



CAPE ELIZABETH TOWN COUNCIL MINUTES

Regular Meeting # 8-00-01

November 13, 2000

6:30 p.m.

		Present	Absent
Penelope P. Carson, Chairman	36 Trundy Road	x	
Henry N. Berry III	110 Two Lights Rd.	x	
Carol Fritz	1 Stirrup Road	x	
Ruth E. McCleery Watson	7 Winding Way		x
John W. McGinty	86 Brentwood Road	x	
John E. "Jack" Roberts, Jr.	185 Fowler Road	x	
Anne E. Swift-Kayatta	14 Stone Bridge Road	x	
Jamie Cluchey, Student Representative			x
Kristin Elia, Student Representative		x	
Debra Lane, Town Clerk			x
Michael McGovern, Town Manager		x	

The Town Council met at 6:30 p.m. at the Town Hall for the purpose of visiting property at 343 Ocean House Road. The Town Council returned at 7:10 p.m. Councilor Swift-Kayatta did not participate in the tour of 343 Ocean House Road.

The balance of the meeting was convened at 7:30 p.m.

Pledge of Allegiance to the Flag

Reports and Correspondence

Councilor Roberts, Appointments Committee Chair, identified vacancies on town boards and commissions and encouraged applications.

Councilor Berry thanked citizens for their support of the fundraising drive for the thermal imaging camera. He indicated that Social Security beneficiaries were concerned with taxes being due on the third of the month.

Councilor McGinty noted an upcoming meeting of the Cumberland County Budget Committee. He also thanked citizens for their support in the recent campaign for state representative and congratulated Janet McLaughlin on her election.

Page 2 Minutes
November 13, 2000

Town Manager's Report

The town manager thanked Debra Lane and others who assisted with the November 7th election. He also mentioned that the Council will hold a public hearing on November 27th on the proposed purchase of 343 Ocean House Road. There will also possibly be on the agenda an award of bid for proposed improvements to public safety facilities.

Citizens' Discussion of Items Not on the Agenda- None

Moved by H. Berry and Seconded by A. E. Swift-Kayatta to approve the Minutes of Meetings # 5-00-01, 6-00-01 and 7-00-01 held October 2, 4 and 12, 2000. (6 Yes) (0 No)

Item # 47-00-01

Public hearing and action upon a petition requesting that all of Jordan Farm Road be a paved road with full time access.

Chairman Carson made some welcoming introductory remarks and opened the public hearing at 7:45 p.m. The following speakers offered comments. Some speakers, in addition to speaking in favor or against a paved access road, also suggested better enforcement, speed bumps and other measures.

Richard Sullivan, Two Lights Road- Opposed
Asher Kramer, Ledgewood Road -In Favor
Rich Ryker, Jordan Farm Road-In Favor
Bob Packer, Hunts Point Road- In Favor
Lynne & E.J. Loveitt, Broad Cove Road- In Favor
Jacqueline Hedlund, Ledgewood Lane- In Favor
John Hollis, Broad Cove Road-In Favor
Jeffrey Thaler-Attorney for Proponents- Also provided written comments
Ann Kaplan, Winding Way-Opposed
Colleen Taintor, Jordan Farm Road-Opposed-Presented Petition
Stephen Pelletier-Woodlot Alternatives, Inc. Wetland Scientist for the Proponents
Donna Sterling, Broad Cove Road- In Favor
Trish Wasserman, Running Tide Road-Opposed
Anton Ward, Two Lights Road-Opposed
Jim Wasserman, Running Tide Road-Opposed
Frank Leavitt, Running Tide Road-Opposed
Jane Snerson, Salt Spray Lane- In Favor
Elizabeth Rath, Winding Way-Opposed
Steve Blumenthal, Jordan Farm Road, Opposed
Jamie Kilbreth, Attorney for Opponents
Louise Sullivan, Two Lights Road-Opposed-Presented Petition
Gail Bruzgo, Broad Cove Road-In Favor
Sylvia Kostopoulos, Broad Cove Road-In Favor

Page 3 Minutes
November 13, 2000

Hector Terazza, Broad Cove Road-In Favor
David Sterling, Broad Cove Road-In Favor
Dan Fishbein, Salt Spray Lane- In Favor
Robert Bogosian, Salt Spray Lane-In Favor
Mary Ellen Peltier, Broad Cove Road-In Favor
Thomas Egan, Hannaford Cove Road-Opposed
Despina Athans, Hunts Point Road- In Favor
J. Morris, Hunts Point Road-Opposed
Pam Mullin, Two Lights Road-Opposed
Holly Overton, Jordan Farm Road-Opposed
David Glaser, Salt Spray Lane-In Favor
Trisha Naddaff, Fessenden Road- Opposed
Sarah Tierney, Hunts Point Road- Opposed
Chris Taintor, Jordan Farm Road- Opposed
Marianne Terazza, Broad Cove Road- In Favor
Pete Black-Hunts Point Road-Opposed
Nick Gnazzo, Roundabout Lane- Leans to Second Paved Road
Frederick Emery, Broad Cove Road- In Favor

The public hearing was closed at 10:50 p.m.

Councilor McGinty asked how many homes had been built in Broad Cove since 1990. Ms. O'Meara said approximately 20 homes.

