

**Town of Cape Elizabeth
Ordinance Committee Minutes**

November 19, 2012

8:00 a.m. Town Hall

Present: Jim Walsh, Chair
Kathy Ray
Dave Sherman

Staff: Michael McGovern, Town Manager
Neil Williams, Police Chief
Maureen O'Meara, Town Planner

Mr. Walsh opened the meeting and asked for action on the minutes of the October 24th meeting. Mrs. Ray made a motion for approval, seconded by Mr. Sherman, and passed by a vote of 3-0.

Public Comment

No general public comment was offered.

Sign Ordinance

Mr. Walsh suggested that since The Good Table decided not to attend and expand on concerns with temporary sign limits and their concerns were the origin of the Sign Ordinance review, the Ordinance Committee can end their review of the temporary sign provisions. Mr. Sherman and Mrs. Ray agreed.

The Ordinance Committee moved on to discuss nonresidential signs outside of business districts. The proposed amendment would allow nonresidential uses with frontage on Route 77 to have the same size sign as nonresidential uses in the business districts.

Mr. Walsh noted that the history of the Vet Center included lots of comments from neighbors.

Mr. McGovern asked if the revisions included message board signs and it was confirmed that message boards are a separate section of the ordinance.

Mr. Sherman said he agreed to send this amendment to the Town Council so more public comment could be heard. Ms. O'Meara noted that the procedure is that no public notice would be mailed until a public hearing is scheduled. Mr. Walsh asked if public notice of sign changes could be mailed to both the Vet

Center neighbors and the Plaisted Park neighbors prior to the next Town Council meeting. Staff will do so.

Mr. Sherman made a motion to recommend the nonresidential sign changes to the Town Council, seconded by Mrs. Ray. The motion was adopted by a vote of 3-0.

The Ordinance Committee reviewed the Plaisted Park advertising change. They agreed to send notices to the neighbors. Mr. Sherman made a motion to move the Plaisted Park sign changes to the Town Council. The motion was seconded by Mrs. Ray and the vote was 3-0.

The Ordinance Committee then confirmed that all the proposed Sign Ordinance changes will be referred to the Town Council.

Public Comment

Dr. Browne Johnson supports the nonresidential use sign changes and thanked the Ordinance Committee.

Miscellaneous Offenses

Chief Williams summarized the changes and noted that the expansion to reference nighttime hours will help with enforcement. For example, Wentworth Cottage has been holding weddings most weekends and complaints from neighbors have been received. Mr. McGovern noted that it was a good opportunity to clean up the commercial fireworks section where underlining that was not needed was deleted.

Mr. Walsh said he appreciated the willingness of Chief Williams to work on this.

Mrs. Ray made a motion to recommend the Miscellaneous Offenses Ordinance revisions to the Town Council for consideration, seconded by Mr. Sherman. The motion passed 3-0.

Mr. Walsh congratulated incoming Ordinance Committee Chair Ray. Mr. Sherman complimented Mr. Walsh on his work as Chair.

The committee agreed not to schedule another meeting until they received a referral from the Town Council. Mrs. Ray made a motion to adjourn, seconded by Mr. Sherman, and adopted by a vote of 3-0.

