

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: August 18, 2015
SUBJECT: Holt Property Amended Subdivision Plan Applications

Introduction

William S. Holt is requesting amendments to the Berry Subdivision, located on Hannaford Cove Rd, and the Broad Cove Subdivision, located on Running Tide Rd, to amend lot lines. 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 Board should begin by having the applicant summarize the project.
- The Board should then make a determination 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 discussion may begin.
- The Board should decide if a site walk should be scheduled.
- The Board should open the public hearing, which has been advertised for this evening.
- At the close of 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.

Summary of Completeness

Attached is the completeness checklist. Below is a summary of possible incomplete items:

The proposed subdivision amendments involve merging land with abutting approved subdivision lots. These lots have previously been reviewed as part of a subdivision, so the practical alteration of property as part of these amendments has substantially been reviewed.

Information on wetlands has been noted as "partial" because the RP1 wetland boundaries have been field determined, but the RP2 wetland boundaries have been transferred from the Official Zoning Map. The Official Zoning Map includes a note that Resource Protection boundaries must be field verified.

Subdivision Review (Sec. 16-3-1)

(a) Pollution

The proposed amendments will not result in undue pollution.

(b) Sufficient Potable Water

The proposed amendments will not increase the needed amount of potable water previously reviewed.

(e) Erosion

The proposed amendments will not cause unreasonable soil erosion.

(d) Traffic

The proposed amendments do not increase the existing number of lots and consequently will not increase traffic. No road construction is proposed and existing road access will not change.

(e) Sewage Disposal.

No new lot and sewage disposal is proposed.

(f) Solid Waste Disposal.

No new solid waste disposal is proposed.

(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 proposal is increasing the size of approved subdivision lots.
4. Farmland. An existing vineyard is proposed to be merged with a previously approved subdivision lot.

(h) Conformity with local ordinances

The proposed amendments is in conformance with local ordinances.

(i) Financial and Technical Capability

The applicant has provided a memorandum from the Town Manager asserting adequate financial capacity based on the lack of infrastructure construction proposed.

(j) Surface Waters

No construction is proposed within the shoreline of a water body. The lots to be amended are not located in the shoreland zone.

(k) Ground Water

The lot line changes are not expected to alter groundwater.

(l) Flood Areas

The subdivision lots are not located in the floodplain.

(m) Wetlands

No wetland alteration is proposed.

(n) Stormwater

No alteration impacting stormwater is proposed.

(o) Lake Phosphorus concentration

No discharge to Great Pond is proposed.

(p) Impact on adjoining municipality

The amended lots do not abut another municipality.

(q) Land subject to Liquidation Harvesting

No land subject to liquidation harvesting is included in this application.

(r) Access to Direct Sunlight

The amended lots include building envelopes where the proposed homes will have direct access to sunlight.

(s) Buffering

No new subdivision of lots is proposed.

(t) Open Space Impact Fee

No new lot is proposed.

(u) Utility Access.

The amendment to the existing lots does not alter access to utilities.

(v) Phasing.

No phasing is proposed.

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 William S. Holt for amendments to the Berry Subdivision, located on Hannaford Cove Rd, and the Broad Cove Subdivision, located on Running Tide Rd, to amend lot lines be deemed (complete/incomplete).

B. Motion for Approval

Findings of Fact

1. William S. Holt is requesting amendments to the Berry Subdivision, located on Hannaford Cove Rd, and the Broad Cove Subdivision, located on Running Tide Rd, to amend lot lines, which requires review for compliance with Sec. 16-2-5, Amendments to Previously approved subdivisions.
2. The application is limited to merging existing subdivision lots with adjacent vacant land.
3. The application substantially complies with Sec. 16-2-5, Amendments to Previously approved subdivisions.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of William S. Holt for amendments to the Berry Subdivision, located on Hannaford Cove Rd, and the Broad Cove Subdivision, located on Running Tide Rd, to amend lot lines be approved.