

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: November 15, 2011
SUBJECT: Inn by the Sea "600 Cottage" Site Plan Amendment

Introduction

The Inn by the Sea is requesting Site Plan Review to rebuild the "600 Cottage" building located at 40 Bowery Beach Rd. The existing building will be demolished and replaced with a new building that is no more than 25% larger, a restriction due to the location of the building in the RP1 buffer. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

Procedure

- The Board should have the applicant summarize any changes the project.
- The Board may then open the public hearing that has been scheduled for this evening.
- At the close of the public hearing, the Board may begin discussion of the application. When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

Site Plan Review Standards

Below is a summary of application compliance with the Site Plan standards, Sec. 19-9-5.

A. Utilization of the Site

The applicant is redeveloping an area of the site that has already been developed with a building.

The building is located in the RP1 buffer making it nonconforming. It is also located in the Shoreland Performance Overlay District, making it subject to Shoreland Zoning Standards. The nonconforming status restricts the expansion of the building to no more than 25% of the current building floor area or volume. The applicant has redesigned the building and the Code Enforcement Officer is reviewing the new design for compliance with the Zoning Ordinance.

B. Traffic Access and Parking

1. Adequacy of Road System- The applicant has provided information on the increase in traffic expected from the new building. In the last review of changes to this site, information was submitted thatn Bowery Beach Rd has additional capacity far in excess of the proposed increase in traffic.
2. Access into the Site- No change is proposed.
3. Internal Vehicular Circulation-No change is proposed.
4. Parking Layout and Design- The existing parking layout will not be changed by this project.

C. Pedestrian Circulation

The plans call for some relocation of existing sidewalks, however, the new sidewalk locations should accommodate pedestrian traffic.

D. Stormwater Management

The applicant is proposing to retain existing stormwater systems.

E. Erosion Control

The applicant has submitted an Erosion Control Plan in accordance with Best Management Practices.

F. Water Supply

Existing water supply connections will be used to supply the building. The building is expected to use less water through the installation of updated fixtures.

G. Sewage Disposal

The applicant has submitted informatio that the existing septic system has adequate capacity to serve the new building.

H. Utilities

Existing utility connections will be used to supply the new building.

I. Water Quality Protection

No discharge of noxious chemicals is proposed.

J. Wastes

Solid waste generated from the building will be stored in the existing solid waste shed previously constructed on the site.

K. Shoreland Relationship

A portion of the project is located in the Shoreland Performance Overlay District.

L. Technical and Financial Capacity

The applicant has provided evidence of financial and technical capability.

M. Exterior Lighting

No changes to the previously approved lighting plan are proposed.

N. Landscaping and Buffering

The landscaping plan has been changed to adjust to the new building footprint, however the same elements of buffering the parking lot, creating privacy for the units and preservation of existing large trees if possible are proposed.

O. Noise

The proposed use is not expected to generate noise levels in excess of those permitted.

P. Storage of Materials

No exterior storage of materials is proposed. The site currently includes storage sheds which will continue to be used or will be replaced.

Motion for the Board to Consider

Findings of Fact

1. The Inn by the Sea is requesting Site Plan Review to rebuild the “600 Cottage” building located at 40 Bowery Beach Rd, which requires review for compliance with Sec. 19-9, Site Plan Regulations.
2. The building is restricted by its status as a legal nonconforming structure located in the Shoreland Zone and Resource Protection 1 Buffer.
3. 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 Inn by the Sea LLC, located at 40 Bowery Beach Rd, to demolish and rebuild the “600 cottage” be approved, subject to the following conditions:

1. That the applicant receive approval from the Code Enforcement Officer that the proposed building is in compliance with the nonconforming provisions of the Shoreland Zoning and the Resource Protection 1 Buffer Districts; and
2. That there be no issuance of a building permit, nor alteration of the site until the above condition has been met.