

REVISED
Town of Cape Elizabeth
Planning Board Meeting Agenda
March 18, 2025
7:00 p.m., Cape Elizabeth Town Hall

Live broadcast on CETV, livestream and remote participation are offered as a convenience when technology is available and operational. In the event technology is not available or there is a disruption in service and communication cannot be restored, the expectation is that the meeting will continue. Please review the Public Participation Process below.

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AGENDA

CALL TO ORDER

7:00 1. **Approval** of Minutes: February 18, 2025

NEW BUSINESS

7:05 2. **Cape Elizabeth Basketball Courts Site Plan Amendment.** The Town of Cape Elizabeth is requesting a Site Plan amendment to construct an outdoor basketball court adjacent to the Spurwink School building, located at 6 Scott Dyer Road (U21-10), Site Plan Review, Sec. 19-9, Completeness.

7:35 3. **Holman Road/Library Parking Lot Connection Site Plan Amendment.** The Town of Cape Elizabeth is requesting an amendment to the previously approved site plan for the Thomas Memorial Library to construct a driveway connecting to Holman Road to the parking lot, located at 6 Scott Dyer Rd (U21-12), Site Plan Amendment, Sec. 19-9 Completeness and Public Hearing.

OTHER BUSINESS

8:00 4. **Contract Zoning Amendment.** The Cape Elizabeth Town Council has referred to the Planning Board amendments to the Zoning Ordinance to establish Contract Zoning, Zoning Ordinance Amendment Sec. 19-10-3, Schedule public hearing.

5. **Public Comment** – Items not on the agenda.

NOTE: The times on this agenda are approximate and are intended for the convenience of the public; however, an item may begin earlier or later than the indicated time.

Public Participation Process

Public Participation at regular Planning Board meetings

The intent of this policy is to allow for public participation by interested parties and to provide for orderly Planning Board deliberation.

Speaking on topics on the regular Planning Board meeting agenda

The public hearing or public comment period will be opened after the applicant has made a presentation describing the project, or the Planning Board Chair has described the ordinance amendment or policy issue under consideration. When the Planning Board is considering the completeness of an application, public comments shall be limited to completeness and no comments on the merits of the application shall be made. If the Planning Board finds the application complete, the Planning Board may then open a second public comment period on the substance of the application and under the terms described below.

Members of the public wishing to address the Board concerning an agenda item shall wait until the Chair asks for public comment. The speaker is strongly encouraged to focus their comments on the development standards of review, or, in the case of an ordinance amendment or policy discussion, the issue under discussion. Each member of the public shall be allowed three (3) minutes, and such time may be extended at the discretion of the Chair. The Chair may decline to recognize any person who has already spoken on the same agenda item. Once the public hearing or public comment period is closed and the Planning Board has begun its deliberations on an item, no member of the public shall be permitted to address the Planning Board. The public hearing or public comment period may be reopened at the discretion of the Chair.

In person participation: When recognized by the Chair, the speaker shall state the speaker's name and address in an audible tone for the record and speak for up to 3 minutes.

Remote Participation: When the Chair introduces the opportunity for public comment on the item you wish to speak to, please click the Zoom link or call and enter your first and last name. You will be placed in the Zoom waiting room and your name will appear in the list of attendees. When recognized by the Chair, each attendee will provide their name and address, and speak for up to 3 minutes. When you have completed your comments for an item, you may exit Zoom and resume the CETV Livestream to view the meeting.

Speaking on topics not on the regular Planning Board meeting agenda

Persons wishing to address the Board on an item not appearing on the agenda may do so only after disposition of all items appearing on the agenda, and only at the discretion of the Chair.

MINUTES OF THE PLANNING BOARD
TOWN OF CAPE ELIZABETH

These meeting minutes were prepared as a reasonable summary of the essential content of the meeting, not a transcription. In the event that there is a question or dispute about the specifics of this meeting, the official video and/or audio recordings of this meeting shall govern.

February 18, 2025

7:00 p.m.

Town Hall

Present: Jim Huebener, Acting Chair
Alton Palmer
Derek LaVallee
Andrew Gilbert (virtually)

Dan Bodenski
Natalie Burns

Absent: Matthew Caton

Also present: Maureen O'Meara, Town Planner

CALL TO ORDER

Mr. Huebener called the hybrid meeting (in person and virtual) to order at 7:00p.m., reviewed the procedures for remote participation, and asked Ms. O'Meara to call the roll due to the remote participation of Mr. Gilbert.

Mr. Huebener called for approval of the minutes of the January 21, 2025, Planning Board meeting. Mr. LaVallee made a motion to approve the minutes and Mr. Bodenski seconded. With no further discussion, the minutes were approved by roll call, 6 in favor and none opposed.

OLD BUSINESS

Blue Meadow Final Subdivision Review and Resource Protection Permit. BRKR LLC is requesting Final Major Subdivision Review and a Resource Protection Permit to construct an 18 unit condominium development located at 90 Ocean House Rd (U26-6 and 7), Sec. 16-2-4, Major Subdivision Review Public Hearing and Sec. 19-8-3 Resource Protection Permit Public Hearing.

Robert Metcalf of Mitchell Associates addressed the Board, representing BRKR LLC. He reviewed the changes made to the subdivision plans since the last meeting.

Mr. Huebener opened the floor for public comment on the merits of the application.

Mr. Douglas Babbirk of 25 Westminster Terrace addressed the Board and identified himself as President of the Canterbury on the Cape Condominium Association. He offered thanks to both the Board and the developer. He expressed concern for the use of hemlocks in the vegetative buffer and referenced a recommendation by Noah Tucker of Bartlett Tree for the use of an alternate species of tree. He stated that the Canterbury condominium association is willing to engage in a conversation regarding access to the Canterbury conservation and recreation area approximately one year after the buffer has been installed. He stated that access would require a vote from the condominium owners. He also expressed

concerns on behalf of the owners of units in nearest proximity to the project for the impact of blasting. He referenced a conversation with Rob Barrett in September of 2024 in which Mr. Barrett indicated a willingness to conduct pre- and post-blasting surveys of the closest Canterbury units.

Mr. Metcalf clarified that the developer is willing to amend the buffer plan with input from the Canterbury owners. Mr. Metcalf also clarified that a pre-blasting survey is required.

With no further comments, either in person or virtually, Mr. Huebener closed the floor for comment.

Mr. Gilbert asked for clarification on the attorney's language describing the easement from Blue Meadow for two parking spaces allowing public access to the open space. He also sought clarification on the removal of an existing barn and the placement of fire hydrants.

Mr. LaVallee asked if the two parking spaces for access to the public space would be posted for this purpose. Mr. Metcalf replied that this could be done.

Mr. Palmer requested confirmation that the units will have individual sprinkler systems for fire protection. He also asked for clarification on how the project conforms to the affordable housing ordinance. Ms. O'Meara stated that two of the units (10%) would be affordable to moderate income households. Finally, Mr. Palmer noted that the stormwater permit from the DEP remains outstanding.

Mr. Bodenski requested clarification on the Conservation Committee's review of the plan as it pertains to the Resource Protection Permit. Ms. O'Meara stated that the Conservation Committee made a recommendation to grant the permit.

Further discussion on the requirements for fire protection ensued.

Ms. Burns requested clarification on the building timeline for the project and, specifically, the construction of the affordable units. Ms. O'Meara explained that construction timeline for the affordable units follows a specific formula. Mr. Metcalf stated that the infrastructure for the project will be in place before construction of the units begins.

With no further discussion, Mr. LaVallee made a motion for the Board to consider.

Motion for the Board to Consider

Findings of Fact

1. BRKR LLC is requesting Major Subdivision Final approval and a Resource Protection Permit to construct an 18-unit condominium project located at 90 Ocean House Rd., which requires review under Sec. 16-2-4 of the Subdivision Ordinance and Sec. 19-8-3, Resource Protection Permit regulations.
2. The applicant presented a sketch plan at the June 4, 2024 Planning Board Workshop. The Planning Board deemed the application complete at the August 20, 2024 meeting and held a site visit on September 4th followed by preliminary approval granted October 15, 2024. The final major subdivision application was deemed complete January 21, 2025, a site walk was held February 1, 2025, and a public hearing held on February 18, 2025.

3. The subdivision will not result in undue water pollution. The subdivision is not located in the 100-year floodplain. Soils will support the proposed uses. The slope of the land, proximity to streams, and state and local water resource rules and regulations will not be compromised by the project.
4. The subdivision will have a sufficient quantity and quality of potable water.
5. The subdivision will not cause soil erosion, based on the erosion control plan provided.
6. The subdivision will not cause unreasonable road congestion or unsafe vehicular and pedestrian traffic. The subdivision provides for road network connectivity while discouraging through traffic. Roads are laid out to conform to existing topography as much as is feasible. All units are provided with vehicular access. Roads are designed to meet town standards.
7. The subdivision will provide for adequate sewage disposal.
8. The subdivision will provide for adequate solid waste disposal.
9. The subdivision will not have an undue adverse impact on scenic or natural areas, historic sites, significant wildlife habitat, rare natural areas, or public access to the shoreline.
10. The subdivision is compatible with applicable provisions of the Comprehensive Plan and town ordinances.
11. The applicant has demonstrated adequate technical and financial capability to complete the project.
12. The subdivision will not adversely impact surface water quality.
13. The subdivision will not adversely impact the quality or quantity of ground water.
14. The subdivision is in compliance with the Town wetland regulations in the Zoning Ordinance.
15. The subdivision will provide for adequate stormwater management.
16. The subdivision is not located within the watershed of Great Pond.
17. The subdivision is located wholly in the Town of Cape Elizabeth, Maine.
18. The subdivision is not located on land where liquidation harvesting was conducted.
19. The subdivision does provide access to direct sunlight.
20. The subdivision does provide a vegetative buffer throughout and around the subdivision and screening as needed.
21. The subdivision will comply with the open space impact fee.
22. The subdivision units will be provided with access to utilities.
23. The subdivision plan does not include a phasing plan.
24. The wetland alterations will not materially obstruct the flow of surface or subsurface waters across or from the alteration area;

25. The wetland alterations will not impound surface waters or reduce the absorptive capacity of the alteration area so as to cause or increase the flooding of adjacent properties;
26. The wetland alterations will not increase the flow of surface waters across, or the discharge of surface waters from, the alteration area so as to threaten injury to the alteration area or to upstream and/or downstream lands by flooding, draining, erosion, sedimentation or otherwise;
27. The wetland alterations will not result in significant damage to spawning grounds or habitat for aquatic life, birds or other wildlife;
28. The wetland alterations will not pose problems related to the support of structures;
29. The wetland alterations will not be detrimental to aquifer recharge or the quantity or quality of groundwater;
30. The wetland alterations will not disturb coastal dunes or contiguous back dune areas;
31. The wetland alterations will maintain or improve ecological and aesthetic values;
32. The project design will maintain an adequate buffer area between the wetland and adjacent land uses;
33. The wetland alterations will be accomplished in conformance with the erosion prevention provisions of Environmental Quality Handbook Erosion and Sediment Control, published by the Maine Soil and Water Conservation Commission dated March, 1986, or subsequent revisions thereof;
34. The wetland alterations are not located in the Resource Protection-Floodplain District.
35. The applicant has substantially addressed the standards of the Subdivision Ordinance, Sec. 16-3-1 and the Resource Protection Regulations, Sec. 19-8-3.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of BRKR LLC for Final Major Subdivision approval and a Resource Protection Permit to construct an 18-unit condominium project located at 90 Ocean House Rd be approved, subject to the following conditions:

1. That the plans be revised to address the recommendations in the Town Engineer's letter dated February 12, 2025;
2. That the proposed easements and deeds be submitted in a form acceptable to the Town Attorney and the Town Manager;
3. That a note be added to the plan that the proposed trail on the open space may be expanded to a loop within the open space;
4. That the stormwater fee in the amount of \$26,147 (or a lesser amount if the applicant can provide additional documentation in support) be paid prior to the commencement of construction;
5. That a note be added to the plan that a "directional boring" method of construction be used to install the sewer line along the northern property boundary line when in close proximity to existing trees to reduce impact on the tree root system;

6. That the unnamed road segment name be added to the plans upon approval of the Town Assessor;
7. That the plans be revised and submitted to the Town Planner for review and approval prior to recording the subdivision plat; and
8. That there be no alteration of the site nor issuance of a permit until the plans have been revised to address the above conditions and submitted to the Town Planner.
9. The applicant submits a formal copy of DEP approval prior to issuance of building permits.

Mr. Bodenski seconded the motion. With no further discussion, the motion was approved by roll call, 6 in favor and none opposed.

NEW BUSINESS

Purpoodock Club Seasonal Restroom Site Plan Amendment. The Purpoodock Club is requesting a Site Plan Amendment to construct a seasonal restroom and refuge (located near the 8th and 14th tee) of the golf course located at 300 Spurwink Ave (R4-3), Sec. 19-9, Site Plan Completeness and Public Hearing.

