

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: November 19, 2019  
SUBJECT: Ocean House Commons Subdivision, Site Plan Amendments,  
Town Hall Site Plan Amendments

### Introduction

David Jacobson is returning to the Planning Board to request Minor Subdivision review of a 4-lot commercial subdivision in the Town Center, located at 326 Ocean House Rd. Included in the application are parallel amendments to the site plan approved for 326 Ocean House Rd in May, 2019 and the site plan approved for 320 Ocean House Rd (town hall lot) in July, 1991. The concurrent review will include compliance with Minor Subdivision Review, Sec. 16-2-3, and Site Plan Amendments, Sec. 19-9-6.

### Procedure

- The applicant should present the project.
- The Planning Board should provide an opportunity for the public to comment on completeness of the application.
- The Board should 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 review may begin.
- The Board should decide if a site walk and/or public hearing will be scheduled.
- At the close of discussion, the Board has the option to approve, approve with conditions, deny or table the application.

### Summary of Completeness

The comments of the Town Engineer and the completeness checklists are attached. Below is a summary of completeness.

No items appear to be incomplete.

### Discussion

Beyond level of completeness, the Planning Board may want to discuss the design and integration of the two village green parcels.

The applicant is proposing to donate an additional 17,000 sq. ft. of land to almost double the size of the village green previously approved. This donation is consistent with the concept included in the Town Center Plan and create a village green of almost 1 acre located next to town hall.

Like the review conducted for "village green 1," the Planning Board may want to discuss the design of this area. The Town Center guidelines state "A village green is a prominent and highly visible park-like area where the public may gather, relax and contemplate both casually and as part of organized outdoor public events."

The guidelines specify "Pedestrian walkways shall be constructed that guide movement through and around a village green and connect a village green to the Town Center sidewalk network, adjacent buildings and properties. Walkways were included that connect to the town center sidewalk network and create a focal point as part of "village green 1" A walkway is proposed from the "village green 1" walkway to the eastern end of "village green 2." The Planning Board may want to discuss use of consistent surface treatment for the village green walkways. (1 uses pavers and 2 is proposed as asphalt.) The Board may also want to discuss an additional walkway along the perimeter of the village green and the private road. Because lots 2, 3, and 4 are possible with the creation of a village green, the Board could also consider phasing these improvements by tying them to the development of lots 3 or 4.

"Village green 2" will include a dual function of stormwater management. Understanding how much stormwater storage and for how long will impact the functionality of the area for open space.

#### 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 David Jacobson for a 4-lot commercial subdivision located in the Town Center at 326 Ocean House Rd, and amendments to the 326 Ocean House Rd site plan and town hall site plan, located at 320 Ocean House Rd, be deemed (complete/incomplete).

##### **B. Motion to Table/Schedule a Public Hearing**

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of David Jacobson for a 4-lot commercial subdivision located in the Town Center at 326 Ocean House Rd, and amendments to the 326 Ocean House Rd site plan and town hall site plan, located at 320 Ocean House Rd, be tabled to the regular December 17, 2019 meeting of the Planning Board, at which time a public hearing will be held.

Project: Ocean House Common Subdivision/  
Site Plan amendments

Date: 11/19/2019

Applicant: David S. Jacobson

Location: 326 Ocean House Rd

**Minor Subdivision Review**  
**Application Completeness Checklist**  
(Subdivision Ordinance, Appendix A)

- \_Y\_ 1. Right, Title or Interest
- \_Y\_ 2. Name of Subdivision/Applicant
- \_Y\_ 3. Survey
- \_Y\_ 4. Water Pollution Evaluation: Topography, Surface drainage, Soils, Air
- \_Y\_ 5. Potable Water
- \_Y\_ 6. Erosion
- \_Y\_ 7. Traffic
- \_Y\_ 8. Sewage Disposal
- \_Y\_ 9. Solid Waste Disposal
- \_Y\_ 10. Aesthetic, cultural and natural information
- \_Y\_ 11. Local Regulations
- \_Y\_ 12. Financial and Technical Capability
- \_Y\_ 13. Surface Waters
- \_Y\_ 14. Ground Water
- \_Y\_ 15. Floodplain
- \_Y\_ 16. Wetlands
- \_Y\_ 17. Stormwater/Phosphorus
- \_Y\_ 18. Liquidation Harvesting
- \_Y\_ 19. Landscaping
- \_Y\_ 20. Open Space
- \_Y\_ 21. Utilities
- N/A 22. Phasing
- N/A 23. Related information

Y = Yes, information has been provided  
N = No, information has not been provided  
P = Partial information has been provided  
W = A waiver has been requested from submitting the information  
N/A = Not applicable

**Site Plan Review Submission Checklist**  
**[Section 19-9-4(c)]**

Date: 11-19-2019

Project: Ocean House Common Site Plan Amendment

Applicant: David Jacobson

- Y a. Evidence of right, title, and interest in the property
- Y b. Written description
- Y c. Name of project/applicant
- Y d. Survey
- Y e. Existing conditions
- Y f. Topography
- Y g. Buildings
- Y h. Traffic access and parking
- Y i. Stormwater
- Y j. Erosion
- Y k. Utilities
- Y l. Landscaping
- Y m. Lighting
- N/A n. Signs
- N/A o. Noise

- Y p. Exterior storage
- Y q. Financial and Technical Capability

Y Yes, complete  
 N No, not complete  
 W Waiver  
 P Partially complete  
 N/A Not applicable

**Site Plan Review Submission Checklist**  
**[Section 19-9-4(c)]**

Date: 11-19-2019  
 Project: Ocean House Common/Town Hall Site Plan Amendment  
 Applicant: David Jacobson

- Y\* a. Evidence of right, title, and interest in the property
- Y b. Written description
- Y c. Name of project/applicant
- Y d. Survey
- Y e. Existing conditions
- Y f. Topography
- Y g. Buildings
- Y h. Traffic access and parking
- Y i. Stormwater
- Y j. Erosion
- N/A k. Utilities
- N/A l. Landscaping
- N/A m. Lighting

N/A n. Signs  
N/A o. Noise  
N/A p. Exterior storage  
Y q. Financial and Technical Capability

Y Yes, complete  
Y\* Yes on file in town office  
N No, not complete  
W Waiver  
P Partially complete  
N/A Not applicable