

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: January 17, 2017
SUBJECT: Maxwell Woods

Introduction

Joel FitzPatrick, dba Maxwell Woods LLC, is requesting Major Subdivision Review and a Resource Protection Permit to construct a 46 unit project consisting of 38 condominiums and 8 apartments (in two buildings) located at 112-114 Spurwink Ave. The project will be reviewed for compliance with Sec. 16-2-4, Major Subdivision Review and Sec. 19-8-3, Resource Protection Permit regulations.

Procedure

- The Board should begin by having the applicant introduce the project.
- The Board should allow public comment regarding the completeness of the project.
- 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 review may begin.
- If the application is deemed complete, the Board should decide if/when a **site walk** will be held.
- The Board may begin substantive discussion of the application.
- At the close of discussion, the Board should table the application to the next meeting when a public hearing will be held.

Summary of Completeness

The comments of Town Engineer Steve Bradstreet, of Ransom Engineering, and the completeness checklist are attached. Below is a summary of possible incomplete items:

No items appear incomplete.

Discussion

Beyond the level of completeness review, several items have been identified for further evaluation by the applicant, as follows.

1. Cottage Brook amendment. As part of the site work for the abutting Cottage Brook development, temporary fill was placed adjacent to the right-of-way for Aster

Lane. This road will be extended as part of the Maxwell Woods project. That road extension needs to be designed, and any deviation outside of the road right-of-way for the Cottage Brook development, such as changes in grade, should be submitted as an amendment to the Cottage Brook subdivision. The applicant is aware of this and will be augmenting the next submission with a Cottage Brook subdivision amendment.

2. Landscaping. With advice from the Town Tree Warden, the Planning Board supported a new policy on tree plantings. The tree planting plan still includes some of the tree species no longer allowed and should be updated. Staff will be asking the Tree Warden to review the next plan submission. Further review and discussion should also occur regarding the trees proposed adjacent to the west side of Aster Lane.

3. Traffic Study. The applicant has submitted a traffic study that calculates a portion of the traffic generated by this project as "senior housing." Staff is recommending that traffic count be calculated based on 38 condominium units and 8 apartments. Some minimal traffic count work for the Spurwink/Ocean House Rd intersection is also recommended once the project is complete in order to adjust signal timing.

4. Wastewater flows. The applicant has provided information that proposed sewer flows can be accommodated by the existing system, but staff would like the actual estimated flows provided.

5. Road and sidewalk designs. Staff is recommending that Aster Lane be 22' wide to match the existing road and that road profiles be adjusted as needed.

6. Apartment building. Two apartment buildings with 4 units each are proposed. Elevations are provided for the front and sides of the buildings and a rear elevation is requested. Staff is recommending that the building design be revised to provide an internal stairway for the second floor unit.

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 Maxwell Woods LLC for Major Subdivision Review and a Resource Protection permit for Maxwell Woods, a 38 unit condominium and 8 unit apartment development located at 112-114 Spurwink Ave, be deemed (complete/incomplete), with the following waivers of submission:

1. Waiver from submitting a plan at a scale of 1"=40' and instead a plan at a scale of 1" = 60'.

2. Waiver from submitting a soils report and lot-by-lot suitability analysis and high intensity soils survey and instead connection to public sewer and wetlands mapping.

B. Motion for Tabling/Public Hearing

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Maxwell Woods LLC for Major Subdivision Review and a Resource Protection permit for Maxwell Woods, a 38 unit condominium and 8 unit apartment development located at 112-114 Spurwink Ave, be tabled to the regular **February 27, 2017** meeting of the Planning Board, at which time a public hearing will be held.