Robert Metcalf of Mitchell Associates addressed the Board representing The Purpoodock Club and summarized the project.

Mr. Huebener opened the floor for public comment on the issue of completeness of the application. With no comment, either virtually or in person, Mr. Huebener closed the floor.

With no further discussion, Mr. Bodenski made a motion for the Board to consider.

Motion for Completeness:

BE IT ORDERED that, based on the materials submitted and the facts presented, the application of the Purpoodock Club for a site plan amendment to construct a seasonal restroom located between the 8th and 14th tees at the golf club located at 300 Spurwink Ave be deemed complete. A finding of completeness shall include a waiver from providing a boundary survey, building setback lines, a list of abutting property owners, and lighting photometrics. The waiver is based on Sec. 19-9-4.3 which authorizes the Board to waive submission requirements for small projects where the Board can apply the submission standards without submission of the information.

Ms. Burns seconded the motion. With no further discussion, the motion passed by roll call, 6 in favor and none opposed.

Mr. Huebener opened the floor for public comment on the merits of the application. With no comment, either virtually or in person, Mr. Huebener closed the floor.

The Board decided that a site walk was unnecessary.

Mr. Bodenski made a Motion for Approval

Findings of Fact

1. The Purpoodock Club is requesting a site plan amendment to construct a seasonal restroom located between the 8th and 14th tees at the golf club located at 300 Spurwink Ave which requires review under Sec. 19-9, Site Plan Regulations.
2. The Planning Board discussed the project at the January 7, 2025 workshop. The application was deemed complete at the February 18, 2025 meeting, at which time a public hearing was also held.
3. The plan for the development reflects the natural capabilities of the site to support development.
4. Access to the development will be on roads with adequate capacity to support the traffic generated by the development. Access into and within the site will be safe. Parking will be provided in accordance with Sec. 19-7-8, Off-Street Parking.
5. The plan does provide for a system of pedestrian ways within the development.
6. The plan does provide for adequate collection and discharge of stormwater.
7. The development will not cause soil erosion, based on the erosion plan submitted.
8. The development will be provided with an adequate quantity and quality of potable water. The development will provide for adequate sewage disposal. The development will be provided with access to utilities. The development will provide for adequate disposal of solid wastes.
9. The development will not adversely affect the water quality or shoreline of any adjacent water body.
10. The development will have a vegetative buffer throughout and around the site and screening as needed.
11. The development will provide for adequate exterior lighting without excessive illumination.
12. Signs will not exceed the requirements of the Sign Ordinance.
13. The development will not substantially increase noise levels and cause human discomfort.
14. No storage of exterior materials on the site are proposed.
15. The applicant has demonstrated adequate technical and financial capability to complete the project.

16. 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 Purpoodock Club for a site plan amendment to construct a seasonal restroom located between the 8th and 14th tees at the golf club located at 300 Spurwink Ave be approved, subject to the following condition:

1. That the plans be revised to address the comments of the Town Engineer in his letter dated February 10, 2025.

Mr. LaVallee seconded the motion. With no further discussion, the motion passed by roll call, 6 in favor and none opposed.

OTHER BUSINESS

Public Comment. Mr. Huebener opened the floor for public comment.

Jonathan Sahrbeck of 60 Longfellow Dr. addressed the Board. Mr. Sahrbeck identified himself as a member of the Town Council and clarified that he was not speaking in his capacity as a Town Councilor. He spoke in support of the upcoming Planning Board workshop that would allow for faster approval of the Center Court Site Plan proposed by Bob Gaudreau of Hardy Pond Development Company for a 33-unit residential apartment building to be located at 300-400 Town Common Circle (R2-4-6-3, 4).

With no further comment, either in person or virtually, Mr. Huebener closed the floor for public comment.

Mr. Bodenski made a motion to adjourn the meeting. Mr. LaVallee seconded. With no further discussion, the motion passed by roll call, 6-0.

The meeting was adjourned at approximately 8:01 p.m.

Respectfully submitted,
Lucy E. Bauer
Minutes Secretary

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Ben McDougal, Code Enforcement Officer
DATE: March 18, 2025
SUBJECT: Town of Cape Elizabeth Basketball Court

Introduction

The Town of Cape Elizabeth is requesting a site plan amendment to construct a basketball court adjacent to the Spurwink School, located at 6 Scott Dyer Road (U21-10). The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

Procedure

- The Board should begin by having the applicant summarize the project.
- The Board should then open the meeting to public comment on completeness.
- The Board then makes a determination 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 discussion may begin.
- 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 table the application to the next meeting.

Site Plan Completeness

The Site Plan completeness checklist and the comments of the Acting Town Engineer are attached. Below is a summary of possible incomplete items:

- a. Evidence of right, title and interest. The applicant has submitted a property card. Copies of deeds are in town files from earlier site review approvals.
- d. Survey. The applicant has referenced a property boundary survey that is in Town files from an earlier site review approval.
- f. Topography. In lieu of 2' foot contours, which would not provide meaningful information given the flat nature of the site, the applicant has provided spot elevations.
- o. Noise. No information on noise levels for the proposed activity has been provided. The activity is next to the school's playground area, so the anticipated noise levels are consistent with surrounding area uses.

Additional Review Comments

The Applicant should address the 10-ft. setback requirement as outlined within the Zoning Ordinance. Outdoor recreational uses such as swimming pools and basketball courts, that are accessory to single-family uses, are required to have a minimum setback of 10 ft. Though no setback is defined for non-residential lots and this type of project, the Code Enforcement Office interprets that holding this setback meets the spirit and intent of the Zoning Ordinance. As such, the Applicant should explore opportunities to modify the site design to conform to this setback standard. Additionally, the basketball court is considered a public use, so the proposed project meets the 70% maximum lot coverage standard.

The Applicant has provided parking information that projects a parking generation of 11 spaces based on the Institute of Transportation Engineers (ITE), Parking Generation Manual. Cape Hoops has met with the Town and the School to identify three alternate parking areas and intends to have users of the basketball court to park in these areas and walk to the court. In doing so, the library parking lot would not be used to support the basketball court.

The Applicant has provided a Low Impact Development method of two rain gardens to address the stormwater needs of the project. The Acting Town Engineer has made several comments regarding the proposed stormwater and erosion control plan. The Applicant should address those comments in a subsequent submission.

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 the Town of Cape Elizabeth for a site plan amendment to construct a basketball court adjacent to the Spurwink School, located at 6 Scott Dyer Road (U21-10), 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 the Town of Cape Elizabeth for a site plan amendment to construct a basketball court adjacent to the Spurwink School, located at 6 Scott Dyer Road (U21-10), be tabled to the April 15, 2025 meeting of the Planning Board, at which time a public hearing will be held.

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

Date: March 18, 2025

Project: Cape Elizabeth Basketball Court

6 Scott Dyer Rd

Applicant: Town of Cape Elizabeth

- | | | |
|------------|----|--|
| <u>P</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>P</u> | d. | Survey |
| <u>Y</u> | e. | Existing conditions |
| <u>P</u> | f. | Topography |
| <u>N/A</u> | g. | Buildings |
| <u>Y</u> | h. | Traffic, access and parking |
| <u>Y</u> | i. | Stormwater |
| <u>Y</u> | j. | Erosion control |
| <u>Y</u> | k. | Utilities |
| <u>Y</u> | l. | Landscaping |
| <u>Y</u> | m. | Lighting |
| <u>N/A</u> | n. | Signs |
| <u>N</u> | o. | Noise |
| <u>Y</u> | p. | Exterior storage |
| <u>Y</u> | q. | Financial and Technical Capability |

Y Yes, complete

N No, not complete

W Waiver

P Partially complete

N/A Not applicable

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Ben McDougal, Code Enforcement Officer
DATE: March 18, 2025
SUBJECT: Holman Road Connector Site Plan Amendment

Introduction

The Town of Cape Elizabeth is requesting a site plan amendment to construct a 19' long by 22' wide connector from Holman Road intersecting with the Thomas Memorial Library parking lot located at 6 Scott Dyer Rd (U21-10). The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

Procedure

- The Board should begin by having the applicant summarize the project.
- The Board should then open the meeting to public comment on completeness.
- The Board then makes a determination 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 discussion may begin.
- The Board should open the public hearing which has been advertised for this evening.
- The Board may begin discussion.
- When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

Summary of Completeness

Attached are the completeness checklist and the comments of the Acting Town Engineer. Below is a summary of possible incomplete items:

No items appear incomplete. Right, title, and interest information is kept on-file at Town Hall, as the subject site is part of the school campus which has received several previous Planning Board reviews.

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 proposed connector is located between Holman Road and the Thomas Memorial Library parking lot.

2. Traffic Access and Parking

- a. Adequacy of Road System - The main catalyst for the connector is to discontinue the intersection of Holman Road with Scott Dyer Rd. Currently, Holman Road intersects with Scott Dyer in very close proximity to the Route 77/Shore Rd/Scott Dyer Rd intersection, and as such, is an existing safety and circulation concern. The Town will be constructing improvements to the Route 77/Shore Rd/Scott Dyer Road intersection that necessitate removing the Holman Rd access. The connector will provide an alternative access for Holman Rd properties to Scott Dyer Rd in a safer location. It should be noted that most Holman Road properties have primary vehicular access elsewhere and Holman Road provides secondary access.
- b. Access into the Site - The Holman Road access to Scott Dyer Rd will be terminated and all Holman Road traffic will use the existing Thomas Memorial Library driveway connection to Scott Dyer Rd.
- c. Internal Vehicular Circulation - The existing circulation pattern will be maintained and the limited traffic from Holman Road will be added to the Thomas Memorial Library vehicular circulation.
- d. Parking Layout and Design- In order to accommodate the connector, 3 library parking spaces will be removed to locate the connector plus a parking island separator consistent with the design of the parking lot.

3. Pedestrian Circulation

No change is proposed.

4. Stormwater Management

Stormwater from Holman Road will continue to flow alongside Holman Road into a grass surfaced receiving area.

As specified within the Acting Town Engineer letter, Holman Road appears to have a shallow ditch running along the west side. The Applicant should confirm that the proposed connector will not create any adverse impacts to the functionality of surface drainage on Holman Road. Please see the review memo provided by Wright-Pierce.

5. Erosion Control

Seeding and mulching of disturbed areas will be completed post construction.

6. Utilities

Not applicable

7. Shoreland Relationship

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

8. Landscaping and Buffering

Not applicable.

9. Exterior Lighting

Not applicable.

10. Signs

Not applicable.

11. Noise

No additional traffic noise is expected.

12. Storage of Materials

Not applicable

13. Technical and Financial Capacity

The Holman Road connector is part of the larger Town Center Intersections project to be constructed by the Town of Cape Elizabeth. Funding has been identified and value engineering plus rebidding the construction is underway.

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 The Town of Cape Elizabeth for a site plan amendment to construct a 19' long by 22' wide connector from Holman Road intersecting with the Thomas Memorial Library parking lot located at 6 Scott Dyer Rd (U21-10) be deemed (complete/incomplete).

