

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: January 12, 2023 for January 17, 2023 meeting
SUBJECT: Lumbery Site Plan Amendments

Introduction

Yam Yams LLC, represented by Michael Friedland, is requesting amendments to the previously approved site plan for the Lumbery, located at 287 Ocean House Rd, to increase the outdoor storage and display capacity, increase signage and offer instructional classes. The applicant received site plan approval in July, 2020 and approval of site plan amendments in July, 2021. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations completeness.

Procedure

- The Board should invite the applicant to summarize the application.
- Next, the Board should open the meeting for public comment on completeness.
- The Board should then make 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 or further action on the application should occur. If the application is deemed complete, substantive review may begin.
- If deemed complete, the Board should decide if a site walk and/or public hearing will be scheduled.
- At the close of discussion, the Board has the option to approve, approve with conditions, table or deny the application.

Summary of Completeness

The Site Plan Completeness Checklist and the Town Engineer's comments are attached. The review is based on plans and materials submitted by the applicant December 29, 2022. Additional information, submitted after the December 30, 2022 submission deadline, on January 11, 2023 has not been reviewed by staff. Below is a summary of possible incomplete items:

1. Plans have been submitted on 8 ½" x 11" paper, reduced from size ANSI D. Consequently, the plans are not to an identified scale, and are far smaller than the 1"= 50' minimum scale specified in the Site Plan regulations. Portions of the plan in yellow ink are also difficult to read.
- h. No statement has been made regarding what potential impact the expanded storage, display, and classes will have on traffic volume.

- j. The December 29, 2022 plans include expansion of impervious surface for the storage container, in which case erosion control measures should be provided. The January 11th sketch may eliminate expansion of impervious surfaces into the vegetated area on the north side of the property.
- k. No information has been provided regarding any change to utilities. The January 11, 2023 letter suggests that additional lighting and related potentially electrical service may be added to the site.
- l. No information has been provided on whether landscaping changes, including removal of vegetated buffer on the north side of the property, are proposed.
- m. No information on potential lighting changes is included in the December 29, 2022 submission.
- n. The applicant has requested additional signage, but not provided information on the proposed location and size of signage.
- p. The application has not provided a calculation of the amount of existing storage and display area allowed by the existing site plan.
- q. No information on financial or technical capability has been provided.

Motion for the Board to Consider

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Yam Yams LLC for amendments to the previously approved Lumberry Site Plan, located at 287 Ocean House Rd, to increase the outdoor storage and display capacity, increase signage and offer instructional classes be deemed (complete/incomplete).

Site Plan Review Submission Checklist
[Section 19-9-4(c)]

Date: January 17, 2023

Project: Lumbery Site Plan Amendments, 287 Ocean House Rd
Applicant: Yam Yams LLC

- | | | |
|------------|----|--|
| <u>P</u> | 1. | Site plan to scale, not less than 1" = 50' |
| <u>N/A</u> | a. | Evidence of right, title, and interest in the property |
| <u>Y</u> | b. | Written description |
| <u>Y</u> | c. | Name of project/applicant |
| <u>Y</u> | d. | Survey |
| <u>Y</u> | e. | Existing conditions |
| <u>Y</u> | f. | Topography |
| <u>Y</u> | g. | Buildings |
| <u>P</u> | h. | Traffic, access and parking |
| <u>N/A</u> | i. | Stormwater |
| <u>N</u> | j. | Erosion control |
| <u>N</u> | k. | Utilities |
| <u>N</u> | l. | Landscaping |
| <u>P</u> | m. | Lighting |
| <u>P</u> | n. | Signs |
| <u>N/A</u> | o. | Noise |
| <u>P</u> | p. | Exterior storage |
| <u>N</u> | q. | Financial and Technical Capability |

Y	Yes, complete
N	No, not complete
W	Waiver
P	Partially complete
N/A	Not applicable