

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: April 15, 2014
SUBJECT: Jordan Farm Subdivision Amendment

Introduction

Philip Jordan and Chelsea Hews are requesting amendments to the previously approved Jordan Farm Subdivision to shorten the length and change the grade of Hockey Pond Rd and eliminate the public water line. The application will be reviewed for compliance with Sec. 16-2-5, Amendments to previously approved subdivisions.

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 decide if sufficient information has been submitted to consider the proposed amendments. No formal finding of completeness is required but the Planning Board should try to come to consensus on completeness. If the application is incomplete, Board members should identify the information needed to make the application complete.
- Substantive discussion may begin at any time.
- 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 completeness checklist and the comments of the Town Engineer are attached. Because this is an amendment to an approved subdivision, several items on the checklist have been designated "not applicable" because the proposed changes do not impact those standards. The completeness checklist also recognizes when information has been submitted, but staff may still be recommending changes to the plans in order to meet the subdivision standards of review. Potential incomplete items are described below:

1. The application includes deeds to the property, but the applicants, Philip Jordan and Chelsea Hews, are related to but not the owners of the property.

5. No information has been submitted demonstrating adequate well water quality and quantity for lots 2 and 3. The applicants have requested that this information be submitted at the building permit stage. Board members should note that they will need to make a finding that standard (b) Sufficient Potable Water in Sec. 16-3-1 is met in order to approve the subdivision amendments.

19. The applicants are requesting a waiver from providing street trees. The applicants have previously represented that there are existing trees along the proposed roadway. Instead of waiving this requirement, the applicants could identify 2-3 existing trees adjacent to the road and in the right-of-way, add them to the plan, and satisfy the requirement.

Discussion

Beyond the level of completeness review, the Planning Board may want to consider the following.

1. Town Engineer's comments. The Town Engineer has recommended several adjustments to the plans and also recommended that a drainage easement be created for a culvert under Hockey Pond Rd that outlets onto private property. At this time, the private property owner is also the applicant, but future transfers of property could sever this property ownership relationship.

2. Lot 1 well. The well installed for lot 1 is shown on the plans, however the Planning Board never reviewed the well for quality or quantity as part of the subdivision approval. The Board may want a note added to the plan clarifying that this well is not part of the subdivision approval.

3. Phasing. The original approval included phasing. Phase I improvements have already been triggered. The Board may want the plans revised to make clear that all remaining improvements, including monumentation, must now be completed, with the exception described in Note 4 on Sheet 3. This note anticipates potential development north of Hockey Pond Rd. The Board may or

may not want to add to this note the provision of public water for development north of the pond.

4. Performance Guarantee. The Planning Board may want to include as a condition of approval that a performance guarantee be provided prior to any work on the subdivision. The performance guarantee triggers some level of inspection by the town engineer and improves the likelihood the subdivision will be constructed as approved.

Motions 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 Philip Jordan and Chelsea Hews for amendments to the previously approved Jordan Farm Subdivision to shorten the length and change the grade of Hockey Pond Rd and eliminate the public water line 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 Philip Jordan and Chelsea Hews for amendments to the previously approved Jordan Farm Subdivision to shorten the length and change the grade of Hockey Pond Rd and eliminate the public water line be tabled to the regular May 22, 2014 meeting of the Planning Board, at which time a public hearing will be held.