B. Motion for Approval

Findings of Fact

1. The Town of Cape Elizabeth is requesting a site plan amendment to construct a 19' long by 22' wide connector from Holman Road intersecting with the Thomas Memorial Library parking lot, located at 6 Scott Dyer Rd (U21-10), which requires review under Sec. 19-9, Site Plan Regulations.
2. The Planning Board discussed the project at the February 4, 2025 workshop, and deemed the application complete at the March 18, 2025 meeting, at which time a public hearing was also held.
3. The Thomas Memorial Library site plan has been previously approved by the Cape Elizabeth Planning Board to be in compliance with the Site Plan Regulations, and the findings and decisions of that approval which are not altered by the proposed amendments remain in effect.
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 adequate collection and discharge of stormwater.
7. The development (will/will not) cause soil erosion, based on the erosion plan submitted.
8. The development (will/will not) substantially increase noise levels and cause human discomfort.
9. The applicant (has/has not) demonstrated adequate technical and financial capability to complete the project.
10. 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 Town of Cape Elizabeth for a site plan amendment to construct a 19' long by 22' wide connector from Holman Road intersecting with the Thomas Memorial Library parking lot located at 6 Scott Dyer Rd (U21-10) be approved, subject to the following condition:

1. That the plans be revised to comply with the comments of the Acting Town Engineer in the memorandum dated 3-11-2025.

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

Date: March 18, 2025

Project: Holman Road Connector Site Plan Amendment

Applicant: Town of Cape Elizabeth

- | | | |
|------------|----|--|
| <u>Y</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>N/A</u> | g. | Buildings |
| <u>Y</u> | h. | Traffic, access and parking |
| <u>Y</u> | i. | Stormwater |
| <u>Y</u> | j. | Erosion control |
| <u>N/A</u> | k. | Utilities |
| <u>N/A</u> | l. | Landscaping |
| <u>N/A</u> | m. | Lighting |
| <u>N/A</u> | n. | Signs |
| <u>Y</u> | o. | Noise |
| <u>N/A</u> | p. | Exterior storage |
| <u>Y</u> | q. | Financial and Technical Capability |

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

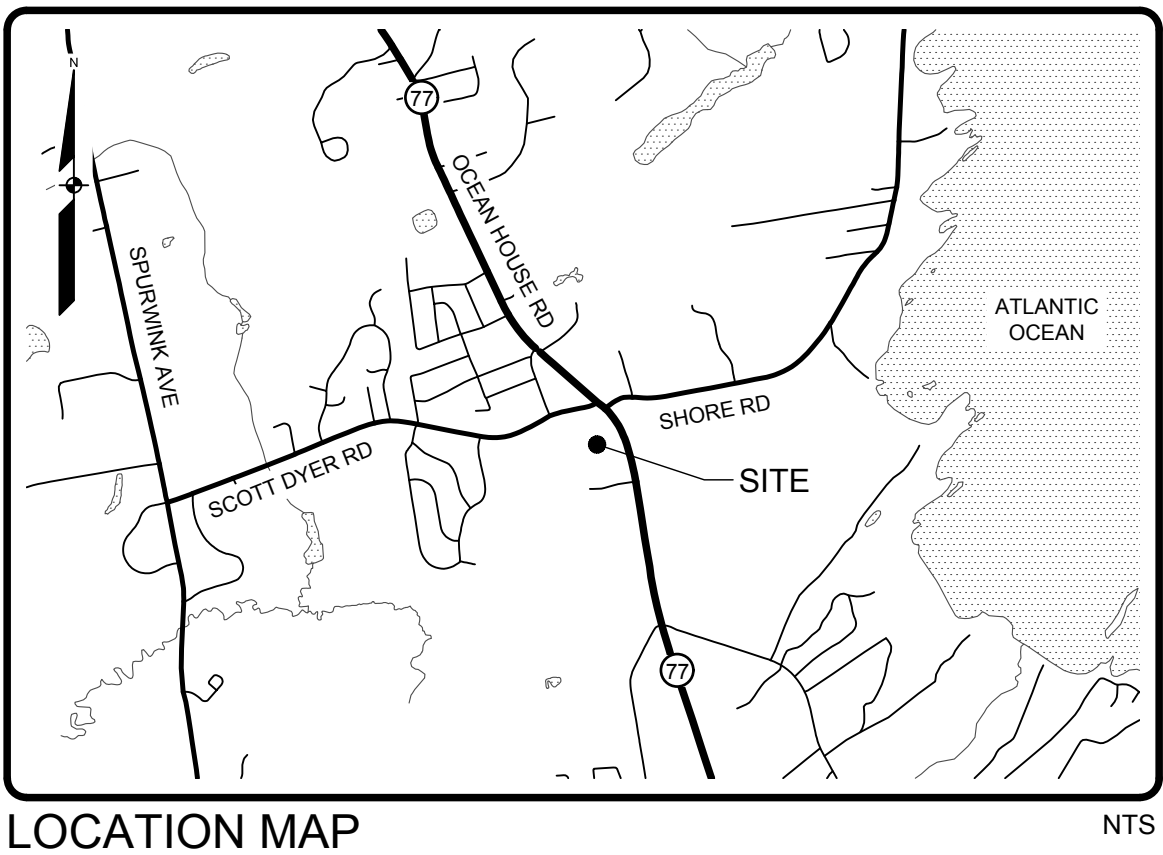
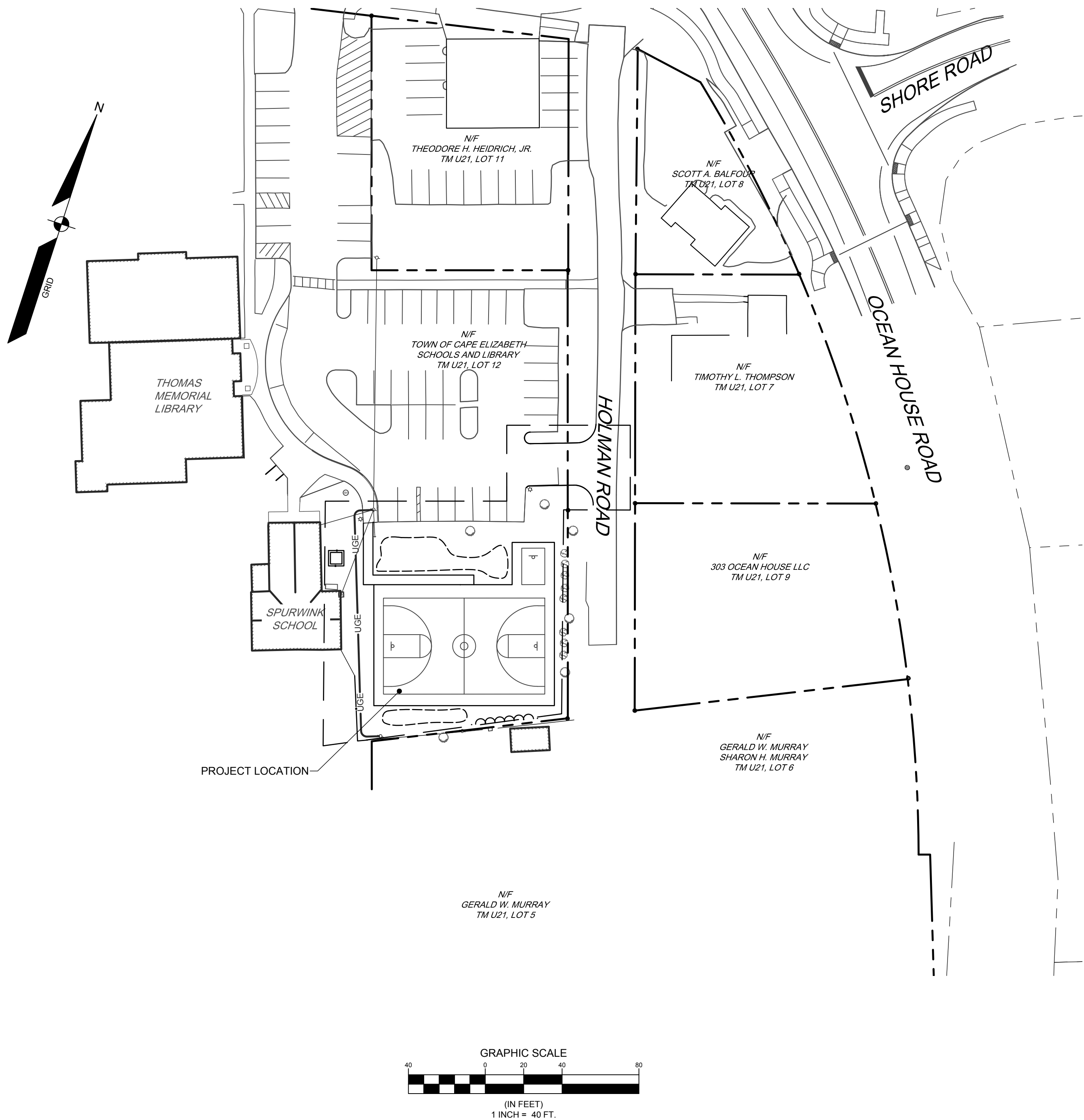
CAPE ELIZABETH BASKETBALL COURT

7 HOLMAN ROAD
CAPE ELIZABETH, MAINE

APPLICANT:
TOWN OF CAPE
ELIZABETH
320 OCEAN HOUSE ROAD
CAPE ELIZABETH, ME 04107

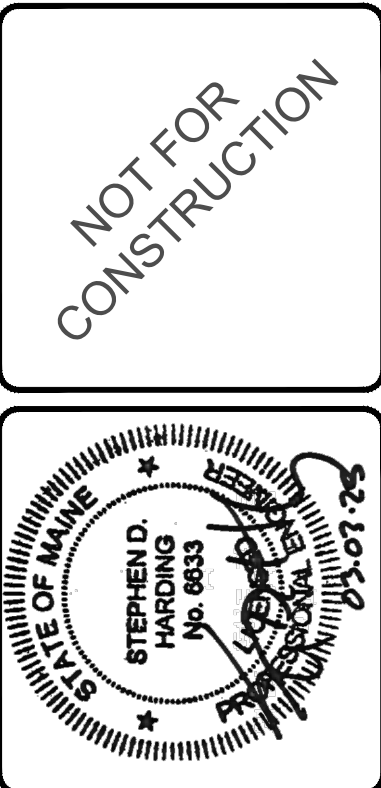
ENGINEER/SURVEYOR/
LANDSCAPE ARCHITECT:

SEBAGO
TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100



SHEET LIST TABLE

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1 OF 1	EXISTING CONDITIONS PLAN



REV.	BY	DATE	STATUS	LOCAL SITE PLAN SUBMISSION
A	MRB	3/3/2025		

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COVER
OF:
CAPE ELIZABETH BASKETBALL COURT
7 HOLMAN ROAD
CAPE ELIZABETH, MAINE
FOR:
TOWN OF CAPE ELIZABETH
320 OCEAN HOUSE ROAD
CAPE ELIZABETH, ME 04107

DESIGNED	MRB
DRAWN	CJC/DAB
CHECKED	SDH
DATE	02/21/2025
SCALE	1" = 40'
PROJECT	19478-01

SHEET G-001

EXISTING		PROPOSED
PROPERTY LINE/R.O.W.		PROPERTY LINE/R.O.W.
DEED LINE/R.O.W.		DEED LINE/R.O.W.
TIE LINE		TIE LINE
SETBACK		SETBACK
EASEMENT		EASEMENT
BUFFER		BUFFER
FLOODPLAIN		FLOODPLAIN
FLOODWAY		FLOODWAY
CENTERLINE		CENTERLINE
	MONUMENT	
	IRON PIPE/ROD	
	DRILL HOLE	
C1/L1	DEED CALL	C1/L1
C1/L1	CURVE/LINE NO.	C1/L1
SOILS		SOILS
ZONE LINE		ZONE LINE
ZONE LINE ON PL.		ZONE LINE ON PL.
	BENCHMARK	BENCHMARK
	SURVEY CONTROL	SURVEY CONTROL
TP-1	TEST PIT	TP-1
MW-1	MONITORING WELL	MW-1
B-1	BORING	B-1
BUILDING		BUILDING
DECK/STEPS/OVERHANG		DECK/STEPS/OVERHANG
EDGE WETLAND		EDGE WETLAND
WETLANDS		WETLANDS
UPLANDS		UPLANDS
STREAM		STREAM
LEDGE		LEDGE
EDGE PAVEMENT		EDGE PAVEMENT
PAVEMENT SAWCUT		PAVEMENT SAWCUT
EDGE CONCRETE		EDGE CONCRETE
PAVEMENT PAINT		PAVEMENT PAINT
EDGE GRAVEL		EDGE GRAVEL
CURB LINE		CURB LINE
EDGE OF WATER		EDGE OF WATER
TRELINE		TRELINE
-+120.00	CONTOURS	+120.00
X	SPOT GRADE	X
o	CHAIN LINK FENCE	o
X	BARK WIRE FENCE	X
□	STOCKED FENCE	□
GUARD RAIL		GUARD RAIL
STONE WALL		STONE WALL
RETAINING WALL		RETAINING WALL
	DECIDUOUS TREE	
	CONIFEROUS TREE	
MULCH LINE		MULCH LINE
BOLLARD		BOLLARD
SIGN		SIGN
RAILROAD		RAILROAD
G	GAS	G
	GAS GATE VALVE	
	GAS METER	
	GAS MANHOLE	
W	WATER	W
	WATER GATE VALVE	
	WATER SHUT OFF	
	HYDRANT	
	WATER MANHOLE	
	WELL	
S	SANITARY SEWER	S
FM	FIRE MAIN	FM
	SANITARY MANHOLE	
SD	STORM DRAIN	SD
UD	UNDER DRAIN	UD
	DRAINAGE MANHOLE	
	CATCH BASIN	
OHU	OVERHEAD UTILITY	OHU
UGU	UNDERGROUND UTILITY	UGU
T	TRANSFORMER PAD	T
E	ELECTRIC MANHOLE	E
	ELECTRIC METER	
H	HVAC UNIT	H
T	TELEPHONE MANHOLE	
	LIGHT POLE	
	UTILITY POLE	
GUY WIRE		GUY WIRE
DRAINAGE DITCH		DRAINAGE DITCH
EROSION CONTROL BLANKET		EROSION CONTROL BLANKET
FILTER BARRIER		FB
RIPRAP		RIPRAP
CHECK DAM		CHECK DAM
INLET PROTECTION		INLET PROTECTION
BOULDER		BOULDER

THE RECORD OWNER OF THE PARCEL IS TOWN OF CAPE ELIZABETH BY DEED RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CORD) IN BOOK 12876, PAGE 1 AND BOOK 25278, PAGE 23.

