



October 13, 2020
16211-04

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

Subject: Cunner Lane Private Road Right of Way Amendment

Dear Maureen:

We have received and reviewed a submission package dated October 1, 2020 for the subject project. The package included an October 1, 2020 cover letter addressed to you and the Planning Board Members from Robert Metcalf of Mitchell & Associates along with supporting information. Also included in this package was a three-drawing set of the project plans as prepared by Mitchell & Associates which include:

- Sheet 1 entitled *Existing Conditions Plan* dated October 1, 2020
- Sheet 2 entitled *Site Plan* dated October 1, 2020
- Sheet 3 which is currently approved *Site Plan* revision dated October 30, 2019

Based on our review of submitted material and the project's conformance to the technical requirements of Section 16-2-5, we offer the following comments:

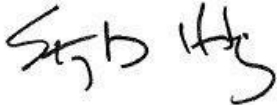
1. The applicant is proposing to reduce the width of the existing Cunner Lane private road right of way from over 70 feet to a width of 50-feet. In doing so, the right of way area will be reduced by approximately 3,500 feet which will also increase the building envelope on Map U-14/Lot 26-1. An extension to the existing turnaround easement in the driveway of Lot 26-1 is also proposed to connect it to the narrower right of way width. No construction or physical alterations will be conducted to accommodate this change.
2. The applicant has also requested a waiver of the roadway standard that the road shall be centered in the right of way. Given the constructed location of the existing roadway within the property and that the area of the proposed right of way will still encompass the underground water storage tanks and the dry hydrant, this waiver appears reasonable to grant.
3. We have coordinated with the Public Works Director as to the need to physically define the right of way changes. Based on this discussion, the Town Staff is requesting that four new iron pins be set in the field in accordance with the locations as shown on the attached *Iron Pins to be Set*

exhibit which will depict locations of the right of way around the fire tank cisterns and the end of the private way.

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,

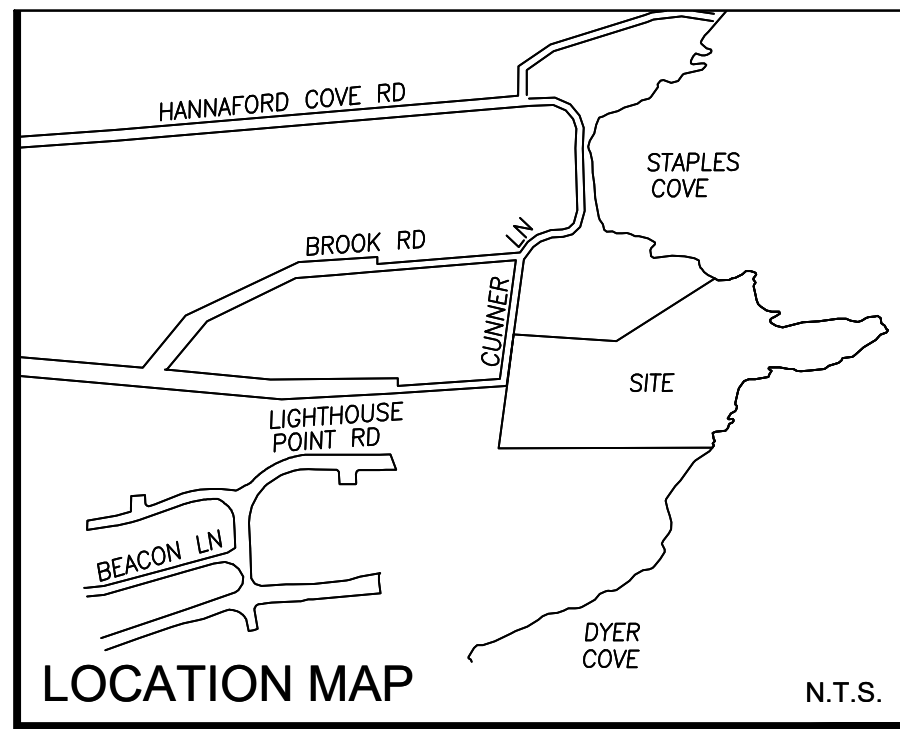
SEBAGO TECHNICS, INC.

