

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: October 21, 2014
SUBJECT: Rudy's Site Plan/Resource Protection Permit Amendments

Introduction

517 Ocean House LLC is requesting amendments to the previously approved site plan and resource protection permit for exterior siding, lighting, curbing, waterlines, generator and planters. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations, and Sec. Sec. 19-8-3, Wetland Regulations.

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 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 review of the application should occur. If the application is deemed complete, substantive review may begin.
- If the application is deemed complete, the Board should decide if a site walk and/or public hearing will be scheduled.
- At the close of discussion, the board has the option to approve, approve with conditions, table or deny the application.

Site Plan and Resource Protection Permit Completeness

The completeness checklist is attached. This is an amendment to a previously approved application, so only information that has changed since the last meeting is typically submitted. Under Site Plan review, the applicant is proposing changes to the lighting scheme and submitted catalog cuts of the light fixtures and a photometric plan. Unfortunately, there is no legend to connect the fixtures to the plans.

Discussion

Beyond the completeness level of review, the Planning Board may want to discuss the following:

1. Siding. In addition to the proposed change in the first floor siding, it appears that that the decorative shingles approved on the second story gable have been replaced with vertical siding. This should be added to the written summary of amendments. Any other exterior material changes should also be added to the written summary. The Board may also want to note that the same first floor siding is noted for the Phase II building. In order to avoid any confusion about what is approved, the applicant may want to remove the shading from the proposed elevations and also confirm that all materials are labeled or match the key on the drawings.
2. Lighting. Lighting changes include the placement of additional fixtures, a change in pole height and relocation of proposed fixtures. A complete summary of all changes should be added to the written summary of amendments. The applicant may also want to confirm that the accent lighting to be mounted on the north side of the building closest to Route 77 is included in the photometric analysis.
3. Wetland amendment. Once the additional wetland alteration is approved for the generator, Notes 3 and 10 should be revised to include the total wetland altered.
4. Generator. The applicant has noted that the generator will exceed maximum site plan noise levels during power outage emergencies. A note may be appropriate to add to the plan that the generator may only operate at 100% during power outage emergencies.
5. Dumpsters. The applicant may want to revisit the amount of area set aside for a dumpster. Apparently, recycling can require 2 dumpsters, and the proposed area may not be sufficient to enclose all dumpsters on the site.
6. Sign. The board may want to confirm that the freestanding sign in front of the building appears to be placed at 6' high instead of the earlier proposal of 4' high. The "Rudys" wall sign also has been moved from placement over the front door to placement over the parking lot side door.
7. Phasing. The original approval delineated the Phase 2 area and no activity except for loam and seed was proposed for Phase 1. Phase 2 now includes water lines serving phase 1. Notes should be added to the plans describing what will occur in the area of phase 2 that is needed to complete phase 1 and what will be the interim treatment of the phase 2 area prior to commencement of construction of phase 2.

Motion for the Board to Consider

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of 517 Ocean House Rd for amendments to the previously approved site plan and resource protection permit for Rudy's, an 80

seat restaurant/one apartment mixed use building and phase 2 1,240 sq. ft. retail building, located at 517 Ocean House Rd, to change exterior siding, lighting, curbing, water lines, add a generator and add raised planters be deemed (complete/incomplete).

BE IT FURTHER ORDERED that the above application be to the November 18, 2014 meeting of the Planning Board, at which time a public hearing will be held.