2. THE PROPERTY IS SHOWN AS LOT 10 IN THE TOWN OF CAPE ELIZABETH TAX MAP U21 AND IS LOCATED IN THE TOWN CENTER CDE SUB-DISTRICT DISTRICT.

3. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY LINES SHOWN PER PLAN REFERENCE 5A.

4. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHINCS, INC. IN OCTOBER OF 2024.

5. PLAN REFERENCES:
A. PLAN OF BOUNDARY SURVEY - B SCOTT DYER ROAD, CAPE ELIZABETH, MAINE - THOMAS MEMORIAL LIBRARY, MADE FOR THE TOWN OF CAPE ELIZABETH BY AMEC DATED APRIL 2014.

6. BASIS OF BEARING IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NAD83, GEOID18 IN U.S. SURVEY FEET, ELEVATIONS DEPICTED HEREON ARE NAVD88, BASED ON DUAL FREQUENCY GNSS OBSERVATIONS.

7. BENCHMARK:
BM-1 SPIKE SET IN THE UTILITY POLE LOCATED AT THE SOUTHWESTERLY CORNER OF THE PARKING LOT.
ELEVATION: 104.97(NAVD88)

8. SPACE AND BULK CRITERIA FOR THE TOWN CENTER CDE SUB-DISTRICT ARE AS FOLLOWS:

	REQUIRED	PROPOSED
MINIMUM LOT SIZE:	3 ACRES	N/A
MINIMUM FRONT SETBACK:	50 FEET	356 FEET
MINIMUM SIDE SETBACK:	25 FEET	186 FEET
MINIMUM REAR SETBACK:	50 FEET	242 FEET
MAXIMUM BUILDING HEIGHT:	N/A	N/A
MAXIMUM BUILDING FOOTPRINT/STRUCTURE:	N/A	N/A
MAXIMUM IMPERVIOUS LOT COVERAGE:	N/A	N/A
* SEE ORDINANCE FOR MORE SPECIFIC INFORMATION AND CONFIRM WITH A TOWN OFFICIAL.		

9. ALL WORK SHALL CONFORM TO THE APPLICABLE CODES AND ORDINANCES.

10. CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE HIM OR HERSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIM OR HERSELF WITH ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

11. CONTRACTOR SHALL NOTIFY ENGINEER OF ALL PRODUCTS OR ITEMS NOTED AS "EXISTING" WHICH ARE NOT FOUND IN THE FIELD.

12. PROVIDE ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND OWNER'S REQUIREMENTS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.

13. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE ENGINEER.

14. CONTRACTOR SHALL CLEAN AND REMOVE DEBRIS AND SEDIMENT DEPOSITED ON PUBLIC STREETS, SIDEWALKS, ADJACENT AREAS, OR OTHER PUBLIC WAYS DUE TO CONSTRUCTION.

15. CONTRACTOR SHALL INCORPORATE PROVISIONS AS NECESSARY IN CONSTRUCTION TO PROTECT EXISTING STRUCTURES, PHYSICAL FEATURES, AND MAINTAIN SITE STABILITY DURING CONSTRUCTION. CONTRACTOR SHALL RESTORE ALL AREAS TO ORIGINAL CONDITION AND AS DIRECTED BY DESIGN DRAWINGS.

16. SITE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.

17. THE CONTRACTOR IS HEREBY CAUTIONED THAT AT ALL SITE FEATURES SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS BY THE SURVEYOR AND BY INFORMATION PROVIDED BY UTILITY COMPANIES. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL OBTAIN AUTHORIZATION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS. IF A UTILITY CONFLICT ARISES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER, THE MUNICIPALITY AND APPROPRIATE UTILITY COMPANY PRIOR TO PROCEEDING WITH ANY RELOCATION.

18. CONTRACTOR SHALL BE AWARE THAT DIG SAFE ONLY NOTIFIES ITS 'MEMBER' UTILITIES ABOUT THE DIG. WHEN NOTIFIED, DIG SAFE WILL ADVISE CONTRACTOR OF MEMBER UTILITIES IN THE AREA. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES DIRECTLY. NON-MEMBER UTILITIES MAY INCLUDE TOWN OR CITY WATER AND SEWER DISTRICTS AND SMALL LOCAL UTILITIES, AS WELL AS US PUBLIC WORKS SYSTEMS.

19. CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF 23 MRS. 330-A. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE APPROPRIATE UTILITIES TO OBTAIN AUTHORIZATION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS. IF A UTILITY CONFLICT ARISES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER, THE MUNICIPALITY AND APPROPRIATE UTILITY COMPANY PRIOR TO PROCEEDING WITH ANY RELOCATION.

20. ALL PAVEMENT JOINTS SHALL BE SAWCUT PRIOR TO PAYING TO PROVIDE A DURABLE AND UNIFORM JOINT.

21. NO HOLES, TRENCHES OR STRUCTURES SHALL BE LEFT OPEN OVERNIGHT IN ANY EXCAVATION ACCESSIBLE TO THE PUBLIC OR IN PUBLIC RIGHTS-OF-WAY.

22. IMMEDIATELY UPON COMPLETION OF CUTS/FILLS, THE CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH EROSION CONTROL NOTES AND AS SPECIFIED ON PLANS.

23. THE CONTRACTOR SHALL BE FULLY AND SOLELY RESPONSIBLE FOR THE REMOVAL, REPLACEMENT AND RECTIFICATION OF ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKSMANSHIP IN CONNECTION WITH THE CONTRACT WORK. THE CONTRACTOR SHALL REPLACE OR REPAIR AS DIRECTED BY THE OWNER ALL SUCH DAMAGED OR DEFECTIVE MATERIALS WHICH APPEAR WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.

24. ALL WORK PERFORMED BY THE GENERAL CONTRACTOR AND/OR TRADE SUBCONTRACTOR SHALL CONFORM TO THE REQUIREMENTS OF LOCAL, STATE OR FEDERAL LAWS, AS WELL AS ANY OTHER GOVERNING REGULATIONS, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.

25. WHERE THE TERMS "APPROVED EQUAL," "OTHER APPROVED," "EQUAL TO," "ACCEPTABLE" OR OTHER GENERAL QUALIFYING TERMS ARE USED IN THESE NOTES, IT SHALL BE UNDERSTOOD THAT REFERENCE IS MADE TO THE RULING AND JUDGEMENT OF SEBAGO TECHINCS, INC.

26. THE GENERAL CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTION FOR THE WORK UNTIL TURNED OVER TO THE OWNER.

27. THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.

28. THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY CHANGES AND DEVIATION OF APPROVED PLANS NOT AUTHORIZED BY THE ARCHITECT/ENGINEER AND/OR CLIENT/OWNER.

29. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. ANY MODIFICATION TO SUIT FIELD DIMENSION AND CONDITION SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO ANY WORK.

30. BEFORE THE FINAL ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL REMOVE ALL EQUIPMENT AND MATERIALS. REPAIR OR REPLACE PRIVATE OR PUBLIC PROPERTY WHICH MAY HAVE BEEN DAMAGED OR DESTROYED DURING CONSTRUCTION. CLEAN THE AREAS WITHIN AND ADJACENT TO THE PROJECT WHICH HAVE BEEN OBSTRUCTED BY HIS/HER OPERATIONS, AND LEAVE THE PROJECT AREA NEAT AND PRESENTABLE.

31. BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON LIDAR DATA AVAILABLE FROM THE TOWN OF CAPE ELIZABETH AND AS DEPICTED IN PLAN REFERENCE 5A. THE TOPOGRAPHICAL INFORMATION SHOWN HEREON IS SOLELY BASED UPON LIDAR TOPOGRAPHICAL INFORMATION PROVIDED BY THE OWNER OR DESTROYED DURING CONSTRUCTION. CLEAN THE AREAS WITHIN AND ADJACENT TO THE PROJECT WHICH HAVE BEEN OBSTRUCTED BY HIS/HER OPERATIONS, AND LEAVE THE PROJECT AREA NEAT AND PRESENTABLE.

1. PROTECT EXISTING BOUNDARY LINE MONUMENTATION. IF DISTURBED, EXISTING MONUMENTATION TO BE RESET BY A PROFESSIONAL LAND SURVEYOR.
2. DEMOLITION OF UTILITIES REQUIRING TREE REMOVAL SHALL BE COORDINATED WITH THE OWNER AND IN ACCORDANCE WITH PROJECT PLANS.
3. UTILITY DEMOLITION SHALL BE COMPLETED IN COORDINATION WITH NEW INFRASTRUCTURE. CONTRACTOR SHALL ENSURE EXISTING SURFACE DRAINAGE IS MAINTAINED DURING CONSTRUCTION.
4. EXISTING SEWER AND STORM DRAINAGE INFRASTRUCTURE TO REMAIN ACTIVE DURING CONSTRUCTION AND UPON COMPLETION OF PROJECT. DEMOLITION/CONSTRUCTION ACTIVITIES SHALL NOT INTERFERE OR IMPEDE EXISTING FLOWS. CONTRACTOR SHALL PROVIDE BYPASS PUMPING AS REQUIRED DURING SEWER AND STORM DEMOLITION AND NEW CONSTRUCTION. DRAINAGE TO EXISTING SEWER INFRASTRUCTURE SHALL BE REPAIRED BY CONTRACTOR AT THEIR EXPENSE.
5. DEMOLITION SHOWN IS FOR MAJOR SITE ELEMENTS TO BE DEMOLISHED. OTHER MINOR DEMOLITION MAY BE REQUIRED AS PART OF CONSTRUCTION AND SHALL BE CONSIDERED INCIDENTAL TO THE COST OF CONSTRUCTION. COORDINATE ALL DEMOLITION WORK WITH SITE AND BUILDING DRAWINGS.
6. CONTRACTOR REQUIRED TO CONFIRM/MAINTAIN BENCHMARKS. IF IMPACTED CONTRACTOR IS RESPONSIBLE FOR NOTIFICATION/RELOCATION AND COORDINATION WITH PROJECT TEAM.

1. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION. PROTECT EXISTING ON-SITE SEWER PIPE AND ADJUST MANHOLE RIMS TO GRADE WHERE APPLICABLE.
2. CONTRACTOR SHALL FURNISH AND INSTALL TRENCHING, MATERIALS AND BACKFILL FOR ALL ELECTRICAL AND TELECOMMUNICATIONS PROVIDERS TO PULL PRIMARY SERVICE TO TRANSFORMER AND PANEL. CONTRACTOR RESPONSIBLE FOR TIMING AND COORDINATION WITH UTILITIES AND DRAWINGS. COORDINATE WITH ELECTRICAL DRAWINGS FOR CONDUIT SCHEDULE, TYPE AND SIZES.
3. UTILITY CONTACTS:
ELECTRIC:
CENTRAL MAINE POWER (CMP)
CRAIG BATE - DISTRIBUTION CONSTRUCTION MANAGER
TELEPHONE 207 578 2062

TELECOM:
CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND COMPANY LLC
TELEPHONE 207 878 0854

AC	ACRE
AFG	ABOVE FINISH GRADE
APPROX.	APPROXIMATELY
BC	BOTTOM OF CURB
BCC	BITUMINOUS CONCRETE CURB
BIT	BITUMINOUS
BLDG	BUILDING
BW	BOTTOM OF WALL
CB	CATCH BASIN
CONC	CONCRETE
CONT	CONTINUOUS
DI	DUCTILE IRON
DIA	DIAMETER
DWH	DRAIN MANHOLE
EMW	EACH WAY
EL	ELEVATION
ELEV	ELEVATION
FFE	FINISH FLOOR ELEVATION
FIN. GR.	FINISH GRADE
FTG	FOOTING
HDPE	HIGH DENSITY POLYETHYLENE
HGT	HEIGHT
HMA	HOT MIX ASPHALT
INVT	INVERT
LC	LINEAR FEET
OF	ON CENTER
PVC	POLYVINYL CHLORIDE
PWD	PORTLAND WATER DISTRICT
R	RADIUS
R.O.W.	RIGHT OF WAY
SF	SQUARE FEET
SCH	SCHEDULE
SCSD	SLOPFORM CONCRETE SLOPED CURB
SD	SLOPED GRANITE CURB
SD	STORM DRAIN
SD	SLOPED GRANITE CURB
SGH	SEWER MANHOLE
SPCS	SPECIFIC
SS	SANITARY SEWER
SSCG	SALVAGED SLOPED GRANITE CURB
TC	TOP OF CURB
TC	TOP OF CURB
TW	TOP OF WALL
TYF	TYPICAL
VGC	VERTICAL GRANITE CURB
VIF	VERIFY IN FIELD

1. SIDESLOPES SHALL NOT BE STEEPER THAN 3:1 (H:V) EXCEPT AS OTHERWISE IDENTIFIED ON THIS PLAN. ALL SIDESLOPES STEEPER THAN 3:1 (H:V) SHALL BE LINED WITH EROSION CONTROL BLANKET, OR ADDITIONAL MEASURES AS INDICATED.
2. ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH "MAINE EROSION AND SEDIMENT CONTROL BMP'S" MANUAL PUBLISHED BY BUREAU OF LAND AND WATER QUALITY MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.
3. ALL AREAS DISTURBED DURING CONSTRUCTION AND NOT RESTORED WITH IMPERVIOUS SURFACES (BUILDINGS, PAVEMENTS, WALKS, ETC.) SHALL RECEIVE LOAM AND SEED PER DETAIL.

