

**Town of Cape Elizabeth
Ordinance Committee Minutes**

July 14, 2016

1:30 p.m.

Town Hall

Present: Caitlin Jordan, Chair
Sara Lennon
Jessica Sullivan

Staff: Maureen O'Meara, Town Planner

Councilor Jordan called the meeting to order. The minutes of the June 2, 2016 meeting were approved.

Public Comment

No member of the public was present.

Technical Amendments

The committee began a review of the Technical Amendments with an overview by Ms. O'Meara. The committee agreed to proceed with a side by side review of the amendment description in the memorandum from the Planning Board and the amendment text.

The committee reviewed the changes to the performance guarantee and escrow account provisions after confirming that any leftover funds will be refunded.

The committee acknowledged the growing weight of stormwater requirements.

The committee noted the effort by the Tree Warden and the proposed changes to tree planting requirements. They asked about the trees in the town center. Staff noted that some of the issues with the trees in the town center are addressed in the proposed changes, such as better soils in which to plant trees. The committee discussed that oaks will be on the prohibited tree list in order to plant tree species that are more disease resistant and better able to adapt to climate change.

The committee reviewed and accepted the proposed definition changes to the Zoning Ordinance, including changes to curb addition of illegal dwelling units.

The committee discussed how some lots must meet the requirements for multiple districts and how the appropriate nonconforming sections must be applied based on the

district. They reviewed the proposed changes to make clear which nonconforming section applies.

The committee also discussed whether de novo or appellate review by the Zoning Board was more appropriate and agreed that de novo review best fit the town.

The committee agreed that the buffering requirements (Sec. 18-8-1) were already covered by existing provisions regarding buffering and can be deleted.

Under site plan procedures, the committee reviewed the bulleted headings and discussed the merits of holding a public hearing. No changes to the proposed amendments were made.

Review was suspended at the end of page 19.

Next Meeting

The committee scheduled its next 2 meetings for Thursday, July 28th and Thursday, August 11, 2016, beginning at 1:30 to 3:15 p.m., when review of the Technical Amendments will continue.

Public Comment

No members of the public were in attendance.

The meeting adjourned at 3:10 p.m.