

MINUTES OF THE PLANNING BOARD
TOWN OF CAPE ELIZABETH

May 17, 2022

7:00 p.m

Town Hall

Present: James Huebener, Chair Derek LaValle
 Matthew Caton Alton Palmer
 Andrew Gilbert Jonathan Sahrbeck

Absent: Daniel Bodenski

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 April 19, 2022. The minutes were approved as presented, 6-0.

NEW BUSINESS

Lions Field Lighting Site Plan Amendment. The Town of Cape Elizabeth is requesting a Site Plan amendment for Lions Field, located at 221 Ocean House Rd, to adding lighting, Sec. 19-9 Site Plan Completeness and Public Hearing.

Mr. Caton recused himself.

Kevin Justh, President of Cape Elizabeth Little League, spoke about their proposal. He said the lights are being donated. They need them because the season is short, and they are always up against the daylight and the weather. They also run a summer league season and a fall season. They cannot start the games until it gets cooler in the evening and then they are against the daylight. This is strictly for baseball.

They are planning 4 towers with a total of 16 lights. He said they meet the requirements. As far as noise is concerned, he said the traffic is louder than the games. They have 539 registrations as of this morning. The games will only go until 9:30 p.m.

Mr. Huebener opened the public comment on the subject of completion. No one came forth, so the public comment was closed.

Mr. Sahrbeck 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, represented by Cape Elizabeth Little League, for a site plan amendment to install lighting on the Upper Lions Field, located at 221 Ocean House Rd be deemed complete.

Mr. LaValle seconded the motion and it passed, 5-0.

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

Mr. Sahrbeck noted that they have received some emails from the public regarding the noise.

In response to a question about what could happen on the field, Ms. O'Meara said this property is owned by the town. Activities on that field are controlled by the town.

Mr. Gilbert asked if the town could change the use.

Ms. O'Meara said it is approved as a ball field. It would depend on what the use is whether it triggered further site plan review. She also said that the noise standard only applies at the site plan review.

Mr. La Valle asked if they can revoke the use if they exceed the noise and light standards?

Ms. O'Meara said if someone believes that they have exceeded the noise or light limits, then it would go to the Code Enforcement Officer to be evaluated. If they did exceed the approved limits, it could come back to the Planning Board for amendments.

Mr. Palmer asked if the town has ever allowed adult softball or any other uses on that field.

Mr. Justh said the town closes access to the fields from November until about the middle of April. The Little League is using it pretty much all the time. There is not much time for other uses and the field is sized for little league. The middle school teams sometime use it for practice, but it is undersized.

Mr. Palmer said his company sponsors a softball team. They do not start their games until 9:00p.m. He would like a condition on the approval to limit the use to Little League.

The Board does not wish to do a site visit.

Mr. Sahrbeck made the following motion:

Findings of Fact

1. The Town of Cape Elizabeth, represented by Cape Elizabeth Little League, is proposing a site plan amendment to install lighting on the Upper Lions Field, located at 221 Ocean House Rd, which requires review under Sec. 19-9, Site Plan Regulations.
2. The plan for the development reflects the natural capabilities of the site to support development.
3. The development will be provided with access to utilities.
4. The applicant has demonstrated adequate technical and financial capability to complete the project.
5. The development will provide for adequate exterior lighting without excessive illumination.
6. The development will not substantially increase noise levels and cause human discomfort.
7. 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, represented by Cape Elizabeth Little League, for a site plan amendment to install lighting on the Upper Lions Field, located at 221 Ocean House Rd be approved, subject to the following condition:

That no game shall begin after 8:30 p.m.

There was a brief discussion about how to limit the use after the Little League is finished with their games.

Mr. Gilbert seconded the motion and it was approved, 5-0.

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

Respectfully submitted,

Hiroimi Dolliver, Minutes Secretary

