

## **TOWN OF CAPE ELIZABETH CRITERIA FOR DAY CARE FACILITY**

**Day Care Facility:** A facility which provides a regular program of care and protection during any part of the day for either (i) three (3) or more adults or seven (7) or more children under the age of sixteen (16) in the operator's residence or (ii) any number of children or adults in a building other than the operator's residence.

A Day Care Facility shall be allowed in any zoning district in which it is a permitted use only if it has received a conditional use permit from the Zoning Board of Appeals and site plan approval from the Planning Board.

The Zoning Board of Appeals shall consider the application for a Day Care Facility in accordance with the procedures for hearing conditional use applications as set forth in Sec. 19-5-5, Conditional Use Permits. The Zoning Board of Appeals shall issue a conditional use permit if it finds that:

1. The application conforms to the requirements of Sec. 19-8-8.C, Requirements for Home Day Care and Day Care Facilities and
2. The application conforms to the conditional use standards of Sec. 19-5-5, Conditional Use Permits.

*Ten copies of this application and an application fee of \$75 are required for submission.*

All Day Care Facilities shall conform to the following requirements:

1. The facility shall not operate before the hours of 7:00 a.m. or after the hours of 7:00 p.m.
2. A fenced outdoor play area shall be provided with a minimum of 75 square feet per child.
3. No outside play shall be allowed before 9:00 a.m. on Saturdays, Sundays, or holidays.
4. Adequate lighting shall be provided at the vehicle drop-off and pickup area.

**TOWN OF CAPE ELIZABETH  
APPLICATION FOR DAY CARE FACILITY**

Location \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_

District \_\_\_\_\_ Overlay District \_\_\_\_\_ Size of Lot \_\_\_\_\_

Applicants Name \_\_\_\_\_ Telephone # \_\_\_\_\_

Address \_\_\_\_\_

Interest in Property \_\_\_\_\_

Owners Name \_\_\_\_\_ Telephone # \_\_\_\_\_

Address \_\_\_\_\_

Will this day care facility be in the operator's residence? Yes \_\_\_\_\_ No \_\_\_\_\_

Or will it be in a building other than the operator's residence? Yes \_\_\_\_\_ No \_\_\_\_\_

Proposed Number of Children \_\_\_\_\_ or

Proposed Number of Adults \_\_\_\_\_

Proposed Hours of Operation \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m.

Size of Play Area \_\_\_\_\_ (minimum 75 sq.ft. per child)

Type of Sewerage disposal: Public \_\_\_\_\_ Private \_\_\_\_\_

If Private:

Capacity of septic system (design flow) \_\_\_\_\_ gallons per day

Year installed \_\_\_\_\_ septic tank size \_\_\_\_\_

Explain how the Home Day Care will conform to the following:

1. THE PROPOSED USE WILL NOT CREATE HAZARDOUS TRAFFIC CONDITIONS WHEN ADDED TO EXISTING AND FORESEEABLE TRAFFIC IN ITS VICINITY;

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2. THE PROPOSED USE WILL NOT CREATE UNSANITARY CONDITIONS BY REASON OF SANITARY DISPOSAL, EMISSION TO THE AIR, OR OTHER ASPECTS OF ITS DESIGN OR OPERATION;

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3. THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE VALUE OF ADJACENT PROPERTIES;

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4. THE PROPOSED SITE PLAN AND LAYOUT ARE COMPATIBLE WITH ADJACENT PROPERTY USES AND WITH THE COMPREHENSIVE PLAN;

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5. THE DESIGN AND EXTERNAL APPEARANCE OF ANY PROPOSED BUILDING WILL CONSTITUTE AN ATTRACTIVE AND COMPATIBLE ADDITION TO ITS NEIGHBORHOOD, ALTHOUGH IT NEED NOT HAVE A SIMILAR DESIGN, APPEARANCE OR ARCHITECTURE.

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**PLEASE PROVIDE A SCALE DRAWING WHICH INCLUDES THE FOLLOWING:**

1. Existing and proposed structures
2. Important natural features
3. Driveways, parking spaces, pick-up and drop off area of children or adults
4. Pedestrian ways, streets and other rights-of-way
5. Location of signs and outdoor lighting
6. Location of fenced-in play area

\_\_\_\_\_  
SIGNATURE OF APPLICANT      DATE