

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: December 17, 2019
SUBJECT: Caydens Way Private Rd amendment

Introduction

Maxwell Cove LLC is requesting an amendment to the previously approved Caydens Way private road approval, located at 51 Ocean House Rd, to adjust a lot line. The lot is located in the RC District, with a minimum lot size of 20,000 sq. ft., and the area of the private road right-of-way was inadvertently included in the lot size. The lot must be at least 20,000 sq. ft. exclusive of the private road right-of-way. No changes to the physical layout of the project are proposed. The application will be reviewed for compliance with Sec. 19-7-9, Private Road review.

Procedure

- The Board should begin by having the applicant introduce the project.
- The Board should allow 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 applicant has requested expedited review of the application.
- The Board should decide if a site walk will be scheduled.
- The Board should then open the public hearing scheduled for this evening.
- At the close of the public hearing, the Board may resume discussion.
- At the close of discussion, the Board should consider a motion to approve, approve with conditions, table or deny the application.

Motion for the Board to consider

Findings of Fact

1. Maxwell Cove LLC is requesting an amendment to the previously approved Caydens Way private road approval, located at 51 Ocean House Rd, to adjust a lot line, which requires review under Sec. 19-7-9 Private Road review.

2. The Caydens Way private road plans have been previously approved by the Cape Elizabeth Planning Board to be in compliance with the Private Road requirements, Sec. 19-7-9, and the findings and decisions of that approval which are not altered by the proposed amendments remain in effect.
3. The application substantially complies with Sec. 19-7-9, Private Road standards.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Maxwell Cove LLC for amendments to the previously approved Caydens Way Private Rd located at 51 Ocean House Rd, be approved.