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: Jay Reynolds, Cape Elizabeth Public Works Director
Peter Gleason, Cape Elizabeth Fire Chief
Robert Metcalf, Mitchell & Associates



Applicant:
David Smith
1511 Ivy Hill Road
Cockeysville, MD 21030

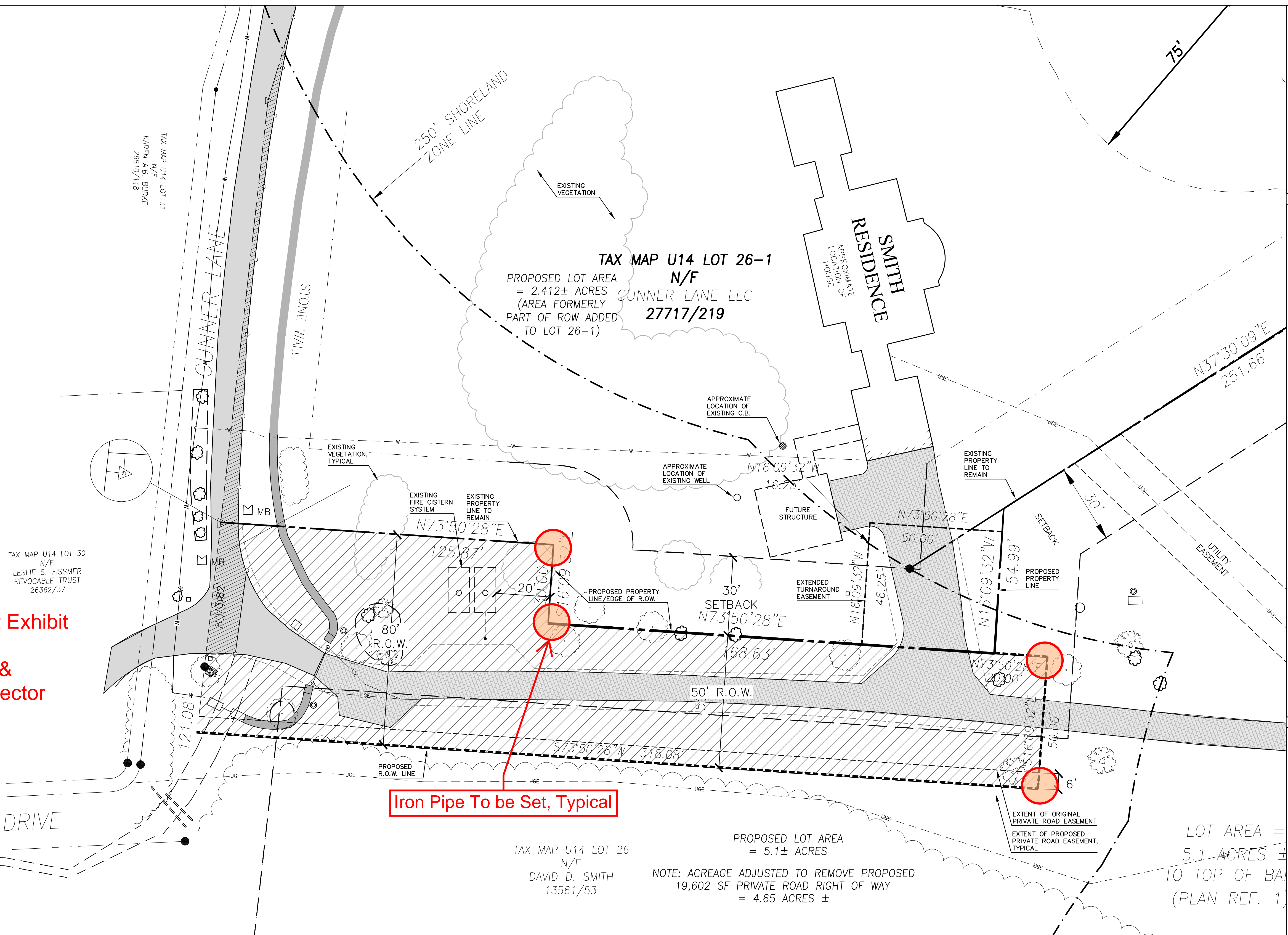
Prepared By:
Mitchell & Associates
LANDSCAPE ARCHITECTS

