

**Town of Cape Elizabeth  
Planning Board Meeting Agenda**

October 20, 2020

7:00 p.m.

Remote meeting

As a result of the COVID-19 virus, the Planning Board will conduct the meeting via remote access as provided by Maine law. The Planning Board will use Zoom meeting to conduct the meeting and to allow the public to remotely attend and participate. Zoom will allow all Planning Board members, applicants, and members of the public to hear all discussion and hear votes, which will be taken by roll call, as required by law. Please use the following information to access the meeting by video/audio or audio only.

**Please copy the link below to your internet browser to join the webinar:**

<https://zoom.us/j/92091631619>

Or iPhone one-tap :

US: +13126266799,,92091631619# or +19292056099,,92091631619#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 920 9163 1619

International numbers available: <https://zoom.us/u/aigd1JISu>

**AGENDA**

**CALL TO ORDER**

- 7:00      1. **Approval** of Minutes: September 15, 2020 meeting

**OTHER BUSINESS**

- 7:05      2. **Short Term Rental Amendments** - The Town Council has referred for Planning Board review proposed Short Term Rental Amendments and a revision to Recommendation #86 of the 2019 Comprehensive Plan, Sec. 19-10-3 Amendments Schedule to Public Hearing.

**OLD BUSINESS**

- 7:10      3. **14 Hill Way Site Plan, Subdivision Amendment** - Two Penguin Properties LLC is requesting site plan review of a mixed use building with a short term rental on the first floor and one residential unit on the second/third floors, and amendments to the previously approved Tarbox Triangle Subdivision, located at 14 Hill Way (U22-74-3, 74, 74-1), Sec. 19-9 Site Plan Public Hearing and Sec. 16-2-5, Amendments to a previously approved subdivision public hearing.

- 7:45 4. **1226 Shore Rd/ High Tide Dental Site Plan Amendments** - Red Tail Properties, LLC is requesting amendments to the previously approved site plan for 1226 Shore Rd (U11-14) to change the use of Building B from storage to village retail and construct an 8 space parking lot, Sec. 19-9, Site Plan Public Hearing.
- 8:00 5. **Rosewood Subdivision Amendment** - Joe Frustaci is requesting subdivision amendments to split the existing lot 4B to create lot 4C and extend the Rosewood Drive private road (U34-22-4), Sec. 16-2-5 Amendments to a previously approved subdivision public hearing.
- 8:20 6. **498 Spurwink Ave Resource Protection Permit** - The Cape Elizabeth Land Trust (CELT) is requesting a Resource Protection Permit to install boardwalks and a bridge on the Pollack Brook Preserve located at 498 Spurwink Ave ((U43-8-5), Sec. 19-8-3, Resource Protection Permit Public Hearing.

#### NEW BUSINESS

- 8:45 7. **Town of Cape Elizabeth Communications Tower** - The Town of Cape Elizabeth is requesting site plan review of a telecommunications tower and support equipment to be installed at 21 Dennison Dr (R5-10), Sec. 19-9 Site Plan Completeness.
- 9:15 8. **Cape Memory Care HVAC Site Plan Amendment** - Woodlands Senior Living of Cape Elizabeth LLC is requesting an amendment to the previously approved site plan to install an HVAC equipment structure at Cape Memory Cape, located at 126 Scott Dyer Rd (U45-4), Sec. 19-9 Site Plan Completeness and Public Hearing.
- 9:35 9. **19 Cunner Lane Private Road Amendment** - David Smith is requesting an amendment to the Cunner Lane Right-of-way adjacent to lots U14-26 and 26-1 to narrow the right-of-way to 50', Sec. 16-2-5 Amendment to a previously approved subdivision completeness and public hearing.

#### OTHER BUSINESS

- 9:55 10. **Planning Board digital/remote operations** - The Planning Board will review meeting logistics and upcoming items.
- 11. **Public Comment**

NOTE: The times on this agenda are approximate and are intended for the convenience of the public; however, an item may begin earlier or later than the indicated time.

#### **Public Participation at regular Planning Board meetings**

The intent of this policy is to allow for public participation by interested parties and to provide for orderly Planning Board deliberation.

### **Speaking on topics on the regular Planning Board meeting agenda**

The public hearing or public comment period will be opened after the applicant has made a presentation describing the project, or the Planning Board Chair has described the ordinance amendment or policy issue under consideration. When the Planning Board is considering the completeness of an application, public comments shall be limited to completeness and no comments on the merits of the application shall be made. If the Planning Board finds the application complete, the Planning Board may then open a second public comment period on the substance of the application and under the terms described below.

Members of the public wishing to address the Board concerning an agenda item shall wait until the Chair asks for public comment. **Meeting attendees should use the participant icon to "raise your hand" in order to be recognized to speak.** When recognized by the Chair, the speaker shall state the speaker's name and address in an audible tone for the record. The speaker is strongly encouraged to focus his/her comments on the development standards of review, or, in the case of an ordinance amendment or policy discussion, the issue under discussion. Each member of the public shall be allowed three (3) minutes, and such time may be extended at the discretion of the Chair. The Chair may decline to recognize any person who has already spoken on the same agenda item. Once the public hearing or public comment period is closed and the Planning Board has begun its deliberations on an item, no member of the public shall be permitted to address the Planning Board. The public hearing or public comment period may be reopened at the discretion of the Chair.

### **Speaking on topics not on the regular Planning Board meeting agenda**

Persons wishing to address the Board on an item not appearing on the agenda may do so only after disposition of all items appearing on the agenda, and only at the discretion of the Chair.