

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: June 19, 2012
SUBJECT: Golden Ridge Subdivision 5th lot amendment

Introduction

Golden Ridge LLC is requesting an amendment to the previously approved Golden Ridge Subdivision, located on Golden Ridge Lane to pay an open space fee instead of providing a pedestrian easement. The application will be reviewed for compliance with Sec. 16-2-5, Amendments to Previously Approved Subdivisions.

Procedure

- The Board should begin by having the applicant summarize the change requested by the applicant
- The Board should discuss the project.
- At the close of discussion, the Board has the option to approve, approve with conditions, deny or table the application.

Subdivision Review (Sec. 16-3-1)

The comments of the Town Engineer are attached. Below is a summary of compliance with the Subdivision Ordinance Standards of Review.

A. Proposed Streets

The applicant will extend Golden Ridge Lane to provide access for the new lots.

B. Street Design

The applicant will construct Golden Ridge Lane to town private road standards, except that the traveled surface width has been reduced from 22' to 18' wide.

The road design includes full reconstruction of gravel in accordance with town standards.

C. Landscaping

The landscaping approved in May, 2011 is included as part of this project. Some of the landscaping will be installed on the Young property, for which they have provided written consent. A note has also been added to the plans restricting removal of vegetation outside of building envelopes.

D. Off-street areas

No disposal or storage areas are proposed.

E. Street layout

The road has been laid out in a logical manner to continue the existing private road, avoid wetlands and provide access to the proposed lots.

F. Access to sunlight

The new lots include building envelopes where the proposed homes will have direct access to sunlight.

G. Block lengths

Not applicable

H. Street names

The road name has been previously approved by the Police Chief.

I. Stormwater

The Town Engineer has reviewed the stormwater plan and supports this approach.

J. Pedestrian Easements

The applicant is requesting that the pedestrian easement attached to the previous approval be deleted in favor of paying an open space impact fee of \$8,640.00 dollars.

K. Lot Area

Each lot is in excess of the minimum 80,000 sq. ft. required in the RA District.

L. Vehicular Access

Each new lot will have frontage on the extension of Golden Ridge Lane. The applicant has submitted a road maintenance agreement which is under review by the Town Attorney.

M. Multiplex/Cluster Housing

Not applicable.

N. Sidewalks

No sidewalks are proposed or required on a private road.

O. Natural features

No natural features are proposed to be preserved. Most of the land in lots 4 and 5, however, is outside the building envelope and will likely be preserved in its natural state.

P. Scenic Vistas and View Corridors

The site is not located in a vista or view corridor as identified in the Visual Impact Study conducted by the town.

Q. Recreation/Open Space

The applicant is offering to pay an open space impact fee for the two new lots, in the total amount of \$8,640.00.

R. Common space

No common open space is proposed.

S. Sewage Disposal

All lots will be served by private subsurface disposal systems. The HHE-200 septic design has been approved by the Code Enforcement Officer.

T. Flood Hazards

The subdivision is not located in the floodplain.

U. Wetlands

No wetland alteration is proposed.

V. Wildlife Habitat

No significant wildlife habitats have been identified.

W. Numbering of units

There will be only 1 unit per lot.

X. Utilities

The applicant has provided letters that there will be adequate public water, public sewer, electric and telephone capacity to serve the subdivision.

Y. Technical and Financial Capacity

The applicant has provided a memorandum from the Town Manager asserting adequate financial capacity and a list of professionals with experience in designing subdivisions.

Motion for the Board to Consider

The following motion has been drafted to include the conditions originally placed on the October 18, 2011 approval.

1. Golden Ridge LLC is requesting an amendment to the previously approved Golden Ridge Subdivision, located on Golden Ridge Lane to pay an open space fee instead of providing a pedestrian easement, which requires review for compliance with Sec. 16-2-5, Amendments to Previously Approved Subdivisions.
2. Sec. 16-3-1 (q) establishes an Open Space Impact Fee as a standard of subdivision review. The standard requires that open space be provided for each new lot in a subdivision.
3. The applicant is adding 2 new lots based on the most recently recorded subdivision plan.
4. Sec. 16-2-4(c) requires that a performance guarantee be provided prior to construction or sale of lots.

5. Golden Ridge Lane is proposed to be private and must be maintained as approved in order to provide adequate access for town emergency vehicles.
6. The subdivision amendment substantially complies with Sec. 16-3-1, Subdivision Standards.

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Golden Ridge LLC to amend the previously approved Golden Ridge Subdivision and add a fifth lot at the end of Golden Ridge Lane be approved, subject to the following conditions:

1. That the applicant pay an open space impact fee of 8,640.00 dollars.
2. That the applicant provide a performance guarantee to the town in an amount acceptable to the Town Engineer, a form acceptable to the Town Attorney and all acceptable to the Town Manager.
3. That a road maintenance agreement be provided in a form acceptable to the Town Attorney, signed by the applicant and recorded in the Cumberland County Registry of Deeds.
4. That there be no alteration of the site nor issuance of a building permit until the above conditions have been met and the subdivision plan has been signed by the Planning Board and recorded in the Cumberland County Registry of Deeds.