1. BEFORE EROSION CONTROL MEASURES PRIOR TO SITE DISTRUBANCE.
2. PROVIDE TREE CLEARING, REFER TO DESIGN PLANS FOR LIMIT OF TREE CLEARING. TREES SHALL NOT BE REMOVED FROM OUTSIDE THE CLEARING LIMIT LINE.
3. GRADING AND CLEARING LIMITS SHALL NOT ENCRACH ON ADJACENT PROPERTIES UNLESS NOTED OTHERWISE ON THE PLANS.
4. OPEN AREAS SHALL BE LIMITED TO AREAS BEING WORKED IN. THE AREA STRIPPED OF EXISTING VEGETATION AT ANY GIVEN TIME SHALL BE MINIMIZED AND BE PHASED WHERE PRACTICAL SO THAT ADJACENT AREAS REMAIN PROTECTED AND PERMANENTLY STABILIZED BEFORE ADJACENT AREAS ARE STRIPPED OF EXISTING VEGETATION. STABILIZE CONSTRUCTION AREAS BY USE OF RIPRAP, SEED, MULCH, OR OTHER GROUND COVER WITHIN ONE WEEK FROM THE TIME IT WAS ACTIVELY WORKED. AREAS SHALL BE MINIMIZED AND PHASED TO PREVENT EROSION RUNOFF TOWARD STORMWATER BMPs. PLEASE REFER TO DRAINAGE PLANS FOR WATERSHED AREAS.

[illegible]

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75 John Roberts Rd. Suite 4A
South Portland, ME 04106
207-200-2100

South Portland, Bridgton, Sanford and Bath

NOTES AND LEGEND

OF:

CAPE ELIZABETH BASKETBALL COURT

7 HOLMAN ROAD

CAPE ELIZABETH, MAINE

FOR:

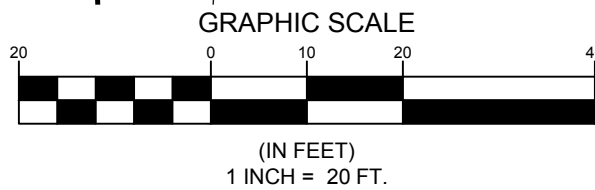
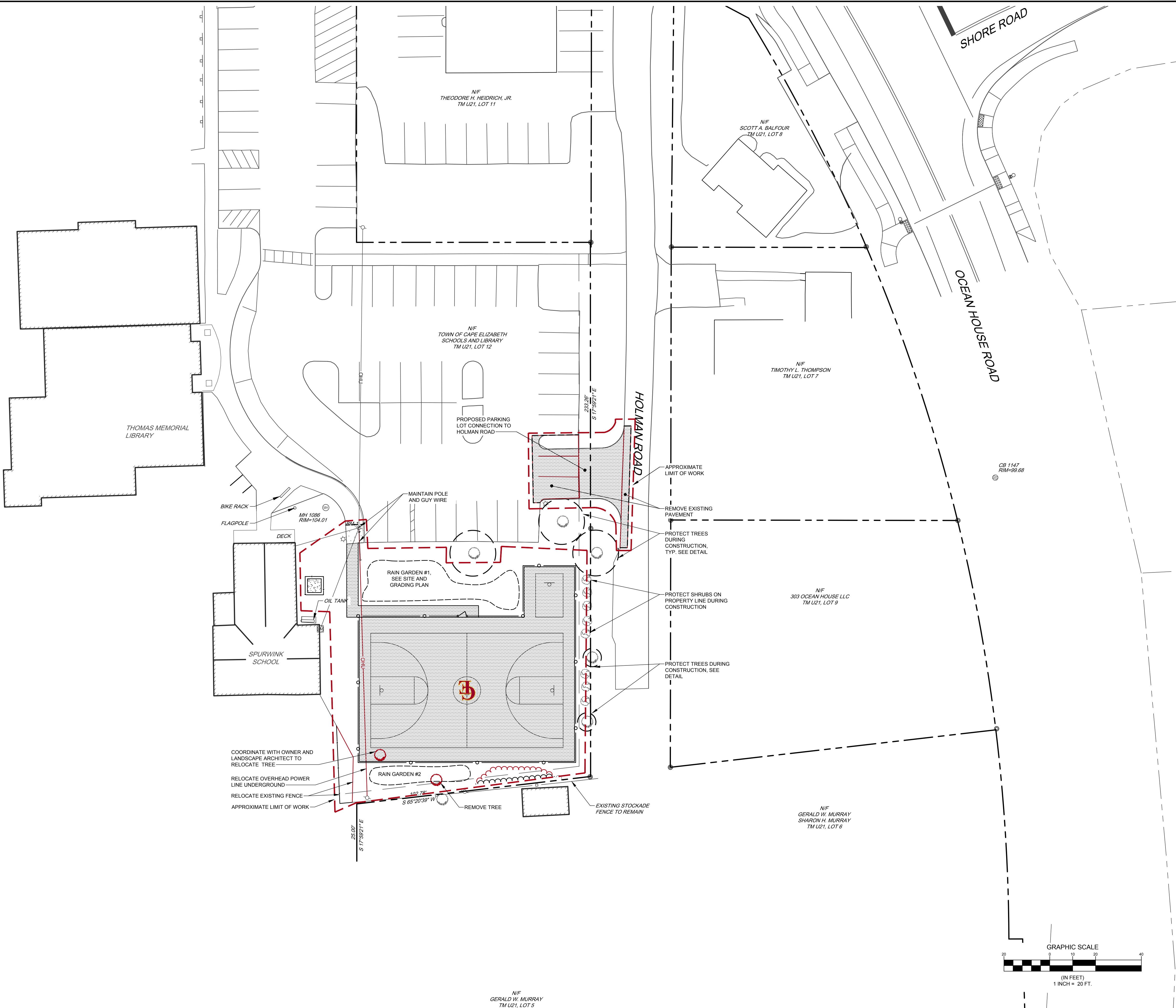
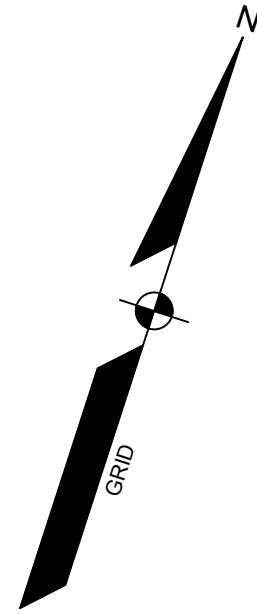
TOWN OF CAPE ELIZABETH

320 OCEAN HOUSE ROAD

CAPE ELIZABETH, ME 04107

DESIGNED	MRB
DRAWN	CJC/IDAB
CHECKED	SDH
DATE	02/21/2025
SCALE	AS NOTED
PROJECT	19478-01

SHEET G-002



OVERALL SITE & DEMO PLAN
OF:
CAPE ELIZABETH BASKETBALL COURT
7 HOLMAN ROAD
CAPE ELIZABETH, MAINE
FOR:
TOWN OF CAPE ELIZABETH
320 OCEAN HOUSE ROAD
CAPE ELIZABETH, ME 04107

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SCALE	1" = 20'
PROJECT	19478-01

SHEET C-101

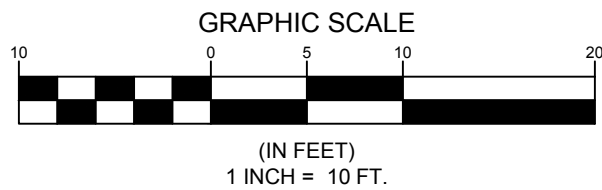
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A	MRB	3/3/2025	DATE	STATUS

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NOT FOR
CONSTRUCTION



LAWN: LOAM AND SEED ALL OTHER DISTURBED AREAS NOT CALLED OUT W/ MDOT SEED MIX #1 (PARK MIX)

RE-ALIGN FENCE POSTS AND
PANELS, AVOID DISTURBING
ADJACENT TREES. _____

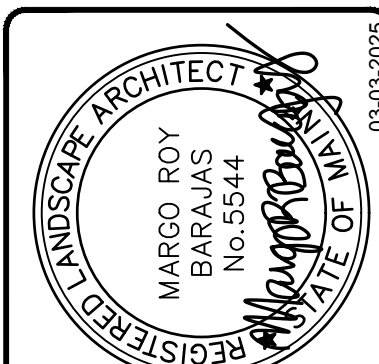
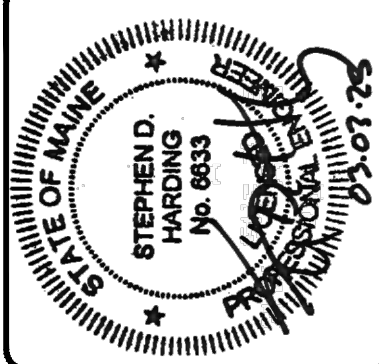
SHEET C-102

SITE PLAN & LANDSCAPE PLAN
OF:
CAPE ELIZABETH BASKETBALL COURT
7 HOLMAN ROAD
CAPE ELIZABETH, MAINE
FOR:
TOWN OF CAPE ELIZABETH
320, OCEAN HOUSE ROAD
CAPE ELIZABETH, MAINE 04907

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REV.	DT.	DATE.	STATUS.
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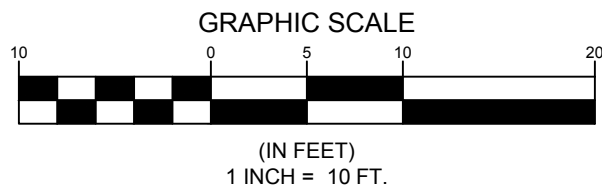
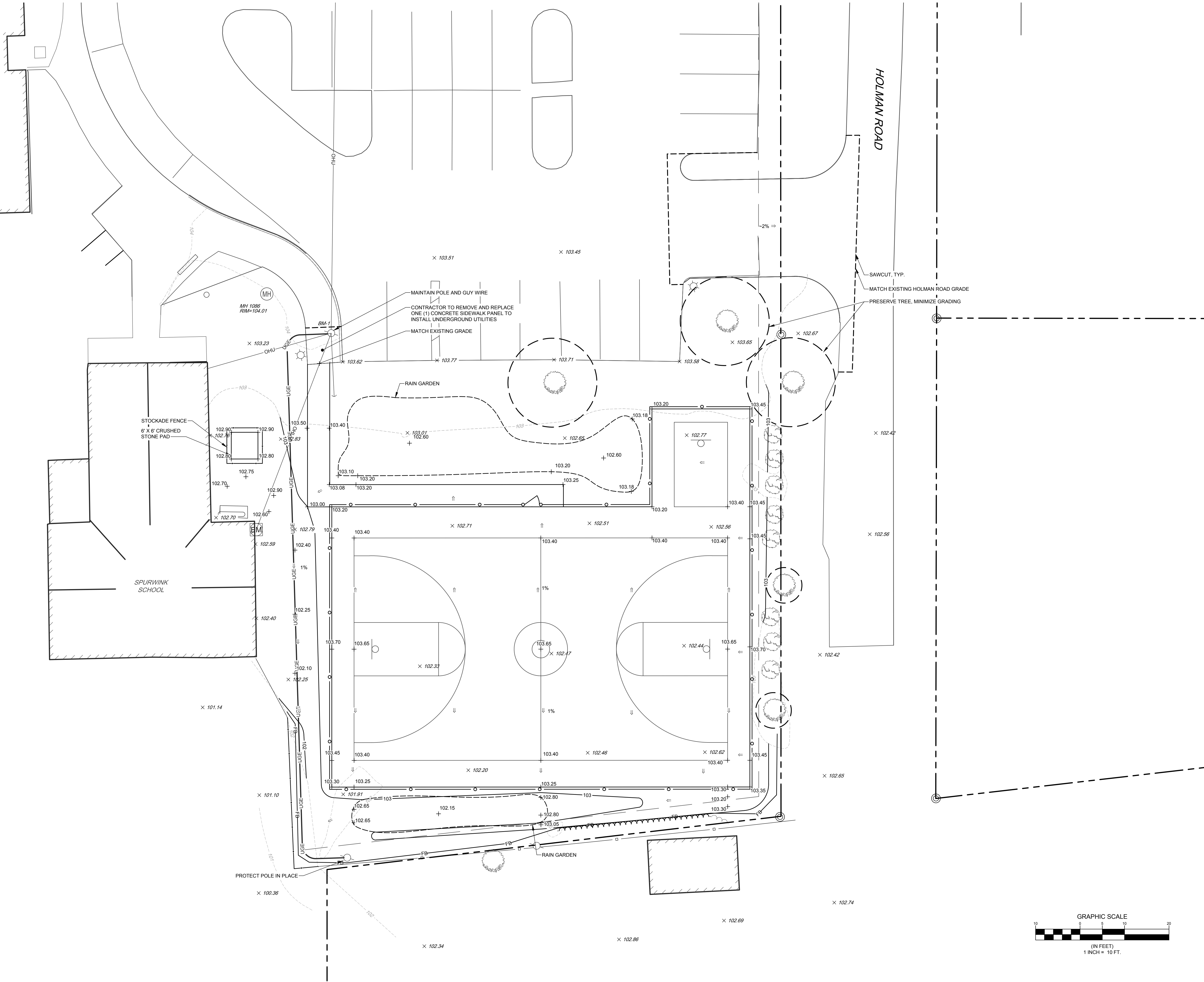
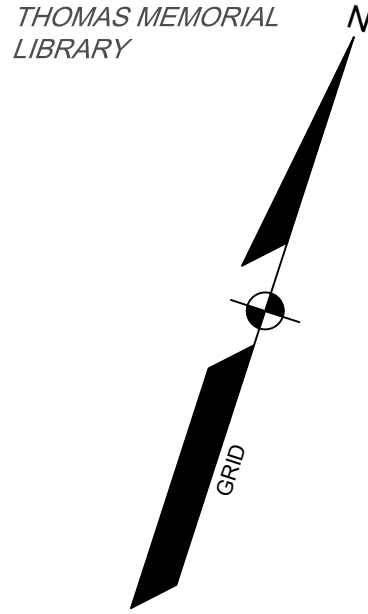


