

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: April 23, 2012
SUBJECT: Cape Memory Care Adult Day Care Site Plan Amendment

Introduction

Lon Walters is requesting an amendment to a previously approved site plan and a new Conditional Use Permit for Cape Memory Care, located at 126 Scott Dyer Rd, to add up to 6 adult day care people to the existing facility. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations and Sec. 19-5-5, Conditional Use Permits.

Procedure

- The Board should begin by having the applicant summarize the project.
- The Board should then determine by consensus if adequate information has been submitted to consider the amendment request. If the application is considered complete, substantive discussion may begin.
- The Board should decide if a site walk and/or public hearing should be scheduled.
- The Board may begin discussion.
- When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

Discussion

The applicant is proposing to add adult day care to the existing residential care already approved at the site. No expansion of facilities is proposed. Below is a summary the Site Plan and Conditional Use Standards of Review.

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

No changes to the existing building are proposed.

B. Traffic Access and Parking

The applicant described at the workshop his intent to convert one of the bedrooms to a sitting room for the day residents. The project is currently approved for 72 beds, so the Planning Board may want to amend the approval to reduce the site plan approval to 71 beds as long as the adult day care program is in operation.

C. Pedestrian Circulation

No change is proposed.

D. Stormwater Management

No change is proposed.

E. Erosion Control

No disturbance of soil is proposed.

F. Water Supply

No change is proposed.

G. Sewage Disposal

No change is proposed.

H. Utilities

No change to existing utility connections is proposed.

I. Water Quality Protection

No discharge of noxious chemicals is proposed.

J. Wastes

No change is proposed.

K. Shoreland Relationship

The property is not located in the Shoreland Zone.

L. Technical and Financial Capacity

No change in capacity has been reported by the applicant

M. Exterior Lighting

No change is proposed

N. Landscaping and Buffering

No changes are proposed.

O. Noise

No change is proposed.

P. Storage of Materials

No exterior storage of materials is proposed.

Conditional Use Standards (Sec. 19-5-5(D))

Below is a summary of the Conditional Use Standards.

1. Any conditions prescribed for such conditional use will be satisfied;

The code enforcement officer is charged with verifying that any planning board conditions are met prior to issuing a building permit.

2. The proposed use will not create hazardous traffic conditions when added to existing and foreseeable traffic in its vicinity;

The increase in proposed traffic is too small to result in a change in traffic conditions.

3. The proposed use will not create unsanitary conditions by reason of sewage disposal, emissions to the air, or other aspects of its design or operation:

The building will be served by public sewer. No unusual air emissions are expected.

4. The proposed use will not adversely affect the value of adjacent properties;

The proposed adult day care use mirrors the existing use of the site for eldercare, is a small addition to the existing use and should not impact the value of adjacent properties.

5. The proposed site plan and layout are compatible with adjacent property uses and with the Comprehensive Plan;

Day Care is listed as a conditional use in the Residence C district and the Comprehensive Plan does promote provision of facilities that accommodate the changing demographic makeup of the town, which includes an aging population.

6. 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.

No exterior changes are proposed.

Motion for the Board to Consider

A. Motion for Waiver

BE IT ORDERED that, based on the facts presented, the information previously submitted as part of the Site Plan approval, and the absence of any exterior alterations to the site proposed, the Planning Board (grants/ does not grant) a waiver to the Cape Memory Care Adult Day Care Site Plan Amendment application to submit information required for the Conditional Use Permit.

1. Lon Walters, on behalf of Cape Memory Care located at 126 Scott Dyer Rd, is requesting an amendment to the previously approved site plan and a Conditional Use Permit to operate an Adult Day Care for up to 6 persons, which requires review under Sec. 19-9, Site Plan Regulations, and Sec. 19-5-5, Conditional Use Permit.
2. The application substantially complies with Sec. 19-9, Site Plan Regulations and Sec. 19-5-5, Conditional Use Standards.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Lon Walters, of Cape Memory

Care located at 126 Scott Dyer Rd, for amendments to the previously approved Site Plan and a Conditional Use Permit be approved, subject to the following condition:

1. That the site plan approval for Cape Memory Care be amended to reduce the eldercare facility size from 72 to 71 beds for as long as the adult day care program is in operation.