

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: May 22, 2104
SUBJECT: Jordan Farm Subdivision Amendment

Introduction

Philip Jordan and Chelsea Hews, and Scott Butterfield (owner of lot 1), 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 was deemed complete and a public hearing has been scheduled for this evening. The plan will be reviewed under Sec. 16-2-5, Amendments to Previously Approved Subdivisions, in the Subdivision Ordinance.

Procedure

- The Planner will provide a summary of the project within the context of town regulations.
- The applicant will summarize any changes made to the plans since the last meeting.
- The Board should then open the public hearing.
- Once the public hearing is closed, the Board may begin discussion of the application.
- At the end of discussion, the Board has the option to approve, approve with conditions, table or deny the application.

Subdivision Review (Sec. 16-3-1)

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

(a) Pollution

No change.

(b) Sufficient Potable Water

The applicants are proposing to replace a proposed public water line with individual wells for each lot. In the case of lot 1, a home has been constructed on the lot and is served by a private well. Information on the water quantity and quality from that well has been submitted to demonstrate that sufficient potable water is/should be available.

The owner of lot 1 has joined this application as a co-applicant. Because all the lots were approved with public water, there might be difficulties with the property transfer of lot 1 in the future if lot 1 is not included in this subdivision amendment application.

(e) Erosion

The amendment includes decreasing the length of Hockey Pond Rd. This decrease has resulted in less stormwater increase. The plans have been revised to allow sheet flow of stormwater from the road to the adjacent farm fields. A stone apron has been added to “dissipate energy” from the stormwater runoff to avoid erosion.

(d) Traffic

1. Road congestion and safety. No change.
2. Comprehensive Plan. No change.
3. Connectivity. No change.
4. Safety. The shorter private road still provides access to the original 3 proposed lots.
5. Through traffic. No change.
6. Topography. The road design has been changed so that less ledge will need to be removed. The road will be steeper, but still provide adequate access to lots 2 and 3.
7. Block Length. No change
8. Lot Access. No change
9. Sidewalks/pedestrian connections. No sidewalks are proposed or required on a private road.
10. Road Name. No change
11. Road Construction Standards. Since the subdivision was approved, road design standards have slightly increased the minimum pavement thickness. The original approval required that the first 50' of Deer Run Rd,

where it intersects Spurwink Ave, must be paved. The applicant has agreed to make this change, and the plans should indicate the most current requirements.

(e) Sewage Disposal.

The original approval included subsurface wastewater systems. Now that private drinking water wells will also be installed on the lots, a minimum 100' separation is required. The applicant has added this note to the plans. (Sheet 2, see lots 2 and 3)

(f) Solid Waste Disposal.

No change.

(g) Aesthetic, cultural and natural values

1. Scenic. The site is not located in a vista or view corridor as identified in the Visual Impact Study conducted by the town.
2. Wildlife. No significant wildlife habitats have been identified.
3. Natural features. The decrease in road length will reduce the amount of area converted to private road.
4. Farmland. No change.

(h) Conformity with local ordinances

1. Comprehensive Plan. No change.
2. Zoning Ordinance. No change
3. Multiplex Housing. Not applicable.
4. Addressing Ordinance. No change.

(i) Financial and Technical Capability

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

(j) Surface Waters

No change.

(k) Ground Water

The lots will be served by well water.

(l) Flood Areas

The subdivision is not located in the floodplain.

(m) Wetlands

No wetland alteration is proposed.

(n) Stormwater

The decrease in road length has reduced the anticipated amount of stormwater, resulting in less stormwater infrastructure. Water will sheet flow over a vegetated bank and infiltrate into the adjacent farm field. Where water is concentrated, a stone apron is proposed to dissipate the energy of the water flow and allow it to sheet flow without creating erosion.

(o) Lake Phosphorus concentration

No change.

(p) Impact on adjoining municipality

Not applicable.

(q) Land subject to Liquidation Harvesting

Not applicable.

(r) Access to Direct Sunlight

No change.

(s) Buffering

No change.

(t) Open Space Impact Fee

No change.

(u) Utility Access.

No change.

(v) Phasing.

The subdivision was approved with phasing. With the construction on lot 1, all the remaining improvements would be considered phase 2, except for a note relating to future development north of the pond. The applicant has agreed to remove all phasing notes with the result that all improvements must be completed as part of any building permit issuance.

Motion for the Board to Consider

Findings of Fact

1. Philip Jordan and Chelsea Hews, and Scott Butterfield (owner of lot 1), 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, which requires review under Sec. 16-2-5, Amendments to Previously Approved Subdivisions, in the Subdivision Ordinance.
2. The Town Engineer is recommending changes to the plans to clarify grading and pavement thickness.
3. The Subdivision Ordinance requires that a performance guarantee be provided to ensure that proposed improvements are constructed in accordance with the approved plans.
4. The applicant has substantially addressed the standards of the Subdivision Ordinance, Sec. 16-3-1.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Philip Jordan and Chelsea Hews, and Scott Butterfield (owner of lot 1), 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 approved, subject to the following conditions:

1. That the plans be revised to address the recommendations in the Town Engineer's letter dated May 6, 2014;
2. That a performance guarantee be posted in accordance with Sec. 16-2-7(c) prior to any alteration of the site and/or the issuance of a building permit for lots 2 or 3.
3. That the plans be revised and submitted to the Town Planner for review and approval prior to recording the subdivision plat.