MARGO R. BARAJAS, RLA #5544

STEPHEN D. HARDING, PE #6633

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GRADING AND UTILITY PLAN
OF:
CAPE ELIZABETH BASKETBALL COURT
7 HOLMAN ROAD
CAPE ELIZABETH, MAINE
FOR:
TOWN OF CAPE ELIZABETH
320 OCEAN HOUSE ROAD
CAPE ELIZABETH, ME 04107

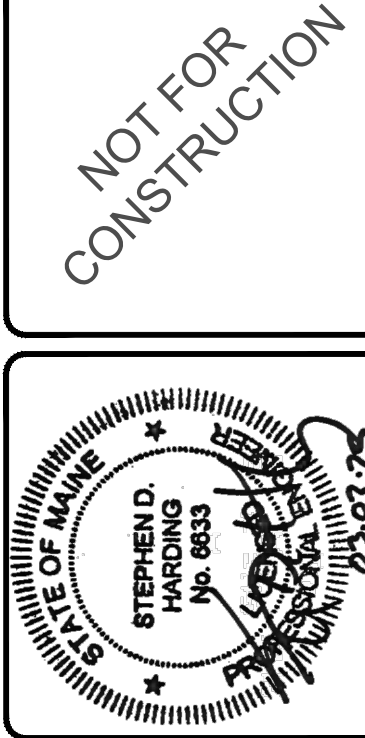
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DRAWN	CJC/DAB
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SCALE	1" = 10'
PROJECT	19478-01

SHEET C-103

SEBAGO
T E C H N I C S
SEBAGOTECHNICS.COM
75 John Roberts Rd, Suite 4A
South Portland, ME 04106
207-260-2100
South Portland, Bridgton, Sanford and Bath

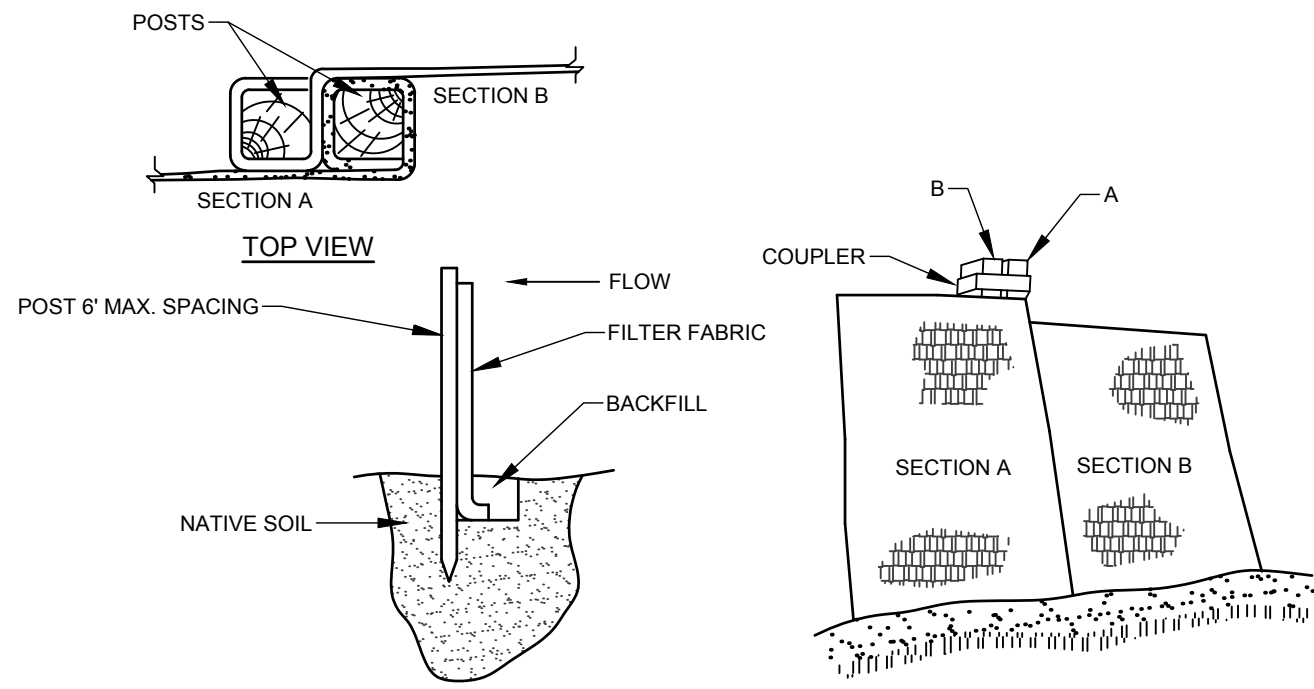
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STEPHEN D. HARDING, PE #6533

19478-01_GLDwg - TAB SITE 10

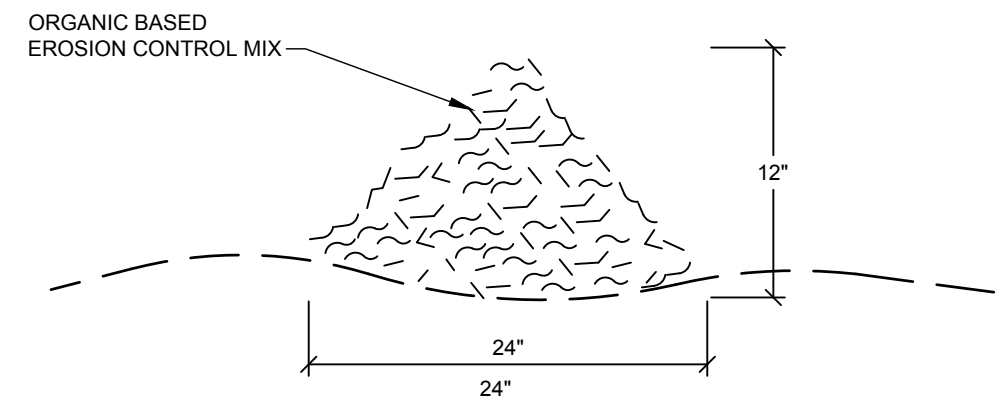


INSTALLATION:

1. EXCAVATE A 6"x 6" TRENCH ALONG THE LINE OF PLACEMENT FOR THE FILTER BARRIER.
2. UNROLL A SECTION AT A TIME AND POSITION THE POSTS AGAINST THE BACK (DOWNSTREAM) WALL OF THE TRENCH.
3. DRIVE POSTS INTO THE GROUND UNTIL APPROXIMATELY 2" OF FABRIC IS LYING ON THE TRENCH BOTTOM.
4. LAY THE TOE-IN FLAP OF FABRIC ONTO THE UNDISTURBED BOTTOM OF THE TRENCH. BACKFILL THE TRENCH AND TAMP THE SOIL. TOE-IN CAN ALSO BE ACCOMPLISHED BY LAYING THE FABRIC FLAP ON UNDISTURBED GROUND AND PILING AND TAMPING FILL AT THE BASE, BUT MUST BE ACCOMPANIED BY AN INTERCEPTION DITCH.
5. JOIN SECTION AS SHOWN ABOVE.
6. BARRIER SHALL BE MIRAFI SILT FENCE OR EQUAL.

FILTER BARRIER

NOT TO SCALE



COMPOSITION:

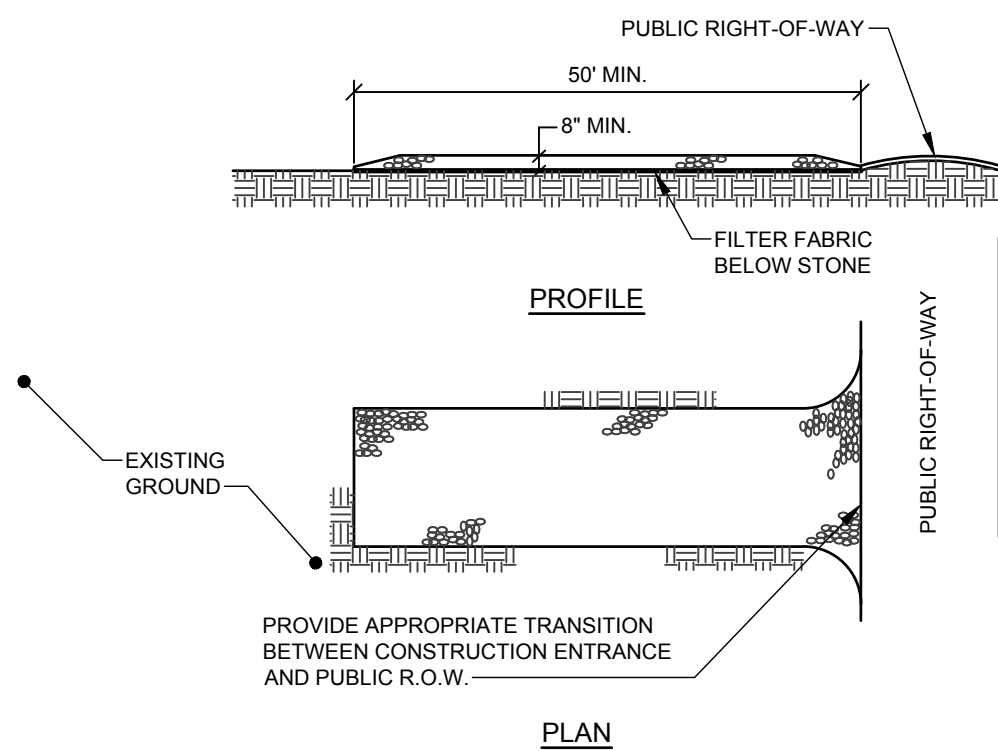
EROSION CONTROL MIX SHALL BE MANUFACTURED ON OR OFF THE PROJECT SITE SUCH THAT ITS COMPOSITION IS IN ACCORDANCE WITH THE MD&P MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL, LAST REVISED 3/2003 OR LATER. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL, SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR ACCEPTABLE MANUFACTURED PRODUCTS. WOOD AND BARK CHIPS, GROUND CONSTRUCTION DEBRIS OR REPROCESSED WOOD PRODUCTS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX.

INSTALLATION:

1. THE BARRIER MUST BE PLACED ACROSS THE SLOPE, ALONG THE CONTOUR.
2. EXISTING GROUND SHALL BE PREPARED SUCH THAT THE BARRIER MAY LIE NEARLY FLAT ALONG THE GROUND TO AVOID THE CREATION OF VOIDS AND BRIDGES IN ORDER TO MINIMIZE THE POTENTIAL OF WASH OUTS UNDER THE BARRIER.
3. THE BARRIER SHALL BE A MINIMUM OF 1 FOOT HIGH (AS MEASURED ON THE UPHILL SIDE) AND 2 FEET WIDE FOR SLOPES LESS THAN 5% IN GRADE AND SHALL BE WIDER TO ACCOMMODATE THE ADDITIONAL RUNOFF.
4. EROSION CONTROL MIX CAN BE INSTALLED WHERE SILT FENCE IS ILLUSTRATED ON THE DESIGN PLANS IN AREAS EXCEPT IN, BUT NOT LIMITED TO, THE FOLLOWING AREAS: WETLAND AREAS, AT POINTS OF CONCENTRATED FLOW, BELOW CULVERT OUTLET APRONS, AROUND CATCH BASINS AND CLOSED STORM SYSTEMS AND AT THE BOTTOM OF STEEP SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM.