The Staples School
70 Center Street
Portland, Maine 04101 207.774.4427

CUNNER LANE
AMENDED SUBDIVISION PLAN
CUNNER LANE Cape Elizabeth, Maine

GENERAL NOTES

- OWNER OF RECORD: DAVID D. SMITH TAX MAP U14 LOT 26 C.C.R.D. BOOK 13561 PAGE 53
 - BEARINGS ARE MAGNETIC 1928 PER PLAN REFERENCE 5.
 - ELEVATIONS ARE BASED ON NAVD 88.
 - BOUNDARY INFORMATION TAKEN FROM PLAN REFERENCE 1 AND MARKERS FOUND.
 - TAX MAP REFERENCE: MAP U14, PARCELS 26 AND 26-1.
 - THE PROPERTY IS LOCATED IN THE TOWN OF CAPE ELIZABETH RA ZONE AND SHORELAND ZONE AND RPS FLOOD PLAIN.
 - SPACE AND BULK REQUIREMENTS, PER RA AND SHORELAND ZONING:
Minimum Front Setback: 30 FT
Minimum Side Setback: 30 FT
Shoreland Setback, from High Water Mark: 75 FT
Minimum Lot Size, Shoreland Zone Residential: 30,000 SF (0.69± acres)
Maximum Lot Coverage: 20%
- Proposed Site Plan Conforms with provisions of Section 19-7-9 Private Road Standard, with exceptions by waiver.
8. WAIVERS:
* WAIVER OF SUBDIVISION ORDINANCES PRIVATE ROAD DESIGN STANDARDS SEC. 19-7-9: ROADWAY IS NOT CENTERED WITHIN THE PRIVATE ROAD RIGHT-OF-WAY. GRANTED 10/13/2020.
9. THIS PLAN SUPERCEDES PLAN OF PRIVATE ROAD APPROVED BY THE CAPE ELIZABETH PLANNING BOARD ON OCTOBER 15, 2019, CCRD BK 219 PG 496 DATED NOVEMBER 20, 2019.



Requested Iron Pipes to Be Set Exhibit by Steve Harding, Town Engineer & Jay Reynolds, Public Works Director

October 13, 2020

Iron Pipe To be Set, Typical

- PLAN REFERENCES**
- "STANDARD BOUNDARY SURVEY, DIVISION OF LAND, 21 CUNNER LANE, CAPE ELIZABETH, MAINE, RECORD OWNER: AUSTIN & ELLEN M. HIGGINS, TRUSTEES" DEC. 30, 1996 BY LAND USE CONSULTANTS
 - "PLAN OF PROPERTY IN CAPE ELIZABETH, MAINE MADE FOR R.L. HENDERSON & C.C. WRIGHT, TWO LIGHTS TERRACES" JAN. 6, 1966 BY H.I. & E.C. JORDAN SURVEYORS RECORDED IN C.C.R.D. PLAN BOOK 76, PAGE 8.
 - "COMPOSITE PLAN IN CAPE ELIZABETH, MAINE, MADE FOR DONALD V. HALE, JR." MARCH 16, 1987 REVISED JUNE 12, 1987 BY H.I. & E.C. JORDAN SURVEYORS.
 - "EXISTING CONDITIONS SURVEY, CUNNER LANE, CAPE ELIZABETH, MAINE MADE FOR DAVID SMITH" AUGUST 22, 2016 BY OWEN HASKELL, INC.
 - "RIGHT OF WAY SURVEY OF: LIGHTHOUSE POINT ROAD PER PLAN BOOK 76, PAGE 8, CAPE ELIZABETH, MAINE FOR: THE TOWN OF CAPE ELIZABETH" FEB. 6, 2017 BY SEBAGO TECHNICS.
 - "PLAN OF LAND IN CAPE ELIZABETH, MAINE MADE FOR HARRY E. BAKER CO. 1928-1929" BY E.C. JORDAN & CO. REVISED THROUGH NOV. 1961.
 - "BOUNDARY & TOPOGRAPHIC SURVEY AT 15 LIGHTHOUSE POINT ROAD, CAPE ELIZABETH, MAINE MADE FOR DAVID MAYNES LANDSCAPE ARCHITECT" NOV. 21, 2017 BY OWEN HASKELL, INC.
 - "LOT COVERAGE PLAN AT #21 CUNNER LANE, CAPE ELIZABETH, MAINE, MADE FOR WRIGHT-RYAN HOMES," THIRD REVISION, SEPT. 29, 2020 BY OWEN HASKELL, INC.

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE	---	---
IRON PIPE	○ I.R.F./I.P.F.	○
GRANITE MONUMENT	■	■
UTILITY POLE	⊗	⊗
TREE LINE	~	~
EDGE OF PAVEMENT	---	---
EASEMENT LINE	---	---
CONTOUR	--- 50 ---	--- 50 ---
GRANITE CURB	---	---
CHECK DAM	---	---
STOP SIGN	---	---
FENCE	---	---

Town of Cape Elizabeth Planning Board

Chair

Board Members

Date

Private Road, Approved: Town of Cape Elizabeth Planning Board

REGISTRY BLOCK
State of Maine
Cumberland County
Registry of Deeds

Received _____ 20____
At _____ M _____ and Recorded
In Planbook _____ Page _____

Attest: _____
Registrar

Date: OCTOBER 1, 2020

Issued For: REVIEW

Revisions:

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Title: SITE PLAN

Scale: 1"=20'

0 10 20 40 ft.

North:

Sheet No.: 2