

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: November 17, 2020
SUBJECT: Magnolia Terrace Private Rd / RP Permit

Introduction

Christopher Cary is requesting Private Road review of Magnolia Terrace and a Resource Protection permit to fill 3,550 sq. ft. of RP2 wetland to construct 377' \pm of private road to create frontage for a new lot located at 4 Alexander Dr. The application will be reviewed for compliance with Sec. 19-7-9 Private Road review and Sec. 19-8-3, Resource Protection Permit Regulations.

Procedure

- The Board should begin by having the applicant introduce the project.
- The Board should then allow public comment on completeness.
- The Board then makes 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 Board should decide if a public hearing and /or site walk will be held.
- 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 Town Engineer Steve Harding and the completeness checklist are attached. Below is a summary of possible incomplete items:

Private Rd review

3. As described by the Town Engineer, the applicant should provide an intact and current survey.
7. A waiver is requested from providing a traffic study and the addition of 1 lot is not expected to create substantial additional traffic.
8. The applicant has provided soil test pit data in lieu of a full HHE-200, which would be prepared as part of the building permit application.
17. Waiver of stormwater calculations is requested due to the relatively small amount of additional impervious surface which cannot be usefully modeled.

Resource Protection Permit

2. The applicant has provided 1' contours for the area of construction. Free, 2' contour information is available which could be added to show the topography for the rest of the site.
6. Medium intensity soils information has been provided with a waiver requested from providing high intensity soil information.
10. A proposed building footprint is not provided, however, building envelopes are preferable as they adequately show the area of construction while providing the applicant the opportunity to adjust the proposed building shape. A note restricting activities outside the building envelop is on sheet 3, note 10.

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 Christopher Cary for a Private Road review of Magnolia Terrace and a Resource Protection permit to fill 3,550 sq. ft. of RP2 wetland to construct 377'± of private road to create frontage for a new lot located at 4 Alexander Dr be deemed (complete/incomplete).

B. Motion to Table (with public hearing)

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Christopher Cary for a Private Road review of Magnolia Terrace and a Resource Protection permit to fill 3,550 sq. ft. of RP2 wetland to construct 377'± of private road to create frontage for a new lot located at 4 Alexander Dr be tabled to the regular December 15, 2020 meeting of the Planning Board, at which time a public hearing will be held.

Project: Magnolia Terrace Private Rd
Applicant: Christopher Cary
Location: 4 Alexander Drive

Date: November 17, 2020

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

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

PROJECT: Magnolia Terrace Private Rd
2020

DATE: November 17,

APPLICANT: Christopher Cary

**RESOURCE PROTECTION PERMIT
APPLICATION COMPLETENESS CHECKLIST
(Section 19-8-3(2)(c) of the Zoning Ordinance)**

- _Y_ 1. Detailed Site Plan;
- _P_ 2. Topographic map showing the location and slope of all existing grades and all proposed grades upon completion of the proposed alteration (1-foot contour intervals/2-foot contour intervals);
- _Y_ 3. Written description of the entire parcel and the location of the wetland;
- _Y_ 4. Names and property locations of all abutting property owners;
- _Y_ 5. Written description and a map of the vegetative cover and the wetland upland edge of the site prepared by a botanist or wetland specialist;
- _W_ 6. Written description and a high intensity soils map of the site's underlying soils, the location of hydric soils, and the wetland upland edge prepared by a certified soils scientist;
- N/A 7. Map indicating the wetland upland edge based on hydrology, if needed;
- _Y_ 8. Location and flow direction of all existing watercourses, ponds and standing water;
- _W_ 9. Stormwater runoff plan prepared by a professional engineer;
- _P_ 10. Delineation of the portion of the lot that is buildable and the proposed footprints of the buildings and structures;
- _Y_ 11. Information on the exact sites and specifications for all proposed draining, filling, grading, dredging, and vegetation removal;
- _Y_ 12. Statement about the purpose of the project and why the proposed activity cannot be located at other sites;
- N/A 13. Mitigation measures, if any; and
- N/A 14. Any additional information required by the Town Planner.
- _P_ Evidence of right, title and interest in the property to be reviewed.