EROSION CONTROL MIX BERM

NOT TO SCALE

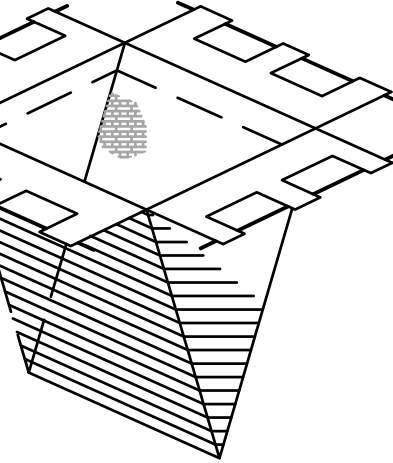
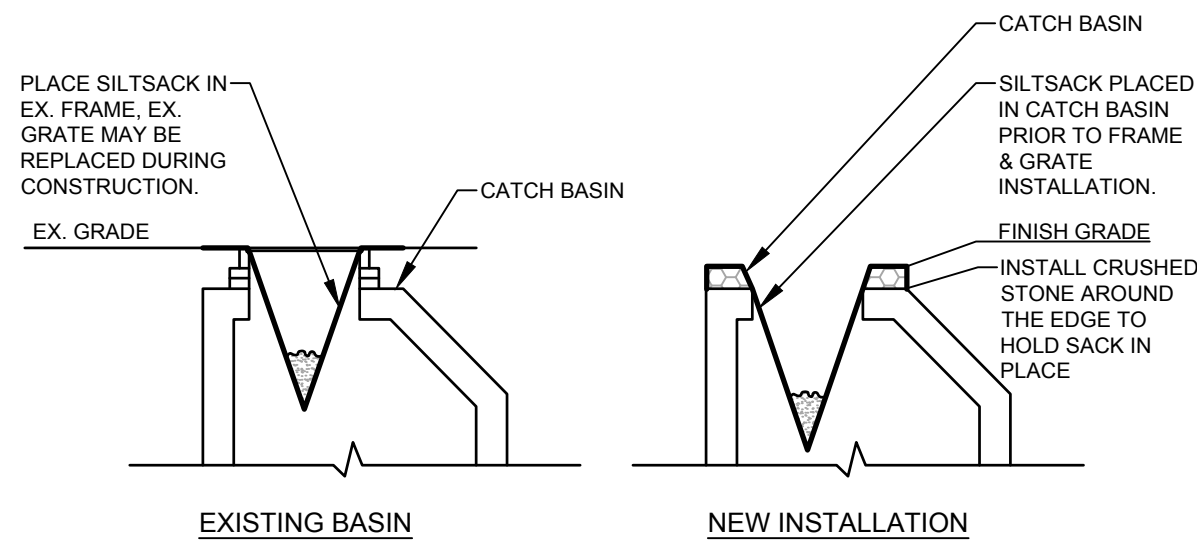


NOTES:

1. STONE SIZE- AASHTO DESIGNATION M43, SIZE NO. 2 (2 1/2" TO 1 1/2"). USE CRUSHED STONE.
2. LENGTH- AS SHOWN ON PLANS, MIN. 50 FEET.
3. THICKNESS- NOT LESS THAN EIGHT (8) INCHES.
4. WIDTH- NOT LESS THAN FULL WIDTH OF ALL POINT OF INGRESS OR EGRESS.
5. MAINTENANCE- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT-OF-WAY MUST BE REMOVED IMMEDIATELY.

STABILIZED CONSTRUCTION ENTRANCE

NOT TO SCALE



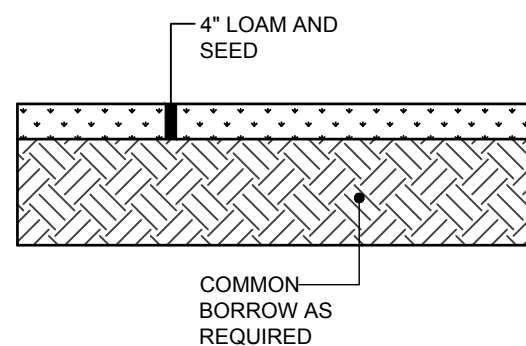
SILT SACK PROTECTION

NOTES:

PRIOR TO FINAL GRADING AND PAVING OPERATIONS BEGIN A CATCH BASIN INSERT (SUCH AS A SILT SACK OR A DANDY BAG II) MUST BE INSTALLED IN EACH BASIN PER MANUFACTURES INSTRUCTIONS. HAY BALES SHOULD BE REMOVED ONCE INSERTS ARE INSTALLED.

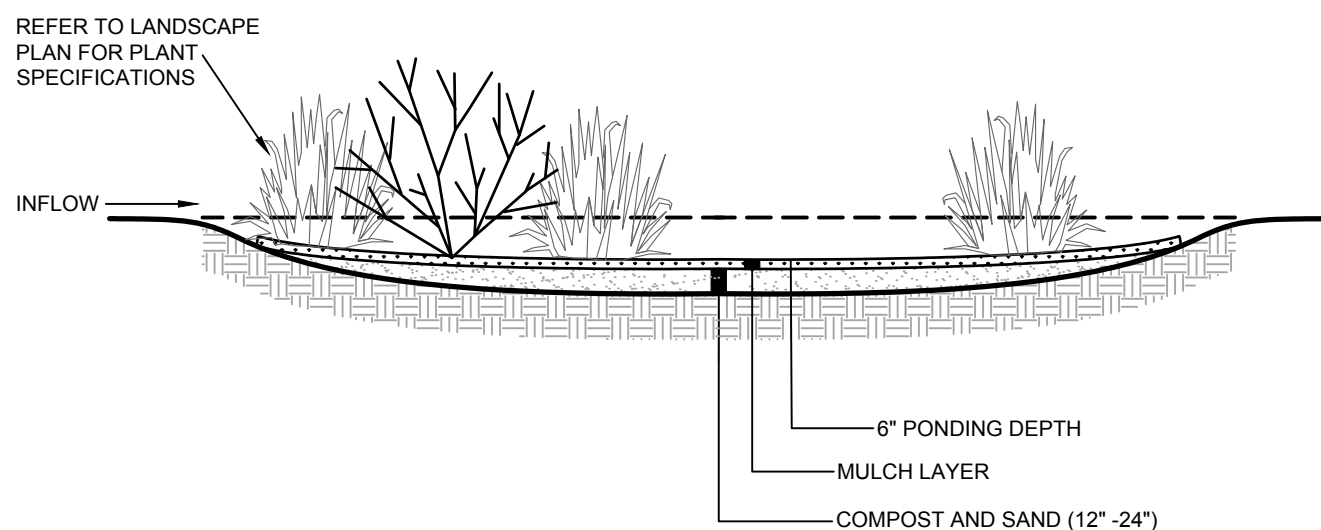
CATCH BASIN PROTECTION DETAIL

NOT TO SCALE



LOAM & SEED SECTION

NOT TO SCALE



NOTES:

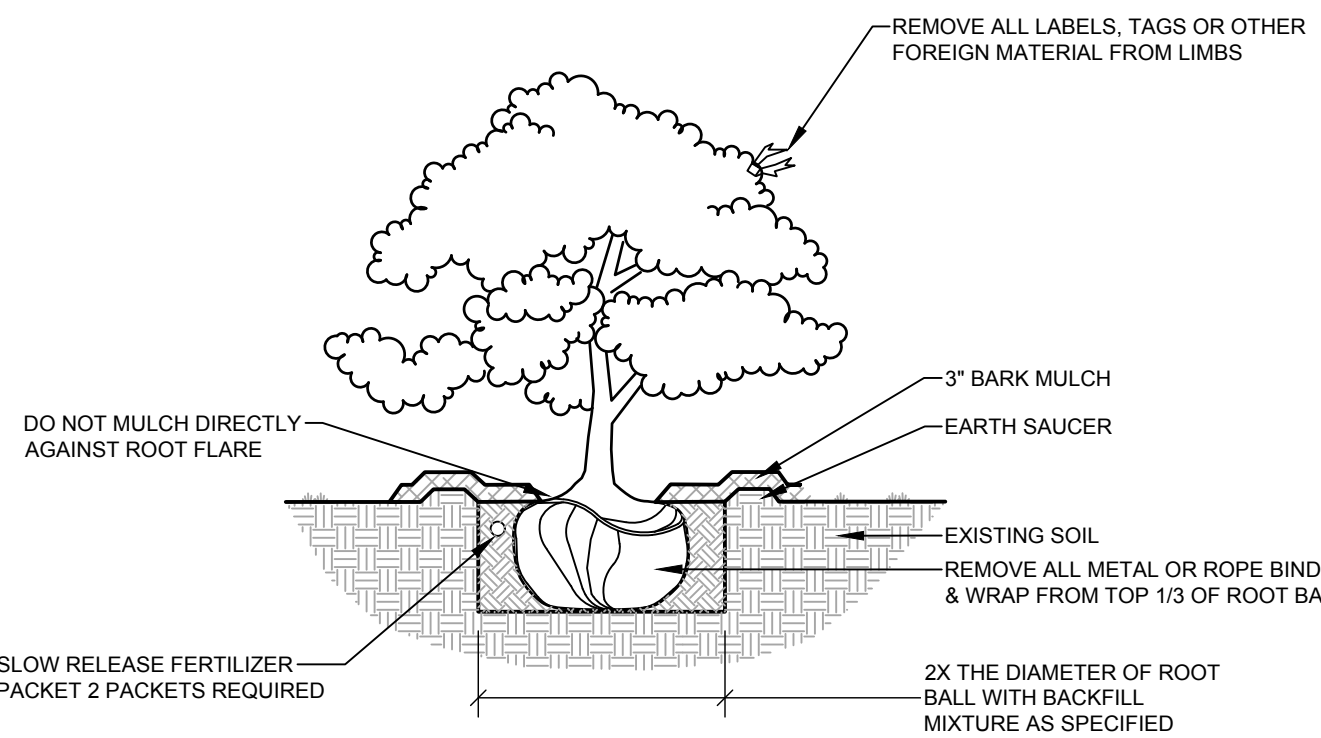
PLANTING SOIL: 30% TOPSOIL, 20% LEAF MULCH, 50% SANDY SOIL.

MAINTENANCE PLAN:

1. WATER PLANTS TO ENCOURAGE GROWTH PARTICULARLY DURING DRY CONDITIONS AND GROWING SEASON.
2. MONITOR RAIN GARDEN AFTER RAINFALL AND ADDRESS AREAS REQUIRING MAINTENANCE.
3. WEED AND PRUNE WEEDS REGULARLY.
4. PREPARE MULCH AS NEEDED INCLUDING WHEN MULCH BREAKS DOWN AND SEDIMENTS ACCUMULATE.
5. AS SOIL TRENCHES ABSORB EXCESS NUTRIENTS, SOIL FERTILIZATION IS NOT NEEDED.
6. REPLACE VEGETATION IF DECAYING.

