

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: April 27, 2011  
SUBJECT: Rosewood Subdivision Amendment

### Introduction

Joseph Frustaci is requesting an amendment to the previously approved Rosewood Subdivision to create an additional lot located at the end of Rosewood Lane. The application will be reviewed for compliance with Sec. 16-2-5, Amendments to Previously Approved Subdivisions.

### Procedure

- The Board should begin by hearing a presentation from the applicant.
- The Board should then make a finding of completeness. If the application is deemed incomplete, Board members should identify the information needed to make the application complete and no substantive discussion of the application should occur. If the application is deemed complete, review may begin.
- The Board has the option to schedule a public hearing and/or site walk.
- The Board may begin discussion at any time.
- At the close of discussion, the Board has the option to table the application to the next meeting, when a public hearing may be held.

### Summary of Completeness

The completeness checklist and the Town Engineer's comments are attached. Below is a summary of possible incomplete items:

5. No location map showing the subdivision location in Cape Elizabeth is included and should be added to the recording plat.
- 8c. Lot 4 is served by public water and the proposed lot will also be connected to the public water system, however a letter confirming an adequate supply has not been submitted. There are no documented public water supply shortages in this area, however, and it is expected that a letter from the Portland Water District will be forthcoming.
- 10c. The Town Engineer has recommended that a drainage easement be established in the area of the drainage swale on lot 4A for the benefit of lot 4B.

23a/b. The applicant has not provided any information regarding financial and technical capability.

### Discussion

The Board may also want to discuss the following:

1. Signature block. A signature block should be added to the Recording plat. The recommended drainage easement should also be added.
2. A note should be added to the plan that there will be no sale of lots, nor commencement of construction until a performance guarantee has been posted in a form acceptable to the Town of Cape Elizabeth and the open space impact fee is paid.
3. The road maintenance agreement for Rosewood Lane also needs to be amended to include the new lot.
4. The Town Engineer has recommended revisions to the plans.

### Motions for the Board to Consider

#### A. Motion for Completeness

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Joseph Frustaci for an amendment to the previously approved Rosewood Subdivision to create an additional lot located at the end of Rosewood Lane be deemed (complete/incomplete)

#### B. Motion to Table

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Joseph Frustaci for an amendment to the previously approved Rosewood Subdivision to create an additional lot located at the end of Rosewood Lane be tabled to the regular May 17, 2011 meeting of the Planning Board, at which time a public hearing will be held.