

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: May 22, 2014  
SUBJECT: The Well 44-seat restaurant Site Plan and Jordan Farm Stand site plan amendment

### Introduction

Jason Williams is requesting Site Plan Review of the Well, a 44-seat restaurant located at 21 Wells Rd. Because The Well site plan anticipates sharing parking spaces with the Jordan Farm Stand parking area, an amendment to the Jordan Farm Stand Site Plan will also be concurrently reviewed. The application has been deemed complete and a public hearing has been scheduled for this evening. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

### Procedure

- The Planner will provide a summary of the project within the context of town regulations.
- The applicant should describe the changes to the plan.
- The Board should then open the public hearing, which has been scheduled for this evening.
- After closing the public hearing, the Board may begin discussion.
- When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

### Site Plan Review Standards

The Town Engineer's comments are attached. Below is a summary of application compliance with the Site Plan standards, Sec. 19-9-5.

#### A. Utilization of the Site

The proposed restaurant is immediately adjacent to the existing farm stand and development on the site is minimized by sharing the developed areas of the farm stand.

#### B. Traffic Access and Parking

1. Adequacy of Road System- The restaurant has been operating prior to obtaining Planning Board approval. Traffic generated by the restaurant has used the existing road system with no safety or capacity issues.
2. Access into the Site- Existing access points will be used, plus a separate access has been created to an employee parking area.
3. Internal Vehicular Circulation-Most of the site circulation builds upon the farm stand parking area. Existing gravel areas on the farm provide maintenance access to the composting toilet and other support structures.
4. Parking Layout and Design- The farm stand was approved with 5 parking spaces. The 44-seat restaurant would require 11 parking spaces for patrons plus 1 space for employee. The applicant is proposing a total of 22 parking spaces.

The farm stand parking lot was approved with 5 parking spaces. The applicant proposes to expand this parking lot to 7 spaces, including a handicapped parking space. An additional 9 spaces are proposed across from the original farm stand parking area. An additional area east of the farm stand has been developed as a 6 space employee parking area. The applicant will be obtaining a street opening permit for this area and paving the first 10' intersection with Wells Rd.

C. Pedestrian Circulation

There are no sidewalks proposed or required adjacent to the existing roadways. Within the site, a series of paths link the mobile kitchen to the eating areas (gazebos) and composting toilet.

D. Stormwater Management

Stormwater is sheet flowing to existing vegetated areas on the site.

E. Erosion Control

An erosion control plan has been submitted which includes the use of silt fencing. Almost all of the site has already been installed. Some additional walkways and a composting toilet will be added to the site.

F. Water Supply

The applicant is proposing to use holding tanks for the mobile kitchen and composting toilet and sink.

G. Sewage Disposal

A holding tank will be used for the kitchen and the wash sink in the composting toilet. The composting toilet generates very little volume and will be maintained by the applicant. The Code Enforcement Officer supports this approach because the ability of the kitchen to be moved to other locations.

H. Utilities

No change to existing utility connections is proposed.

I. Water Quality Protection

No discharge of noxious chemicals is proposed.

J. Wastes

Solid waste is currently stored onsite and disposed of at the Cape Elizabeth Recycling Center.

K. Shoreland Relationship

The property is not located in the Shoreland Zone.

L. Technical and Financial Capacity

The Town Manager has determined that the applicant has the financial capacity to complete the project.

M. Exterior Lighting

Solar powered lighting is proposed to illuminate the pedestrian walkways.

N. Landscaping and Buffering

No changes are proposed.

O. Noise

The proposed use is not expected to generate noise levels in excess of those permitted.

P. Storage of Materials

No exterior storage of materials is proposed.

Motion for the Board to Consider

Findings of Fact

1. Jason Williams is proposing The Well, a 44-seat restaurant located at 21 Wells Rd, which requires review under Sec. 19-9, Site Plan Regulations. . Because The Well site plan anticipates sharing parking spaces with the Jordan Farm Stand parking area, an amendment to the Jordan Farm Stand Site Plan is also proposed.
2. The application substantially complies with Sec. 19-9, Site Plan Regulations, subject to the submission of information referenced in #2 above.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Jason Williams for Site Plan Review of the Well, a 44-seat restaurant located at 21 Wells Rd and an amendment to the Jordan Farm Stand Site Plan to expand the parking area be approved, subject to the following condition:

1. That a note be added to the plans that the approval is based on a mobile restaurant. If the restaurant becomes immobile, based on a determination by the Code Enforcement Officer, then the Planning Board approval should be amended.
2. That all the improvements shown on the Planning Board approved plan be completed prior to the restaurant opening to customers for the 2014 season. A determination that all improvements have been completed shall be based on an inspection by the Code Enforcement Officer or a third party who shall submit an inspection report to the Code Enforcement Officer for approval.