



April 8, 2025  
16031-03

Maureen O'Meara, Town Planner  
Town of Cape Elizabeth  
320 Ocean House Road  
P.O. Box 6260  
Cape Elizabeth, Maine 04107

Subject: 7 Scott Dyer Road Site Plan and Subdivision Amendment Review

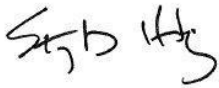
Dear Maureen:

We have received and reviewed a submission package dated March 31, 2025 for the subject project. The package included a March 31, 2025 letter addressed to the Planning Board from the applicant Zev Myerowitz, a March 24, 2025 2<sup>nd</sup> Amended Subdivision Plan as prepared by Owen Haskell, Inc., and a March 24, 2025 Site Plan of Lot 3 as prepared by Owen Haskell, Inc.. Based on our review of the submitted material and the project's conformance to the technical requirements of Section 19-9, Site Plan Completeness, and Section 16-2, Subdivision Completeness, we offer the following comments:

1. The applicant is requesting minor changes to the previously approved Subdivision Plan and Site Plan to allow for the installation of a hot tub on the north side of the existing building on Lot 3.
2. We understand that the Board will be conducting a completeness review of this project at their upcoming meeting. In our opinion, the submitted materials represent a completed package and the remainder of our comments here are provided to facilitate future reviews of the project. It should be noted that additional submitted information may result in additional review comments.
3. The 2<sup>nd</sup> Amended Subdivision plan proposes that the Northeastern property line between Lot 2 and Lot 3 be relocated by shifting the lot line five feet to the north. This revision allows both properties to conform to the required setbacks while creating space for proposed site improvements within Lot 3.
4. The Amended Site Plan includes the addition of an approximately 140 square-foot hot tub/swim spa adjacent to the existing porch on the northeastern side of Lot 3, located approximately 10.4 feet from the proposed lot line. As the minimum side setback for outdoor recreational facilities such as pools in the Town Center zone is 10 feet, the Applicant has proposed to shift the property line to the north to meet this requirement.
5. There are two right-of-way limits that are depicted on the Subdivision Plan that have been based upon different reference documents. The Applicant is requesting Planning Board approve the project based on the location of the interpretation of the right-of-way using a September 10, 2020 document. While the past easements amongst the three lots within this subdivision may have been prepared conservatively and require no alterations, the easements should be reviewed to ensure that the cross-easement rights are still appropriate and do not need to be altered if the September 10, 2020 document referenced right of way is applied.

We trust that these comments will assist the Board during their deliberations on this project. Should there be any questions or comments regarding our review, please do not hesitate to contact us.

Sincerely,  
SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "SDH" followed by a stylized flourish.

Stephen D. Harding, P.E. - Town Engineer

SDH:sdh

cc: Dr. Zev Myerowitz Jr., Applicant  
Ben McDougal, Cape Elizabeth Code Enforcement Officer  
Madison Ala, Sebago Technics