

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: August 16, 2022  
SUBJECT: Temporary Community Ice Arena Site Plan Amendment

### Introduction

The Cape Community Arena Group (CCAG) is requesting an amendment to the previously approved site plan for Gull Crest to construct a temporary ice rink adjacent to the athletic fields parking lot located on Gull Crest Drive. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations. The comments of the Town Engineer are attached.

### Procedure

- The Board should begin by having the applicant summarize changes to the plans
- The Board should then open the public hearing scheduled for this evening.
- At the close of the public hearing, the Board may begin discussion.
- When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

### Site Plan Review Standards

Below is a summary of application compliance with the Site Plan standards, Sec. 19-9-5.

#### 1. Utilization of the Site

The applicant is aligning the temporary arena with existing recreational and support facilities on the site, placing the temporary rink immediately adjacent to an existing parking lot.

#### 2. Traffic Access and Parking

- a. Adequacy of Road System- The road system currently supports recreational events held on the athletic fields and trails located at Gull Crest. During the operation period of the ice rink, November – March, activities are not yet scheduled on the fields. It is expected that the traffic generated by the ice rink will not exceed the traffic typically experienced when the fields are programmed. It should be noted that Gull Crest hosts a significant trail system which is used year round.

- b. Access into the Site- Existing access points will be used. The Public Works Director has raised concerns that ice rink destination traffic will use Copper Drive, which accesses the Public Works Facility, instead of Gull Crest Drive. The applicant has committed to directional signage indicating that Cooper Drive does not provide rink access.
- c. Internal Vehicular Circulation-The existing circulation pattern will not be significantly changed by this project. Some of the northerly row of parking spaces will be closed to support rink operations. Overall parking lot circulation will be maintained, including from the adjacent storage garage.
- d. Parking Layout and Design- The existing parking lot located adjacent to the rink will not be changed, however most of the northerly row of space will be closed to allow support activities to the rink, leaving 57 unincumbered parking spaces. The applicant is estimating that Saturday family ice skating will be the largest parking demand at an estimated 25 spaces.

3. Pedestrian Circulation

Pedestrian circulation is expected adjacent to the rink. Rubbing matting will be installed on the outside of the ice surface to accommodate skaters.

4. Stormwater Management

The Town Engineer has reviewed the regrading to install the rink and reviewed the runoff expected when the ice melts. Ice melt is expected occur over several days and stormwater will migrate to the existing stormwater control features on the site.

5. Erosion Control

The applicant has submitted an erosion control plan that includes perimeter controls around disturbed areas and stabilization of disturbed areas.

6. Utilities

Water supply for the rink will be provided from the existing garage adjacent to the rink area. Portable toilets will be installed solid waste will be removed by as part of rink maintenance. Electrical service will be provided by installing a new transformer providing 3-phase power.

7. Shoreland Relationship

The property is not located in the Shoreland Overlay Performance District.

8. Landscaping and Buffering

The rink site includes a naturally vegetated area that will be cleared to facilitate construction. The proposal is for the temporary rink to be installed for 2 winters, and then for a permanent rink to be constructed elsewhere at Gull Crest. If the permanent rink is not constructed, a vegetative buffer replanting plan has been submitted. The planting list should be revised to replace oaks and maples with trees from the Road Tree List, Appendix C of the Subdivision Ordinance.

9. Exterior Lighting

Pole mounted LED lighting is proposed around the rink. Footcandle lighting levels at the property line are zero.

10. Signs

Rink user directional signage is proposed to be installed at the entrance to Gull Crest. Temporary signage will also be added at the entrance to Cooper Drive indicating "NO RINK ACCESS."

11. Noise

The applicant has provided decibel level information that noise levels at the closest occupied structure, the Public Works garage, will not exceed 52 dBA.

12. Storage of Materials

No exterior storage of materials is proposed. The ice re-surfacer will be stored inside a heated storage container shown on the plan to the west of the rink.

13. Technical and Financial Capacity

The Town Manager will be provided comments regarding financial capacity.

Motion for the Board to Consider

Findings of Fact

1. The Cape Community Arena Group (CCAG) is requesting an amendment to the previously approved site plan for Gull Crest to construct a temporary ice rink adjacent to the athletic fields parking lot located on Gull Crest Drive, which requires review under Sec. 19-9, Site Plan Regulations.

2. The Town of Cape Elizabeth has previously received Site Plan approval for the Gull Crest site and the findings and decisions of the prior approval which are not altered by the proposed amendments remain in effect.
3. The Planning Board deemed the application complete at the July 19, 2022 meeting and held a site walk on July 23, 2022.
4. The plan for the development (reflects/does not reflect) the natural capabilities of the site to support development.
5. Access to the development (will/will not) be on roads with adequate capacity to support the traffic generated by the development. Access into and within the site (will/will not) be safe. Parking (will/will not) be provided in accordance with Sec. 19-7-8, Off-Street Parking.
6. The plan (does/does not) provide for a system of pedestrian ways within the development.
7. The plan (does/does not) provide for adequate collection and discharge of stormwater.
8. The development (will/will not) cause soil erosion, based on the erosion plan submitted.
9. The development (will/will not) be provided with an adequate quantity and quality of potable water.
10. The development (will/will not) provide for adequate sewage disposal.
11. The development (will/will not) be provided with access to utilities.
12. The development (will/will not) provide for adequate disposal of solid wastes.
13. The applicant (has/has not) demonstrated adequate technical and financial capability to complete the project.
14. The development (will/will not) provide for adequate exterior lighting without excessive illumination.
15. The development (will/will not) provide a vegetative buffer throughout and around the site and screening as needed.
16. The development (will/will not) substantially increase noise levels and cause human discomfort.

17. The application substantially complies with Sec. 19-9, Site Plan Regulations.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Cape Community Arena Group (CCAG) for an amendment to the previously approved site plan for Gull Crest to construct a temporary ice rink adjacent to the athletic fields parking lot located on Gull Crest Drive be approved, subject to the following conditions:

1. That the plans be revised to address the comments of the Town Engineer in his letter dated August 10, 2022;
2. That the planting plan be revised to replace oaks and maples with tree species included in the Road Tree List, Appendix C, Subdivision Ordinance;
3. That there be no alteration of the site nor issuance of a building permit until the plans are revised to address the above conditions and submitted to the town planner.