

## MEMORANDUM

TO: Cape Elizabeth Town Council  
FROM: Planning Board  
DATE: September 24, 2018  
SUBJECT: 33 Wells Rd Sewer Service Area Amendment

### Introduction

The Town Council has referred to the Planning Board a request by Sue and Greg Sarka to add 33 Wells Rd to the Sewer Service Area. The Planning Board reviewed the amendment at the September 4th workshop, and held a public hearing on September 18th.

### Discussion

The attached map depicts the Sewer Service Area map change. The Sarka lot abuts the RB District, which is already located in the Sewer Service Area.

Under Sec. 15-1-4(i) of the Sewer Ordinance, amendments to the Sewer Service Area map may be made as follows:

#### **(i) Amendments to the Sewer Service Area (Added eff. 12/10/2003)**

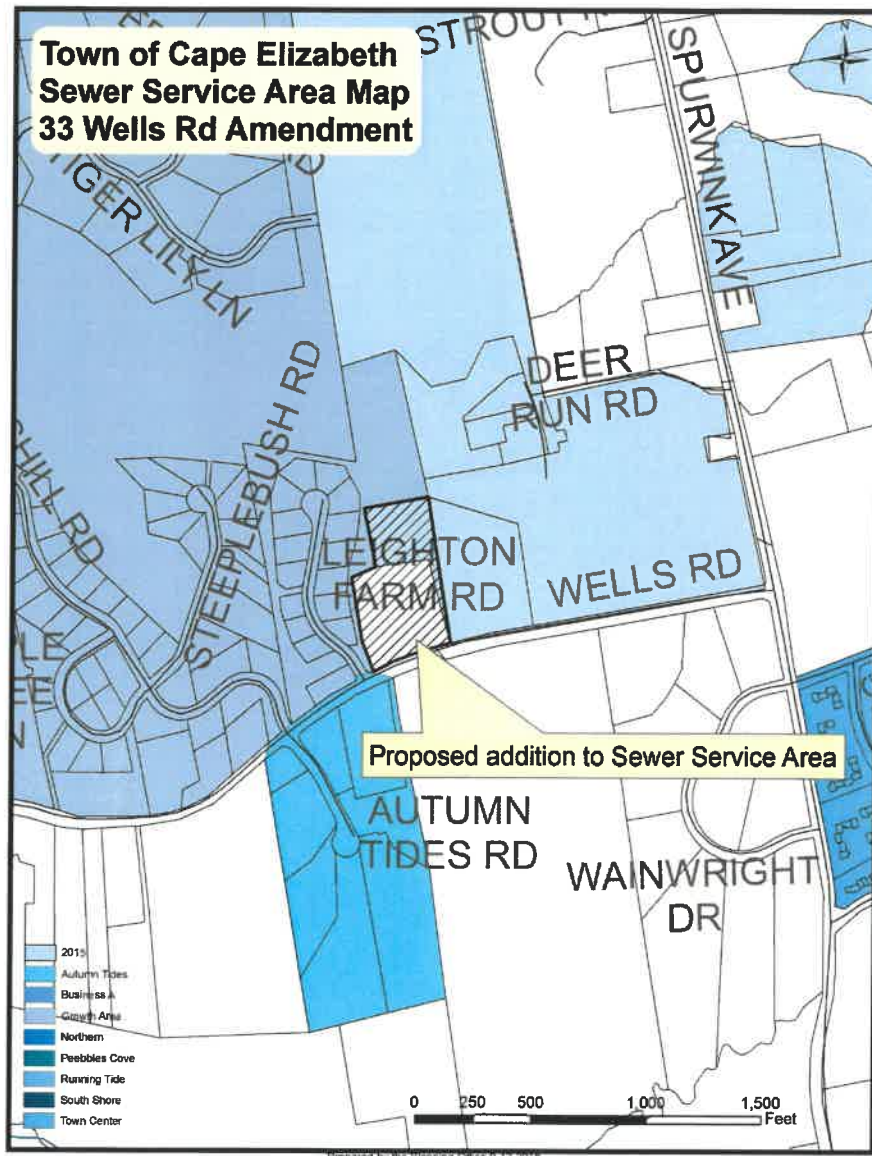
The sewer service area plan may be expanded by vote of the Town Council, after receiving a recommendation from the Cape Elizabeth Planning Board, if:

1. The Town Council finds that the sewer system, including all impacted pipes, pump stations and treatment works, has sufficient non-peak and peak capacity for potential service within the area encompassed by the expansion;
2. The expansion is in conformance with the Town's comprehensive plan; and
3. The expanded sewer service area is:
  - a. A lot designated on the Town Neighborhood Sewer Connection Eligibility Map;
  - b. A lot within 500' of an existing Sewer Service Area; or

- c. An area proposed for new development in accordance with the Open Space Zoning Standards, Sec. 19-7-2, of the Zoning Ordinance.

If the expanded sewer service area is an area proposed for new development in accordance with the Open Space Zoning Standards, Sec. 19-7-2 of the Zoning Ordinance, no connection to the sewer system shall be permitted until the development receives approval from the Cape Elizabeth Planning Board for compliance with Sec. 19-7-2, Open Space Zoning Standards.

4. All sewer extensions shall be designed by a registered engineer. Its design shall be subject to review and approval by the Town Engineer, and its design, construction and acceptance shall be in accordance with the provisions of Sec. 15-1-7. An extension of the sewer system shall be at the expense of the lot owner(s) requesting the extension, unless the Town Council elects to fund all or part of the sewer extension costs.



### Sewer System Capacity

The Sewer Superintendent, Public Works Director Robert Malley, has determined that there is adequate capacity in the sewer system to accommodate at least 1 additional home. The Sewer Ordinance specifies technical standards for how physical connection to the system must be accomplished.

### Relationship to 2007 Comprehensive Plan

A description of the public sewer system begins on page 74 and the plan includes a map of the sewer services areas on pg. 64. This section demonstrates that, at

that time, there is adequate capacity on the sewer system to accept additional growth.

On page 152, connection to the public sewer system for future growth is identified as a trend and considered an environmental benefit. Under Goal 3, page 154, Recommendation #90 is to designate the RB District a sewer service area (implemented) and Recommendation #91 is to require new subdivision development in the RB District to be served by public sewer (not implemented). Together, these recommendations show strong support for expanding use of public sewer.

#### Neighborhood Sewer Connection Eligibility Map

The lot located at 33 Wells Rd is shown as eligible on this map.

#### Proximity to existing Sewer Service Area

The lot located at 33 Wells Rd meets the criteria in the Sewer Ordinance (subparagraph b) as it is well within 500' of an existing Sewer Service Area.

#### Open Space Zoning Standards

The lot located at 33 Wells Rd is not part of a development reviewed under Sec. 19-7-2, Open Space Zoning Standards.

#### Planning Board recommendation

At the September 18, 2018 meeting, the Planning Board unanimously adopted the following motion:

BE IT ORDERED that, based on the request made Sue and Greg Sarka and the facts presented, the Planning Board recommends that 33 Wells Rd be added to the Sewer Service Area.