

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: April 15, 2014  
SUBJECT: Harvest Lane Private Road Amendment

### Introduction

Nick Tamaro is requesting an amendment to the previously approved Harvest Lane Private Road to extend the road to provide adequate frontage for a second lot. The plan will be reviewed under Sec. 16-2-3 of the Subdivision Ordinance.

### Procedure

- The Planner will provide a summary of the project within the context of town regulations.
- The applicant should introduce 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 discussion of the application should occur. If the application is deemed complete, substantive review may begin.
- The Board should decide if a site walk and/or public hearing will be scheduled.
- At the end of discussion, if either a site walk or public hearing is scheduled, the application should be tabled to the next meeting. Otherwise, the Board has the option to approve, approve with conditions, table or deny the application.

### Summary of Completeness

The Minor Subdivision Completeness Checklist and the comments of the Town Engineer are attached. Below is a summary of possible incomplete items.

6. The Town Engineer is recommending an erosion control treatment at the outlet of the 12 inch culvert, which could be considered a plan revision beyond the completeness review.
8. The Subdivision Ordinance submission checklist specifies completion of an HHE-200 form depicting full design of the subsurface disposal system. The applicant has provided data for one test pit, which the Code Enforcement Officer has commented indicates that a septic system could be installed.

### Discussion

Beyond the completeness of the application, the Planning Board may want to discuss and provide guidance on the applicant's request for waivers from the Subdivision Ordinance Road Construction Standards. Private roads standards are the same as local public road standards, except that private roads do not need to be paved, install sidewalks or street trees. The standard is a 22' wide traveled road surface. Where a private road is not paved and intersects a public road, the first 50' of the private road must be paved.

The applicant is requesting a waiver of the traveled way from 22' to 18'. For reference, the Old Hayfield Rd approval included a 22' wide traveled way for the first 75', just past the point where access to more than one lot was provided. From that point, the traveled way reduced to 18' for 275' and access was limited to 1 lot only. If the Planning Board desires to be consistent with the Old Hayfield Rd approval, the first 150' from Valley Rd would need to be 22' wide. Town staff do not support the waiver requests.

#### Motion for the Board to Consider

##### **A. Motion for Completeness**

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Nick Tammaro for an amendment to the previously approved Harvest Lane Private Road to extend the road to provide adequate frontage for a second lot be deemed (complete/incomplete).

##### **B. Motion to Table/Public Hearing**

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Nick Tammaro for an amendment to the previously approved Harvest Lane Private Road to extend the road to provide adequate frontage for a second lot be tabled to the regular May 22, 2014 meeting of the Planning Board, at which time a public hearing will be held.