Councilor Roberts asked if a study had been done on runoff from gravel roads vs. paved roads. The answer from the town planner was not to her belief.

Councilor McGinty asked Ms. O'Meara to explain the history of how the gravel road came about. Was it a compromise with the DEP?

Councilor Fritz asked why two chains are necessary? The town manager responded that it was due to turnarounds.

Councilor Roberts said he did not think paving the road 18 feet would damage the wetland. He would support a 20 foot wide paved surface with speed bumps with a 15 mph speed limit. He does not believe the DEP will allow paving, but we should try it. He believes a sidewalk on Broad Cove Road would speed traffic.

Councilor Fritz worries about moving traffic to Two Lights Road. There is a problem with a straight road. She believes traffic goes faster on a straight wide road. She is concerned that the Two Lights area still has potential for development. She is concerned that the Two Lights traffic and the Broad Cove traffic eventually meet on Route 77. She believes if Jordan Farm Road was opened to traffic and was kept narrow, as in the suggestion of Councilor Roberts, that it would be unsafe for pedestrians. Councilor Fritz believes the compromise was made when the DEP agreed to a narrow emergency access gravel road. She does not recommend speed bumps or a speed table. Drivers go fast, slow for a brief time and immediately speed up again. She agrees that the road should be open when there are projects on the road. She believes there should be only one chain. There should be enforcement and tickets should be issued. She is not in favor of asking the Planning Board or the DEP to look at his issue.

Chairman Carson noted that the speed problem is largely caused within the neighborhood. She asked about the Roundabout Lane connector. She asked if there are other alternatives. There do not appear to be on publicly owned property.

Councilor Swift-Kayatta said that she had received much public input on the issue. She is looking at safety, environmental issues, cost and fairness. She does not think opening Jordan Farm Road addresses speeding. Volume of traffic could be rerouted, but there would be just as much total traffic. 3/4ths of the traffic would still be going out Broad Cove Road if Jordan Farm Road were to be paved. The traffic that would be going out to Two Lights Road would result in 91% more traffic than on Broad Cove Road. We need to be sure that the gate is unlocked when it is supposed to be unlocked. Jordan Farm Road provides open space for all Cape Elizabeth residents. She noted that the DEP consistently rejected a paved road. She does not believe that the DEP would change its position. We can argue about the accuracy of any cost estimate, but spending so much in one location would be a concern to other citizens. On the fairness issue, she reflected upon the additional traffic impact on Two Lights Road.

Councilor McGinty agreed that the DEP had made a compromise. He agreed that the speeding is an enforcement issue. We should not shift the problem from Broad Cove over to Two Lights.

Councilor Berry said the speed and volume issues should not be shifted to Two Lights Road. He said when the traffic counts were done on Two Lights Road, it was not done during the peak summer season. We need to address the speed limit enforcement issue.

Chairman Carson said the speed issue needs to be partially resolved in the neighborhood. She agrees that this is not the time to approach the Maine DEP. She will vote not to move the problem from one neighborhood to another neighborhood.

Moved by J. Roberts to refer the issue to the Planning Board for a 20 foot paved width with 15 mph and speed humps. Motion failed due to lack of a second.

Page 5 Minutes
November 13, 2000

Moved by J. McGinty and Seconded by H. Berry that the petition to pave Jordan Farm Road be denied and for the matter to not be referred to the Planning Board and/or the DEP. (5 Yes) (1 No) Roberts

Moved by J. McGinty and Seconded by H. Berry to suspend the rules in order to take up new items after 11 p.m. (6 Yes) (0 No)

Item # 48-00-01

Public hearing and action upon proposed revised appendices to the General Assistance Regulations

Chairman Carson opened the public hearing. There were no public comments.

Moved by J. McGinty and Seconded by H. Berry to approve the appendices as presented. (6 Yes) (0 No)

Item # 49-00-01

Action upon a request from the Purpoodock Club to approve their renewal malt, spirituous and vinous license and special amusement permit.

Moved by H. Berry and Seconded by J. McGinty to approve the renewal malt, spirituous and vinous license for the Purpoodock Club.

(6 Yes) (0 No)

Item # 50-00-01

Action upon proposed amendments to the purchasing procedure

Moved by A. E. Swift-Kayatta and Seconded by H. Berry to approve the proposed amendments to the purchasing procedure.

(6 Yes) (0 No)

Item # 51-00-01

Action upon a request from Verizon New England, Inc and Central Maine Power Company for a pole location on Jordan Way

Moved by H. Berry and Seconded by J. McGinty to approve the pole location from Verizon New England, Inc. and Central Maine Power Company for pole locations on Jordan Way

(6 Yes) (0 No)

Page 6 Minutes
November 13, 2000

Citizens' Discussion of Items Not on the Agenda-None

Moved by J. McGinty and Seconded by C. Fritz to adjourn at 11:42 p.m.

The next scheduled meeting of the Town Council is a public hearing on November 27, 2000 at 7:30 p.m. on the proposed purchase of land and buildings at 343 Ocean House Road. As bids are being opened on November 16, 2000 for the improvements to the police and fire stations in the town center, it is possible that related items might also be on the agenda on November 27th.

The December regular meeting of the Town Council is scheduled for Monday, December 11, 2000 at 7:30 p.m. at the Town Hall.

Michael K. McGovern
Clerk Pro-Tem