

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: February 24, 2014  
SUBJECT: Mitchell Highlands Subdivision Lot 46/46A Amendment

### Introduction

Erick Hilse is requesting an amendment to the Mitchell Highlands Subdivision (approved by the Planning Board in phases in the 1960's) to divide lot 46 into 2 lots. Both lots would have at least 20,000 sq. ft., the minimum lot size in the RC District, and the new lot would have 107' of frontage (minimum requirement is 100') on Aster Lane, a new road approved and under construction in the Spurwink Woods/Cottage Brook Subdivision. The application will be reviewed for compliance with Sec. 16-2-5, Amendment to previously approved subdivision.

### Procedure

- The Board should begin by having the applicant introduce the project.
- The Board should then determine by consensus that sufficient information has been submitted to consider the amendment. When reviewing amendments, the Planning Board references the submission list for a new subdivision, but only expects information related to the amendment to be submitted.
- Once adequate information has been submitted, the Board should decide if a site walk and/or public hearing shall be scheduled. If either is scheduled, the application should be tabled to the next meeting.
- At any time, the Board may begin discussion of the application.
- At the close of discussion, the Board has the option to table, approve, approve with conditions or deny the application.

### Summary of Completeness

Attached are the comments of the Town Engineer and the Completeness Checklist. Below is a summary of possible incomplete items. The Board should consider what information is needed to review the creation of 1 additional lot.

4. Topographic information has not been submitted. Staff are not aware of any topographic features that would prevent construction of a single family home on the proposed 20,000 sq. ft. lot. The Board may want to

note that the abutting lots in the Cottage Brook subdivision are much smaller than 20,000 sq. ft.

5. The applicant is proposing to provide all utilities for the new lot from Aster Lane, which is under construction and for which the town holds a performance guarantee. No letter from the Portland Water District to serve 1 additional lot has been provided, however, the Portland Water District has confirmed their ability to service the Cottage Brook Subdivision and 1 additional lot is not expected to compromise the water district commitment.
6. No erosion control information has been submitted. Typically, erosion control information is submitted as part of road and other infrastructure construction. An approved erosion control plan controls the construction of Aster Lane.
9. No solid waste disposal information has been submitted, however, like the water supply issue, solid waste disposal was reviewed as part of the Cottage Brook subdivision and the added waste from one additional home is not expected to overwhelm current facilities.
11. The submission references the RC District Cluster Development standards, which govern the Cottage Brook Subdivision. The proposed lot, however, is located in the Mitchell Highlands Subdivision, which is not a clustered subdivision. The applicant has agreed to revise the plans to reflect the RC District standards, which will include increasing the side and rear yard setbacks on the proposed lot.
13. No information on the movement of surface waters has been submitted.
17. No information on stormwater on the lot has been submitted.
19. No landscaping information has been submitted.

#### Motion for the Board to Consider

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Erick Hilse for an amendment to the Mitchell Highlands Subdivision to divide lot 46 into 2 lots, with access for the new lot from Aster Lane, be tabled to the March 18, 2014 meeting of the Planning Board, [at which time a public hearing will be held].