

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: September 18, 2018
SUBJECT: 185 Spurwink Ave Site Plan Amendment

Introduction

Elsie Maxwell is requesting an amendment to the previously approved site plan for the property located at 185 Spurwink Ave to create a separate lot for the day care facility. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

Procedure

- The Board should begin by having the applicant summarize the project.
- The Board should then make a determination 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 and a public hearing may be held.
- The Board may begin discussion.
- When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

Summary of Completeness

Attached are the completeness checklist and the comments of the Town Engineer. Below is a summary of possible incomplete items:

No items appear to be incomplete. Because there is no disturbance of the ground proposed, information on erosion is not applicable.

Site Plan Review Standards

Below is a summary of application compliance with the Site Plan standards, Sec. 19-9-5.

1. Utilization of the Site

No changes to the existing building or site are proposed.

2. Traffic Access and Parking

- a. Adequacy of Road System- No use changes are proposed.
- b. Access into the Site- Existing access points will be used.
- c. Internal Vehicular Circulation-The existing circulation pattern will not be changed by this project
- d. Parking Layout and Design- No change to the parking layout or design is proposed.

3. Pedestrian Circulation

No change is proposed.

4. Stormwater Management

No change to existing flows is proposed. A stormwater easement is proposed for the benefit of the 1.36 acre lot over the 11.57 acre lot to accommodate an existing drainage pipe.

5. Erosion Control

No ground disturbance is proposed.

6. Utilities

No change to existing utilities is proposed. A sewer line easement for the benefit of the 1.36 acre lot over the 11.57 acre lot is proposed.

7. Shoreland Relationship

The property is not located in the Shoreland Overlay Performance District.

8. Landscaping and Buffering

Existing landscaping is proposed to remain.

9. Exterior Lighting

Existing lighting will not exceed .5 footcandles at the property line.

10. Signs

No change is proposed

11. Noise

The applicant asserts daycare decibel levels will not exceed 55 db at the property line.

12. Storage of Materials

The site plan shows existing sheds for outdoor storage.

13. Technical and Financial Capacity

The Town Manager will be provided comments regarding financial capacity. The applicant has owned this property for several years without incident.

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 Elsie Maxwell for an amendment to the previously approved site plan for the property located at 185 Spurwink Ave to create a separate lot for the day care facility be deemed (complete/incomplete), with the following waivers granted.

1. A waiver from providing an erosion control plan because no ground disturbance is proposed;

B. Motion for Approval

Findings of Fact

1. Elsie Maxwell is requesting an amendment to the previously approved site plan for the property located at 185 Spurwink Ave to create a separate lot for the day care facility, which requires review under Sec. 19-9, Site Plan Regulations.
2. The amendments (are/are not) compatible with the natural capabilities of the site to support development.

3. Access to the development (will/will not) be on roads with adequate capacity to support the traffic generated by the development. Access into and within the site (will/will not) be safe. Parking (will/will not) be provided in accordance with Sec. 19-7-8, Off-Street Parking.
4. The plan (does/does not) provide for a system of pedestrian ways within the development.
5. The plan (does/does not) provide for adequate collection and discharge of stormwater.
6. The development (will/will not) cause soil erosion, because ground disturbance is not proposed as part of this amendment.
7. The development (will/will not) be provided with an adequate quantity and quality of potable water.
8. The development (will/will not) provide for adequate sewage disposal.
9. The development (will/will not) be provided with access to utilities.
10. The development (will/will not) locate, store or discharge materials harmful to surface or ground waters.
11. The development (will/will not) provide for adequate disposal of solid wastes.
12. The development (will/will not) adversely affect the water quality or shoreline of any adjacent water body.
13. The applicant (has/has not) demonstrated adequate technical and financial capability to complete the project.
14. The development (will/will not) provide for adequate exterior lighting without excessive illumination.
15. The development (will/will not) provide a vegetative buffer throughout and around the site and screening as needed.
16. The development (will/will not) substantially increase noise levels and cause human discomfort.

17. Storage of exterior materials on the site that may be visible to the public (will/will not) be screened by fencing or landscaping.
18. The application substantially complies with Sec. 19-9, Site Plan Regulations.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Elsie Maxwell for an amendment to the previously approved site plan for the property located at 185 Spurwink Ave to create a separate lot for the day care facility be approved with the following condition:

1. That the proposed easements be in a form acceptable to the town attorney and signed and recorded in the Cumberland County registry of deeds within 1 year of this approval.