

MINUTES OF THE PLANNING BOARD
TOWN OF CAPE ELIZABETH

March 19, 2024

7:00 p.m.

Town Hall

Present: Jonathan Sahrbeck, Chair
Dan Bodenski
Jim Huebener

Matt Caton
Derek LaVallee
Andrew Gilbert

Absent: Alton Palmer, and Lucy Bauer, Minutes Secretary

Also present: Maureen O'Meara, Town Planner

CALL TO ORDER

Mr. Sahrbeck called the hybrid meeting (in-person and virtual) to order at 7:00p.m.

Mr. Sahrbeck called for approval of the minutes of the February 20, 2024 Planning Board meeting. Mr. Huebener requested two minor amendments to the minutes. In addition, a request was made to amend the minutes to reflect the absences of both Mr. Caton and Mr. Huebener at the February meeting. Mr. LaVallee moved to approve the amended minutes, seconded by Mr. Gilbert. With no further discussion, the minutes were approved by a vote of 6 in favor and none opposed.

OLD BUSINESS

1230 Shore Rd Garage Site Plan Amendment. L.P. Murray & Sons are requesting a Site Plan Amendment to add a 40' x 60' garage to the existing garage site located at 1230 Shore Rd. The comments of the Town Engineer are attached. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

Mr. Sahrbeck reminded everyone that this application was considered in workshop and was deemed complete at the February 20, 2024 Planning Board meeting. A site walk was completed on February 27, 2024.

Robert Metcalf of Mitchell Associates addressed the Board, representing the applicant. Mr. Metcalf summarized the changes made to the site plan since the last Planning Board meeting, to include details on the parking lot, fuel containment units, and siding on the new garage.

Mr. Sahrbeck opened the floor for public comment. With no comment, either in person or virtually, Mr. Sahrbeck closed the floor for comment.

Mr. Gilbert requested clarification from the applicant on the lower erosion sediment control plan regarding detail on the location of erosion control berm. Mr. Metcalf reviewed the most recent revisions to the plan and noted that the absence of detail on the berm.

Mr. LaVallee asked for clarification on the use of the new garage. Mr. Metcalf replied that the purpose of the new garage is vehicle maintenance.

Mr. Sahrbeck made a motion for the Board to consider:

Findings of Fact:

1. L.P. Murray and Sons are requesting a Site Plan Amendment to add a 40' x 60' garage to the existing garage site located at 1230 Shore Road, which requires review under Sec. 19-9, Site Plan Regulations.
2. The Planning Board held a workshop on January 2, 2024 when the project sketch plan was discussed.
3. The application was deemed complete at the February 20, 2024 meeting and a site walk was held on February 27th at 4:45 pm.
4. The plan for the development reflects the natural capabilities of the site to support development.
5. 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.
6. The plan does provide for adequate collection and discharge of stormwater.
7. The development will not cause soil erosion, based on the erosion plan submitted.
8. The development will be provided with an adequate quantity and quality of potable water. The development will provide for adequate sewage disposal. The development will be provided with access to utilities. 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 development will provide a vegetative buffer throughout and around the site and screening as needed.
11. The development will provide for adequate exterior lighting without excessive illumination.
12. The development will not substantially increase noise levels and cause human discomfort.
13. Storage of exterior materials on the site that may be visible to the public will be screened by fencing or landscaping.
14. The applicant has demonstrated adequate technical and financial capability to complete the project.
15. The application is in compliance with the Town Center Design standards
16. 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 L.P. Murray and Sons for a Site Plan Amendment to add a 40' x 60' garage to the existing garage site located at 1230 Shore Road be approved, subject to the following conditions:

1. That the plans be revised to address the comments of the Town Engineer in his letter dated March 13, 2024; and
2. That there be no alteration of the site nor issuance of a building permit until the above condition has been addressed and revised plans submitted to the Town Planner, and plans address the issue of the erosion berm discussed tonight.

Mr. Huebener seconded the motion. With no further discussion, the motion passed, 6-0.

Mr. Sahrbeck opened the floor for public comment. With no comment, either in person or virtually, Mr. Sahrbeck closed the floor.

With no further discussion, Mr. Bodenski made a motion to adjourn the meeting. Mr. LaVallee seconded. With no further discussion, the motion passed with 6 in favor, and none opposed.

The meeting adjourned at approximately 7:20 p.m.

Respectfully submitted,
Lucy E. Bauer
Minutes Secretary