

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: April 22, 2013
SUBJECT: Golden Ridge Subdivision 3-lot subdivision reapproval

Introduction

Golden Ridge LLC is requesting reapproval of a 3-lot subdivision located at the end of Golden Ridge Lane. This subdivision plan was approved with conditions by the Planning Board on June 19, 2012, and then the approval was extended on October 16, 2012. The extension expired on January 14, 2013. The application will be reviewed for compliance with Sec. 16-2-3, Minor Subdivision Review.

Procedure

- The Subdivision Ordinance provides 90 days from the date of the Planning Board decision for an applicant to obtain Planning Board signatures on the subdivision plan and record the plan in the Cumberland County Registry of Deeds. If the plan is not recorded within 90 days, the approval is null and void. The applicant is requesting an expedited "reapproval."
- The Board should begin by having the applicant briefly describe the project.
- 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 review or further action by the Board should occur. If the application is deemed complete, review may begin.
- The board should decide if a site walk and/or public hearing should be scheduled.
- If no site walk or public hearing is scheduled the Board may consider a motion to approve, approve with conditions, or deny the application. If a site walk or public hearing is scheduled, the application must be tabled.

Summary of Completeness

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

- The plans are at a scale of 1"= 60', which requires a waiver from the 1"=40' scale.
2. The plan set has the October 2012 date instead of the current date. The application letter date is current.
- 11b. An HHE-200 form for lot 5 is not included. The submission of a completed HHE-200 form would be required prior to obtaining a building permit for lot 5

Subdivision Review (Sec. 16-3-1)

A. Proposed Streets

The applicant will be extending an existing private road known as Golden Ridge Lane.

B. Street Design

Golden Ridge Lane was originally the driveway for a single family home. No upgrades have been made to the driveway. The Planning Board has approved additional lots on Golden Ridge Lane with corresponding upgrades to the road, however, no issuance of a building permit has triggered the road upgrades.

The existing road varies in width up to 18' with an undermined gravel base. Staff has recommended and the Planning Board has previously approved a requirement to reconstruct the existing road using a box cut. Gravel of a quality and depth meeting road standards will be placed creating a private gravel road of 18' in width, plus 2' wide gravel shoulders. The shoulders will be finished with loam and seed. The extension of Golden Ridge Lane will be constructed to the same standard. The applicant is seeking a waiver of the subdivision road standards to reduce the width of the road from 22' to 18' wide.

The applicant's letter states that no changes will be made to Golden Ridge Lane, but the plans do show the road improvements described. The applicant has also posted a performance guarantee for the road improvements described.

A road maintenance agreement in a form approved by the Town Attorney has been recorded, however it references an expired plan. An updated road maintenance agreement may need to be recorded.

C. Landscaping

The plans call for 6 colorado blue spruce and 3 norway spruce to be planted on the west side of Golden Ridge Lane to buffer lot 2.

The recording plan includes Note 14: Activities outside the building envelope restricted to the installation of driveway, utilities and trails. This note would preclude the removal of vegetation outside the building envelope, with the expectation that the vegetation would provide a buffer. If the board would like to allow activities such as the installation of a lawn, garden, etc, the note should be clarified. Since no trails are proposed outside the building envelope, the reference to trails should be removed.

D. Off-street areas

No disposal or storage areas are proposed.

E. Street layout

The extension of Golden Ridge Lane is a logical street layout to access undeveloped areas.

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

No change to the road name is proposed.

I. Stormwater

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

J. Pedestrian Easements

No pedestrian easements are proposed. The applicant has paid an open space impact fee.

K. Lot Area

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

L. Vehicular Access

Each lot will have frontage on Golden Ridge Lane.

M. Multiplex/Cluster Housing

Not applicable

N. Sidewalks

No sidewalks are proposed or required on a private road.

O. Natural features

The subdivision includes substantial areas of wetlands. The wetland areas are outside the building envelope and a note restricts activities outside the building envelope.

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 has paid an open space impact fee.

R. Common space

No common space is proposed.

S. Sewage Disposal

All lots will be served by private subsurface disposal systems. An HHE-200 form for lot 5 has not been submitted.

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 to serve the subdivision. The applicant will be installing a new water line from Route 77 up Golden Ridge, providing public water supply to the lots and a hydrant.

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.

The town currently holds a performance guarantee filed last December for the cost of all improvements.

Motions for the Board to Consider

1. Motion for Completeness

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Golden Ridge LLC for a 3-lot subdivision located at the end of Golden Ridge Lane be deemed (complete/incomplete).

2. Motion for Public Hearing

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Golden Ridge LLC for a 3-lot subdivision located at the end of Golden Ridge Lane be tabled to the regular May 21, 2013 meeting of the Planning Board, at which time a public hearing will be held.

3. Motion for Approval

Findings of Fact

1. Golden Ridge LLC is requesting reapproval of a 3-lot subdivision located at the end of Golden Ridge Lane which requires review under Sec. 16-2-3, Minor Subdivision Review.
2. A road maintenance agreement is needed to assure that the private road will be maintained as shown on the approved plans.
3. It is the Planning Board's intent that the entire length of Golden Ridge Lane from its intersection with Route 77 to the full length terminating at lots 3 and 4 as proposed on the plans submitted for the April 22, 2013 meeting be constructed to provide a minimum 18" gravel based, 18' wide to accommodate town emergency vehicles.
4. The applicant has provided the town with an executed performance guarantee.
5. Activities outside the building envelop shall be limited to preserve existing natural vegetation as a buffer to abutting properties.
6. The application substantially complies with Sec. 16-3-1, Subdivision review standards.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Golden Ridge LLC for a 3-lot subdivision

located at the end of Golden Ridge Lane be approved subject to the following conditions:

1. That a road maintenance agreement referencing the plans approved by the Cape Elizabeth Planning Board on April 22, 2013 be recorded in a form acceptable to the Town Attorney and Town Manager.
2. That a complete HHE-200 form be submitted and approved by the Code Enforcement Officer prior to the issuance of a building permit for lot 5.
3. That activities outside the building envelope be limited to the minimal amount of vegetation removal necessary to install driveways and utilities and that existing vegetation be preserved in its natural state to buffer the subdivision from abutting properties.
4. That there be no alteration of the site nor issuance of a building permit until the town planner confirms that the above conditions have been satisfied.