

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: June 21, 2016  
SUBJECT: Old Mill Rd Subdivision

### Introduction

Mark Jordy is requesting Minor Subdivision Review of a proposed 4-lot subdivision located at 41 Old Mill Rd. The application will be reviewed for compliance with Sec. 16-2-3, Minor Subdivision.

### Procedure

- The Planning Board should begin by having the applicant provide an overview of the project.
- The Board should then provide an opportunity for public comment limited to completeness of the application.
- The Board should then 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 discussion of the application should occur. If the application is deemed complete, substantive discussion may begin.
- The Board should decide if a site walk will be scheduled.
- At the close of discussion, if the application is deemed complete, the Planning Board should table the application and schedule a public hearing for the July 19th meeting.

### Summary of Completeness

The Minor Subdivision Completeness checklist and the comments of the Town Engineer are attached. Below is a summary of possible incomplete items.

8. The applicant has submitted test pit data but not full septic system designs and has asked for a waiver from submitting designs. The full septic system design would be required and submitted to the code enforcement officer prior to the issuance of a building permit for the lot.
9. While little solid waste generation is expected with this subdivision, no information has been submitted by the applicant.
15. The applicant has submitted a FEMA map that suggests floodplain may be located on the property. If there is any floodplain on the property, it should be

added to the subdivision plans. If there is no floodplain located on the property, a note should be added summarizing how that determination was made.

18. No information has been provided regarding the liquidation harvesting on the property. Staff does not believe this has occurred, but documentation should be added to the submission materials.
19. The application includes descriptions of the property, common land and the intentions to preserve open space. The Planning Board may want more specific information added to the record that describes and labels on the plans existing vegetation to be preserved. In addition, a statement regarding whether additional landscaping will be planted or if existing vegetation will provide adequate buffers should also be added to the record.
22. Phasing. No proposal to phase the project has been made, so staff has assumed that no phasing will be done.

### Discussion

The following comments are beyond the completeness level.

1. Common Land. The development will include preservation of "common land" to meet the open space impact fee requirement. A declaration of covenants and conditions document restrictions on construction of new structures on the common land. The Planning Board may also want to restrictions that preserve vegetation on the property that is not currently mowed as a meadow. In particular, preservation of existing vegetation to maintain a minimum buffer width (dimensioned and delineated on the plan) along Alewife Brook is recommended.
2. Town Engineer's comments. The Town Engineer has provided comments regarding revisions to the plans.
3. Private road maintenance. The covenant agreement provides for maintenance of the road, but does not reference the approved plan as the standard to which the road should be maintained.

### 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 Mark Jordy for the 3-lot Old Mill Rd Subdivision

located at 41 Old Mill Rd be deemed (complete/incomplete). In accordance with Sec. 16-3-5 and based on the request submitted by the applicant, the Planning Board waives submission of the following information:

1. Completed HHE-200 forms.
2. Plans of a scale not to exceed 1"=40'

**B. Motion to Table**

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Mark Jordy for the 3-lot Old Mill Rd Subdivision located at 41 Old Mill Rd be tabled to the regular July 19, 2016 meeting of the Planning Board, at which time a public hearing will be held.