MINUTES OF THE PLANNING BOARD
TOWN OF CAPE ELIZABETH

These meeting minutes were prepared as a reasonable summary of the essential content of the meeting, not a transcription. In the event that there is a question or dispute about the specifics of this meeting, the official video and/or audio recordings of this meeting shall govern.

May 20, 2025	7:00 p.m.	Town Hall

Present:	Andrew Gilbert	Jim Huebener
	Alton Palmer	Matthew Caton
	Derek LaVallee	Natalie Burns
	Daniel Bodenski	
Absent:	Maureen O'Meara	
Also present:	Patrick Fox, Town Manager	

CALL TO ORDER

Mr. Gilbert called the hybrid meeting (in person and virtual) to order at 7:00p.m., reviewed the procedures for participation, and established a quorum.

Mr. Gilbert called for approval of the minutes of the April 15, 2025, Planning Board meeting. Mr. Huebener questioned the language in the Findings of Fact, #8 and #11, for the Cape Elizabeth Basketball Court Site Plan Amendment. Discussion ensued. Mr. Huebener suggested that the word, "and" in #8 should be changed to "but." Therefore, the amended Finding of Fact, #8, would begin, "The development will not be provided with an adequate quantity and quality of potable water, but none is required. The development will not provide for adequate sewage disposal, but none is required." The Planning Board discussed these changes and ultimately agreed not to change the findings.

Mr. Huebener made a motion to approve the minutes as amended and Ms. Burns seconded. With no further discussion, the minutes were approved, 7 in favor and none opposed.

CONSENT AGENDA

Solar Farm Site Plan Extension. The Town of Cape Elizabeth is requesting a one-year extension of the site plan approval extended May 21, 2024 to install a solar farm on the landfill cap located at 21 Dennison Drive, (R5-10), Sec. 19-9-4 (B)(5), Site Plan approval.

Patrick Fox, Town Manager, introduced and described the project. He explained that, due to changes in programs offering cost savings for the project, the Town is pursuing a renegotiation of financial terms.

Following Mr. Caton's query regarding approval of multiple extensions on a given project, Ms. Burns made a motion to pull the Solar Farm Site Plan Extension from the Consent Agenda. Mr. Bodenski seconded. The motion was approved, 7 in favor and none opposed.

Blue Meadow Condominium Subdivision approval extension. BRKR LLC is requesting a 90-day extension of the subdivision approval granted February 18, 2025 for the Blue Meadow Condominium, an 18-unit condominium located at 90 Ocean House Rd (U26-6 and 7), Sec. 16-2-6 (B), Plan Recording.

Mr. Huebener made a motion for the Board to consider.

BE IT ORDERED that, based on the request submitted and the facts presented, the request of Blue Meadow for a 90-day extension of the Subdivision approval granted February 18, 2025 for the Blue Meadow Condominium located at 90 Ocean House Rd be approved.

Mr. Gilbert seconded the motion. With no further discussion, the motion was approved, 7 in favor and none opposed.

OLD BUSINESS

Solar Farm Site Plan Extension. The Town of Cape Elizabeth is requesting a one-year extension of the site plan approval extended May 21, 2024 to install a solar farm on the landfill cap located at 21 Dennison Drive, (R5-10), Sec. 19-9-4 (B)(5), Site Plan approval.

Citing p. 259, paragraph 5, of the Ordinance pertaining to extensions of approved applications, Mr. Caton queried the Board on the limits of said extensions. It is his opinion that the ordinance language limits the Planning Board to 1 extension, which has already been granted. Discussion ensued about the language and the need for" cause shown."

At the conclusion of discussion, Ms. Burns made a motion for the Board to consider.

BE IT ORDERED that, based on the request submitted and the facts presented, the request of the Town of Cape Elizabeth for a one-year extension of the site plan approval of a solar array installed on the Cape Elizabeth Landfill located at 21 Dennison Drive be approved, with a new expiration date of May 21, 2026.

Mr. Huebener seconded the motion. With no further discussion, the motion passed, 4 in favor and 3 opposed (Caton, LaVallee, Palmer).

NEW BUSINESS

Wentworth Lodge Special Event Facility Site Plan Renewal. The Sprague Corporation is requesting Site Plan approval to operate a Special Event facility at Wentworth Lodge, located at

10 Winter Lane (R8-1) Sec. 19-8-15, Special Event Facility Standards and Sec. 19-9 Site Plan Completeness and Public Hearing.

Mr. Trevor McCourt, Property Manager, Sprague Corporation, addressed the Board. He provided historical context for the site plan and described the use of the facility. He stated that no changes to the site plan are requested.

Mr. Gilbert opened the floor for public comment on the issues of both completeness and substance of the application.

With no comment, either virtually or in person, Mr. Gilbert closed the floor for comment.

With no further discussion, Mr. Huebener made a motion for the Board to consider.

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Sprague Corporation for the Site Plan review of the Wentworth Lodge Special Event facility located at 10 Winter Lane be deemed complete.

Ms. Burns seconded the motion.

With no further discussion, the motion passed, 7 in favor and none opposed.

Mr. Gilbert requested clarification from the applicant on the historical record of complaints generated by events at the site. Mr. McCourt replied that complaints were addressed by his office and had not risen to the level of involving the Town police department.

Mr. Bodenski made a motion for the Board to consider.

Motion for Approval

Findings of Fact

1. The Sprague Corporation is requesting Site Plan Review of the Wentworth Lodge Special Event facility located at 10 Winter Lane, which requires review under Sec. 19-9, Site Plan Regulations and Sec. 19-8-15, Special Event facility standards.

2. The Planning Board discussed the project at the April 1, 2025 workshop. The application was deemed complete at the May 20, 2025 meeting, at which time a public hearing was also held.

3. The plan for Wentworth Lodge reflects the natural capabilities of the site to support development.

4. Access to Wentworth Lodge 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 plan does provide for a system of pedestrian ways within the special event facility.

6. The plan does provide for adequate collection and discharge of stormwater.

7. The Wentworth Lodge will not cause soil erosion, based on the erosion plan submitted.

8. The Wentworth Lodge will be provided with an adequate quantity and quality of potable water. The Wentworth Lodge will provide for adequate sanitary wastewater disposal. The Wentworth Lodge will be provided with access to utilities, and will provide for adequate disposal of solid wastes.

9. The Wentworth Lodge will not adversely affect the water quality or shoreline of any adjacent water body.

10. The Wentworth Lodge will provide a vegetative buffer throughout and around the site and screening as needed.

11. The Wentworth Lodge will provide for adequate exterior lighting without excessive illumination.

12. Signs will meet the requirements of the Sign Ordinance.

13. The Wentworth Lodge will not substantially increase noise levels and cause human discomfort.

14. Storage of exterior materials on the site that may be visible to the public will be screened by fencing or landscaping.

15. The applicant has demonstrated adequate technical and financial capability to complete the project.

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 the Sprague Corporation for Site Plan review of the Wentworth Lodge Special Event facility located at 10 Winter Lane be approved.

Ms. Burns seconded the motion.

With no further discussion, the motion passed, 7 in favor and none opposed.

Public Comment. Mr. Gilbert opened the floor for general public comment. With no comment, either in person or virtually, Mr. Gilbert closed the floor.

Mr. Huebener made a motion to adjourn the meeting. Ms. Burns seconded. With no further discussion, the motion passed, 7 in favor and none opposed.

The meeting was adjourned at approximately 7:44 p.m.

Respectfully submitted,
Lucy E. Bauer
Minutes Secretary