

TOWN OF MINUTES OF THE PLANNING BOARD
CAPE ELIZABETH

October 19, 2021

7:00p.m.

Remote Meeting

Present:	James Huebener, Chair	Carol Anne Jordan
	Daniel Bodenski	Mary Ann Lynch
	Andrew Gilbert	Jonathan Sahrbeck
	Alton Palmer	

Also present was Maureen O'Meara, Town Planner.

CALL TO ORDER

Mr. Huebener called the meeting to order, then called for approval of the minutes of September 21, 2021. The minutes were approved with a minor correction, 7-0.

OLD BUSINESS

Spurwink School Site Plan Amendment - The Town of Cape Elizabeth is requesting an amendment to the previously approved site plan for the Thomas Memorial Library to approve the Spurwink School, located at 8 Scott Dyer Rd (U21-12), as a municipal use, Sec. 19-9 Site Plan Completeness and Public Hearing.

Steve Harding, showed the plan and said it is a change of use. The building has been vacant and will now be a municipal use by the historical group. Some landscaping improvements are part of this plan. They will replace the porch and stairs. The site plan for the library shows 53 spaces and 16 spaces for this building. They need to eliminate the large step up to the front door to make it ADA compliant. They will add stairs in the front. They are not requesting any waivers and all the utilities are already there. There will be minimal traffic impact. The town has adequate resources to complete the project.

Josef Chalat, architect, spoke about the stairs and why he made them so wide. He showed an antique picture of a group of people on those stairs.

Mr. Huebener opened the public comment on completeness and no one came forth to speak so the public comment was closed.

Ms. Lynch made the following motion:

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Town of Cape Elizabeth for an amendment to the Library Site Plan to change the use of the Spurwink School, located at 8 Scott Dyer Rd, from vacant to municipal use be deemed complete.

Ms. Jordan seconded and the motion passed, 7-0.

Mr. Huebener opened the public hearing. No one came to speak, so the public hearing was closed.

Mr. Gilbert said he likes the way the stairs look.

Ms. Lynch made the following motion:

Findings of Fact

1. The Town of Cape Elizabeth is requesting an amendment to the Library Site Plan to change the use of the Spurwink School, located at 8 Scott Dyer Rd, from vacant to municipal use, which requires review under Sec. 19-9, Site Plan Regulations.
2. The Library Site Plan has been previously approved by the Cape Elizabeth Planning Board to be in compliance with the Site Plan regulations, and the findings and decisions of that approval which are not altered by the proposed amendment remain in effect.
3. The Spurwink School amendment reflects the natural capabilities of the site to support development.
4. Access to the development will be on roads with adequate capacity to support the traffic generated by the development. Access into and within the site will be safe. Parking will be provided in accordance with Sec. 19-7-8, Off-Street Parking.
5. The development will be provided with an adequate quantity and quality of potable water.
6. The development will provide for adequate sewage disposal.
7. The development will be provided with access to utilities.
8. The development will provide for adequate disposal of solid wastes.

9. The development will not adversely affect the water quality or shoreline of any adjacent water body.
10. The applicant has demonstrated adequate technical and financial capability to complete the project.
11. The development will not substantially increase noise levels and cause human discomfort.
12. The application substantially complies with Sec. 19-9, Site Plan Regulations.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Town of Cape Elizabeth for an amendment to the Library Site Plan to change the use of the Spurwink School, located at 8 Scott Dyer Rd. from vacant to municipal use be approved.

Ms. Jordan seconded and the motion was approved, 7-0.

OTHER BUSINESS

Wireless Amendments - The Cape Elizabeth Town Council has referred to the Planning Board Wireless Amendments to the Zoning Ordinance to make essential services a permitted use in all districts and streamline minor essential services review, Sec. 19-10-3 Amendments, Public Hearing.

Ms. O'Meara said this is the same draft they have been looking at for a couple of months. It is a collection of amendments to make essential services a permitted use in all districts. If you want to install equipment on an existing telephone pole, as long as you don't increase the height of the pole by more than 10 ft. nor go beyond the face of the pole by more than 3 ft., that would be a permitted use and would not require further review.

Mr. Huebener opened the public hearing. No one made a comment so the public hearing was closed.

Ms. Jordan made the following motion:

BE IT ORDERED that, based on the draft text and the facts presented, the Wireless Amendments be recommended to the Town Council for consideration.

Ms. Lynch seconded the motion and it passed, 7-0.

Ms. O'Meara noted that the next workshop is scheduled for November 2, election day. One member of the Board will volunteer that day. She suggested moving the workshop to November 3. Since one other board member will not be available that day, it was decided to leave the workshop as originally scheduled.

The Board voted unanimously to adjourn at 7:25 p.m.

Respectfully submitted,

Hiromi Dolliver
Minutes Secretary