Maine, and sharing municipal services. Congratulations to the Cape Elizabeth Police Department, Chief Pickering and CLO Gaspar for the recent signing of the Triad agreement.

Councilor Roberts reported on the pool opening and dedication. Donald Richards was present for the ceremony.

Councilor Berry announced the next meeting of the Historic Preservation Study Committee - February 24.

Councilor Fritz has been named Chairman of the RWS Recycling Committee.

## Town Manager's Report

Congratulations to David W. Pickering for being named Chief of the Year by MAP (Maine Association of Police).

Congratulations to Andrew Clough for obtaining Eagle Scout.

### Fire Department Elections:

Engine One Captain Jim Wilson

Engine 2 Captain Gerry Murray

WETeam Captain Steve Jordan

Rescue Captain Evelyn Cox

Fire/Police Captain Charles Kennedy

Steve Parkhurst, representing Cross Hill subdivision, has presented the Town Manager with a conservation deed for +100 acres at Cross Hill subdivision.

Chairman Carson will be asking for two Town Council volunteers to serve on the Playground Committee.

### Citizens' Discussion of Items Not on the Agenda

John Walker, 20 Birch Knolls, Chairman Cape Elizabeth Town Democratic Committee

The Town Democratic Party will hold its caucus on Sunday, March 5, 2000 at 1:30PM at the CEMS Cafetorium. Voter registration will be held 12:30-1:30PM.

### Minutes

Moved by H. Berry and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council approves the Minutes of Meeting #9-99/00 held January 10, 2000 as written.

(7 yes) (0 no)

Intro to ITEM ##73-75 - Manager McGovern

[See attached proposal](#) .

ITEM #73-99/00 Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council sets to public hearing on Wednesday, March 15, 2000 at 7:30PM at Town Hall a proposed amendment to the sewer user fees which would bill all customers based on a minimum monthly fee of \$26.50 and \$4.00 per hundred cubic feet of measured water usage for all use over

100 hundred cubic feet.

(6 yes) (1 no J. McGinty)

Item # 74-99/00 Moved by H. Berry and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council sets to public hearing on Wednesday, March 15, 2000 at 7:30PM at Town Hall a proposed amendment to the sewer fee for the Cape Elizabeth School Department that would over two years base the school sewer charge on measured water usage.

(6 yes) (1 no C. Fritz)

Item # 75-99/00 Moved by H. Berry and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council sets to public hearing on Wednesday, March 15, 2000 at 7:30PM at Town Hall a proposed amendment to the sewer connection fee

which would increase the connection fee from the current \$2,700 to \$3,000.

(7 yes) (0 no)

Item # 76-99/00 Present - Maureen O'Meara, Town Planner

Moved by A. Swift-Kayatta and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council sets to public hearing on Wednesday, March 15, 2000 at 7:30PM at Town Hall proposed amendments to the Zoning Ordinance recommending changes to the variance standards that would replace the "undue hardship" standard with a "practical difficulty" standard for variances outside of the Shoreland Performance Overlay District and a recommendation that no variances be granted which reduce a setback to less than 10' or the shortest nonconforming setback distance created by an existing building.

(6 yes) (1 no C. Fritz)

Item # 77-99/00 Moved by C. Fritz and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council tables indefinitely a proposed amendment to the Zoning Ordinance in the form of a chart, which would adjust front side and rear setbacks.

(7 yes) (0 no)

Item # 78-99/00 Present - Maureen O'Meara, Town Planner

Moved by A. Swift-Kayatta and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council sets to public hearing on Wednesday, March 15, 2000 at 7:30PM at Town Hall

proposed amendments to the Comprehensive Plan and the Zoning Ordinance relating to telecommunication towers and tower overlay districts and to amend the official zoning map to create a tower overlay district.

(7 yes) (0 no)

Item # 79-99/00 Intro - Paul Phillipps, 8 Littlejohn Road,  
Chairman Fort Williams Advisory Commission

Moved by H. Berry and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council sets to public hearing on Wednesday, March 15, 2000 at 7:30PM at Town Hall a recommendation from the Fort Williams Advisory Commission recommending a group use policy for Fort Williams Park.

(7 yes) (0 no)

Item # 80-99/00 Present - Chief Pickering and Chief  
McGouldrick

Moved by J. Roberts and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the recommendations of the E911 Addressing Committee on the following six street names:

Current Address 60,64,68,72,73,76 Eastfield Road

Revised Address 60,64,68,72,73,76 Long Point Lane

Current Address 2 & 4 Greenview Driv

Revised Address 2 & 4 Greenview Drive

Current Address 3 Vista Lane

Revised Address 882 Shore Road

Current Address 0,40,46 Home Field Lane

Revised Address 44,46,50 Fieldways Lane

Current Address 1 Chancellor Drive

Revised Address 78 Scott Dyer Road

Current Address 12 Light House Lane

Revised Address 12 Captain Strout Circle

It is further recommended that the above street name changes and the street name changes voted on by the Town Council at the November 8, 1999 meeting will become effective by September 1, 2000.

(7 yes) (0 no)

Item # 81-99/00 Intro - Joel Fitzpatrick, Fitzpatrick Associates

Moved by J. McGinty and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council accepts a revised parcel of land, approximately 17,177 square feet, that is part of the Hemlock Hill Subdivision as presented.

(7 yes) (0 no)

Item # 82-99/00 Intro - A. Swift-Kayatta, Chairman  
Appointments Committee

Moved by Swift-Kayatta and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council accepts the recommendation of the Appointments Committee to appoint Hank Kinsley to serve as a Trustee of the Thomas Memorial Library for a term to expire January 1, 2002.

(7 yes) (0 no)

Item # 83-99/00 Intro - Debra Lane, Town Clerk

Moved by C. Fritz and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to sign a quitclaim deed for property located at 19 Cottage Farms Road to Charles P. & Catherine R. Rich.

(7 yes) (0 no)

Item # 84-99/00 Moved by J. McGinty and Seconded by H.  
Berry

Ordered the Cape Elizabeth Town Council approves a request from the Fort Williams Advisory Commission for approval of the use of Fort Williams Park on June 17, 2000 (rain date 6/24/00) for the 19th annual Family Fun Day.

(7 yes) (0 no)

Item # 85-99/00 Intro - Debra Lane, Town Clerk

Moved by A. Swift-Kayatta and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council sets the poll opening time for the

Presidential Preference Primary to be held on March 7, 2000 at 7:00AM.

(7 yes) (0 no)



## Citizens Discussion of Items Not on the Agenda

Residents interested in obtaining the Town Council monthly agenda by e-mail should contact the Town Manager's Office.

Page 6 Minutes

February 14, 2000

Item # 86-99/00 Moved by A. Swift-Kayatta and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council enters into executive session at 8:50PM to give

instructions to the town manager relating to collective bargaining negotiations and to complete the annual evaluation of the town manager.

(7 yes) (0 no)

Note: Chairman Carson will not participate in the discussion of salary and benefit issues relating to the Cape Elizabeth Police Department as Mrs. Carson's son is a Patrolman.

Moved by R. Watson and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 10:15PM.

(7yes) (0 no)

Moved by A. Swift-Kayatta and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council adjourns at 10:15PM.

(7 yes) (0 no)

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Debra M. Lane, CMC

Town Clerk

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Debra M. Lane, Town Clerk

[Return to top](#)

## SCHEDULE OF MEETINGS

The Town Council meets on the second Monday of each month at 7:30 p.m. and on Wednesdays when there is a Monday

holiday.

[Return to top](#)

## **POLICIES**

[Return to top](#)