

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: November 21, 2017
SUBJECT: Holt Second Subdivision Amendment

Introduction

William Holt, 31 Hannaford Cove Rd, is requesting an amendment to a previously approved subdivision to alter lot lines in order to convey 1.09 acres of land to abutter Tom Egan, 41 Hannaford Cove Rd. The application will be reviewed for compliance with Sec. 16-2-5, Amendments to previously approved subdivisions. Both completeness and a public hearing are proposed for this evening.

Procedure

- The Board should begin with an introduction of the project by the applicant.
- The Board should then take public comment on completeness.
- The Board should make a finding on 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 may open the public hearing scheduled for this evening.
- At the close of the public hearing, the board may continue discussion of the application.
- At the end of discussion, the Board has the option to approve, approve with conditions, deny or table the application.

Completeness

The comments of the Town Engineer and the completeness checklist are attached. Many items are not applicable because the change involves conveying a portion of a lot to an abutter.

Subdivision Review (Sec. 16-3-1)

(a) Pollution

No change from the prior approval.

(b) Sufficient Potable Water

No change from the prior approval.

(e) Erosion

No change from the prior approval.

(d) Traffic

1. Road congestion and safety.

No change from the prior approval.

2. Comprehensive Plan.

No change from the prior approval.

3. Connectivity.

No change from the prior approval.

4. Safety.

No change from the prior approval.

5. Through traffic.

No change from the prior approval.

6. Topography.

No change from the prior approval.

7. Block Length.

No change from the prior approval.

8. Lot Access.

No change from the prior approval.

9. Sidewalks/pedestrian connections.

No change from the prior approval.

10. Road Name.

No change from the prior approval.

11. Road Construction Standards.

No change from the prior approval.

(e) Sewage Disposal.

No change from the prior approval.

(f) Solid Waste Disposal.

No change from the prior approval.

(g) Aesthetic, cultural and natural values

1. Scenic.

No change from the prior approval.

2. Wildlife.

No change from the prior approval.

3. Natural features.

No change from the prior approval.

4. Farmland.

The portion of land to be conveyed to the abutter Egan is part of a lot where a vineyard is currently operated.

(h) Conformity with local ordinances

1. Comprehensive Plan.

No change from the prior approval.

2. Zoning Ordinance.

The subdivision lot will be reduced in size but still be 14.97 acres in the RA District, which has a minimum lot size of 80,000 sq. ft. (2 acres).

The Egan property has been combined for tax purposes but most likely still includes 2 nonconforming lots and a portion of a third nonconforming lot. The two nonconforming lots probably still can be separated. With the addition of 47,000 sq. ft., even if the Egan property is considered 1 merged lot, 1 additional 80,000 sq. ft. might be separated.

3. Multiplex Housing.

No change from the prior approval.

4. Addressing Ordinance.

No change from the prior approval.

(i) Financial and Technical Capability

No change from the prior approval.

(j) Surface Waters

No change from the prior approval.

(k) Ground Water

No change from the prior approval.

(l) Flood Areas

No change from the prior approval.

(m) Wetlands

No change from the prior approval.

(n) Stormwater

No change from the prior approval.

- (o) Lake Phosphorus concentration
No change from the prior approval.
- (p) Impact on adjoining municipality
No change from the prior approval.
- (q) Land subject to Liquidation Harvesting
No change from the prior approval.
- (r) Access to Direct Sunlight
No change from the prior approval.
- (s) Buffering
The land conveyance will result in an expanded buffer for the Egan property.
- (t) Open Space Impact Fee
No change from the prior approval.
- (u) Utility Access.
No change from the prior approval.
- (v) Phasing.
No change from the prior approval.

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 Holt, 31 Hannaford Cove Rd, for an amendment to a previously approved subdivision to alter lot lines in order to convey 1.09 acres of land to abutter Tom Egan, 41 Hannaford

Cove Rd, be deemed (complete/incomplete) with the following waivers granted:

1. Waiver from submitting evidence of financial capability.

B. Motion for Approval

1. William Holt, 31 Hannaford Cove Rd, is requesting an amendment to a previously approved subdivision to alter lot lines in order to convey 1.09 acres of land to abutter Tom Egan, 41 Hannaford Cove Rd, which requires review for compliance with Sec. 16-2-5, Amendments to previously approved subdivisions.
2. The Planning Board has previously found that the subdivision complies with the standards of Sec. 16-3-1.
3. The proposed land conveyance also complies with the standards of Sec. 16-3-1.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of William Holt, 31 Hannaford Cove Rd, for an amendment to a previously approved subdivision to alter lot lines in order to convey 1.09 acres of land to abutter Tom Egan, 41 Hannaford Cove Rd, be approved with the following conditions:

1. That a full size subdivision plan suitable for recording be stamped by a land surveyor licensed in the State of Maine and provided to the town.