

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: September 19, 2017  
SUBJECT: Maxwell Woods development

### Introduction

Joel FitzPatrick, doing business as Maxwell Woods LLC, is requesting Final Subdivision Review, a Resource Protection Permit and Site Plan Review of the Maxwell Woods development, including 38 condominium units and 8 apartments in 2 buildings, and amendments to the previously approved Spurwink Woods Subdivision related to the road extension. The application will be reviewed for compliance with Sec. 16-2-4, Major Subdivisions, Sec. 19-8-3 Resource Protection Permit, Sec. 19-9 Site Plan review and Sec. 16-2-5, Amendments to previously approved subdivisions.

### Procedure

- The Board should begin by having the applicant introduce the project.
- The Board should then provide an opportunity for public comment.
- 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.
- The Board should schedule a site walk and public hearing.
- At the close of discussion, the Board should table the project to the next meeting.

### Summary of Completeness

The comments of Acting Town Engineer Steve Bradstreet and the completeness checklists are attached. Below is a summary of possible incomplete items.

#### *Final Subdivision Review*

9. Landscaping. The landscaping table on sheet 25 that shows the typical landscaping for a condominium unit should be expanded to include quantities.

11. State permits. The project's DEP Site Location permit is in process. It has been the past practice of the Planning Board continue with local review as long as construction does not commence before all other approvals have been received.

#### *Site Plan Review*

- l. Landscaping. The landscaping plan shown on sheet 24 should be captured in a table of the plantings that includes quantities.
- m. Lighting. More information should be provided regarding the location, lighting fixtures, wattage, and estimated footcandle levels for lighting installed for the apartment buildings.
- o. Noise. Db levels should be estimated and submitted.

#### 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 Joel FitzPatrick, doing business as Maxwell Woods LLC, for Final Subdivision Review, a Resource Protection Permit and Site Plan Review of the Maxwell Woods development, including 38 condominium units and 8 apartments in 2 buildings, and amendments to the previously approved Spurwink Woods Subdivision related to the road extension be deemed (complete/incomplete).

##### **B. Motion to Table with Public Hearing**

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Joel FitzPatrick, doing business as Maxwell Woods LLC, for Final Subdivision Review, a Resource Protection Permit and Site Plan Review of the Maxwell Woods development, including 38 condominium units and 8 apartments in 2 buildings, and amendments to the previously approved Spurwink Woods Subdivision related to the road extension be tabled to the regular October 17, 2017 meeting of the Planning Board, at which time a public hearing will be held.