

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: August 15, 2017
SUBJECT: Hidden Court Third Subdivision Amendment

Introduction

Margaret Angell and Nathaniel Fick are requesting an amendment to the previously approved Hidden Court Subdivision, located off Ocean House Rd, to revise the common lot line between lot 3 (Garden house lot) and lot 1 (Stone house lot). The application will be reviewed for completeness, and if complete a public hearing will be held this evening. The plan will be reviewed under Sec. 16-2-3 of the Subdivision Ordinance.

Procedure

- The applicant should summarize the proposed amendments.
- The Board should determine by consensus that sufficient information has been submitted to consider the amendment request. If additional information is needed to conduct the amendment review, the Planning Board should identify that information and the amendment request should be tabled.
- If there is consensus sufficient information has been submitted, the Board should then open the public hearing.
- Once the public hearing is closed, the Board may begin discussion of the application.
- At the end of discussion, the Board has the option to approve, approve with conditions, table or deny the application.

Subdivision Review (Sec. 16-3-1)

(a) Pollution

Not applicable to the proposed amendment.

(b) Sufficient Potable Water

Not applicable

(c) Erosion

The previously approved plan includes Erosion control provisions.

- (d) Traffic
Not applicable.
- (e) Sewage Disposal.
Not applicable
- (f) Solid Waste Disposal.
Not applicable
- (g) Aesthetic, cultural and natural values
Not applicable
- (h) Conformity with local ordinances
 1. Comprehensive Plan. Not applicable to the proposed change.
 2. Zoning Ordinance. The lot line changes preserve the compliance of each lot with the Zoning Ordinance provisions, such as lot size, setbacks, etc.
 3. Multiplex Housing. Not applicable
 4. Addressing Ordinance. Not applicable
- (i) Financial and Technical Capability
Not applicable
- (j) Surface Waters
Not applicable
- (k) Ground Water
Not applicable
- (l) Flood Areas
Not applicable

- (m) Wetlands
Not applicable
- (n) Stormwater
Not applicable
- (o) Lake Phosphorus concentration
Not applicable
- (p) Impact on adjoining municipality
Not applicable
- (q) Land subject to Liquidation Harvesting
Not applicable
- (r) Access to Direct Sunlight
The change in the lot lines does not decrease the access to sunlight for the building lots.
- (s) Buffering
The proposed lot line adjustment shifts an existing wooded buffer to the stone house lot, where a pool is located.
- (t) Open Space Impact Fee
Not applicable.
- (u) Utility Access.
Not applicable.
- (v) Phasing.
No phasing is proposed.

Motion for the Board to Consider

Findings of Fact

1. Margaret Angell and Nathaniel Fick are requesting an amendment to the previously approved Hidden Court Subdivision, located off Ocean House Rd, to revise the common lot line between lot 3 (Garden house lot) and lot 1 (Stone house lot), which requires review under Sec. 16-2-5, Amendments to previously approved subdivisions. Findings for standards of review that apply to the proposed amendment follow.
2. The subdivision (will/will not) cause soil erosion, based on the erosion control plan provided.
3. The subdivision (is/is not) compatible with the Zoning Ordinance.
4. The subdivision (does/does not) provide for access to direct sunlight.
5. The subdivision (does/does not) provide a vegetative buffer and screening as needed with the proposed lot line changes.
6. The subdivision plan (includes/does not include) a phasing plan.
7. The applicant has substantially addressed the standards of the Subdivision Ordinance, Sec. 16-3-1.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Margaret Angell and Nathaniel Fick for an amendment to the previously approved Hidden Court Subdivision, located off Ocean House Rd, to revise the common lot line between lot 3 (Garden house lot) and lot 1 (Stone house lot) be approved.