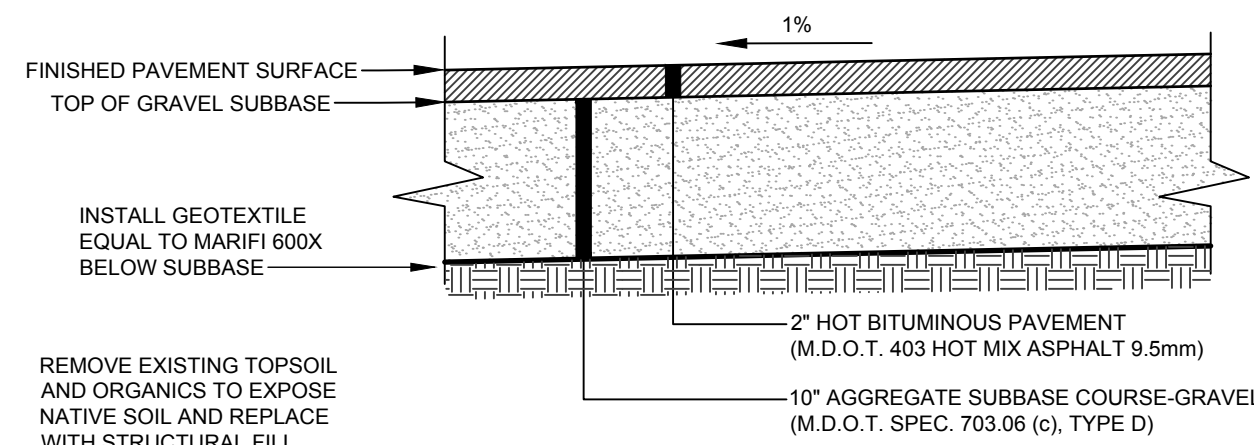
RAIN GARDEN

NOT TO SCALE



DECIDUOUS & EVERGREEN SHRUB

NOT TO SCALE

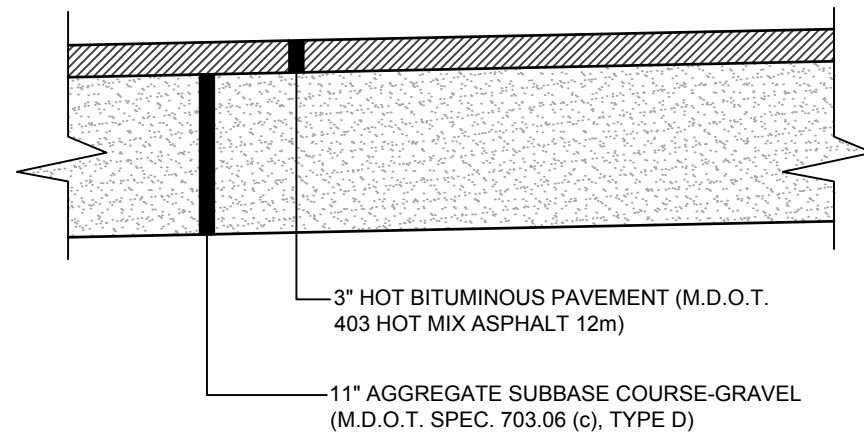


NOTES:

1. SEE GRADING AND UTILITY PLANS FOR FINISH GRADE ELEVATIONS.
2. SEE SITE PLANS FOR LAYOUT DIMENSIONS.

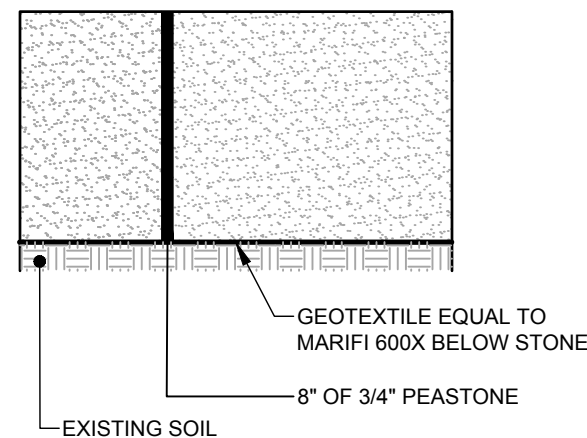
BITUMINOUS BASKETBALL COURT

NOT TO SCALE



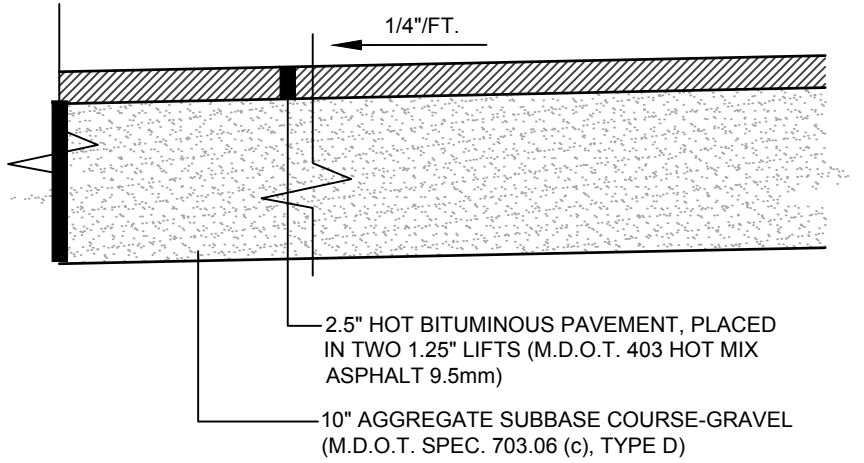
HOLMAN ROAD TO PARKING LOT CONNECTOR

NOT TO SCALE



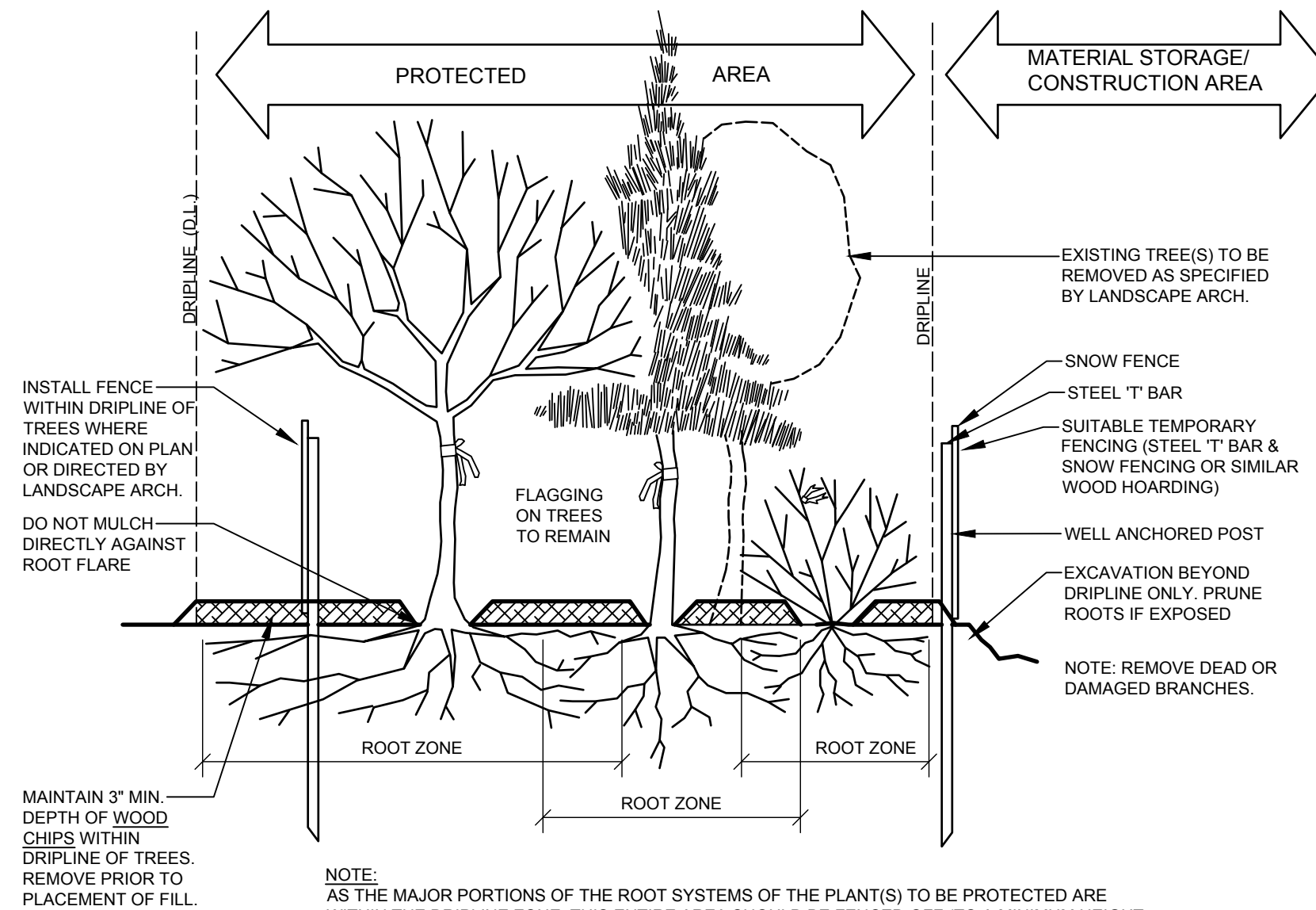
CRUSHED STONE PAD

NOT TO SCALE



BITUMINOUS SIDEWALK

NOT TO SCALE



NOTE:

AS THE MAJOR PORTIONS OF THE ROOT SYSTEMS OF THE PLANT(S) TO BE PROTECTED ARE WITHIN THE DRIPLINE ZONE, THIS ENTIRE AREA SHOULD BE FENCED OFF (TO A MINIMUM HEIGHT OF 4') PRIOR TO CONSTRUCTION AND REMOVED THEREAFTER. FOR MAXIMUM PROTECTION, NO VEHICLE TRESPASS, EXCAVATION, FILL, WASTE DISCHARGE OR MATERIAL STORAGE SHOULD BE ALLOWED IN THIS ZONE.

TREE PROTECTION DETAIL

NOT TO SCALE CROSS-SECTION OF TYPICAL PLANT GROUPING

STEPHEN D. HARDING, PE # 6533



REV	BY	DATE	STATUS	LOCAL SITE PLAN SUBMISSION
A	MRB	3/3/2025	DATE	STATUS

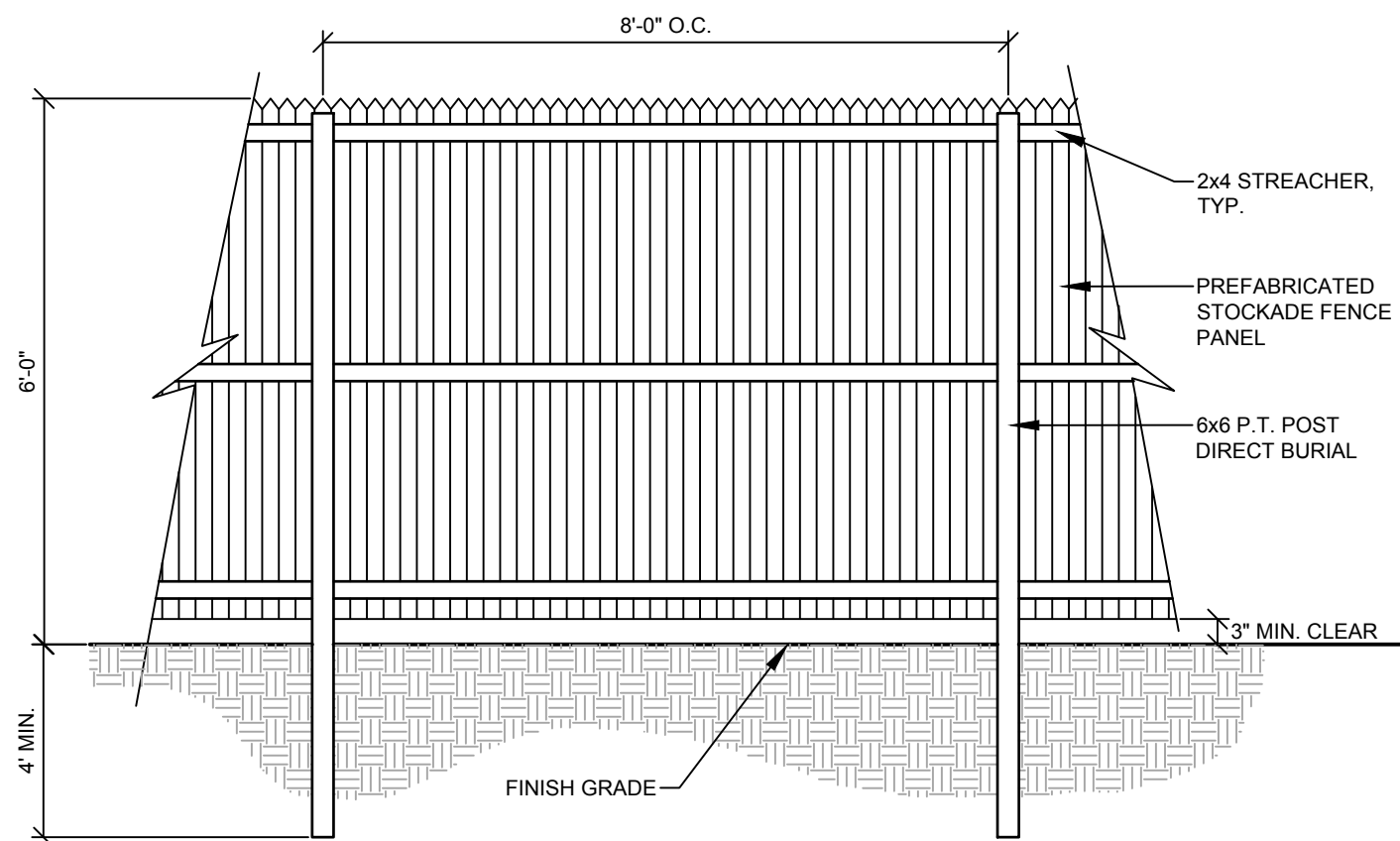
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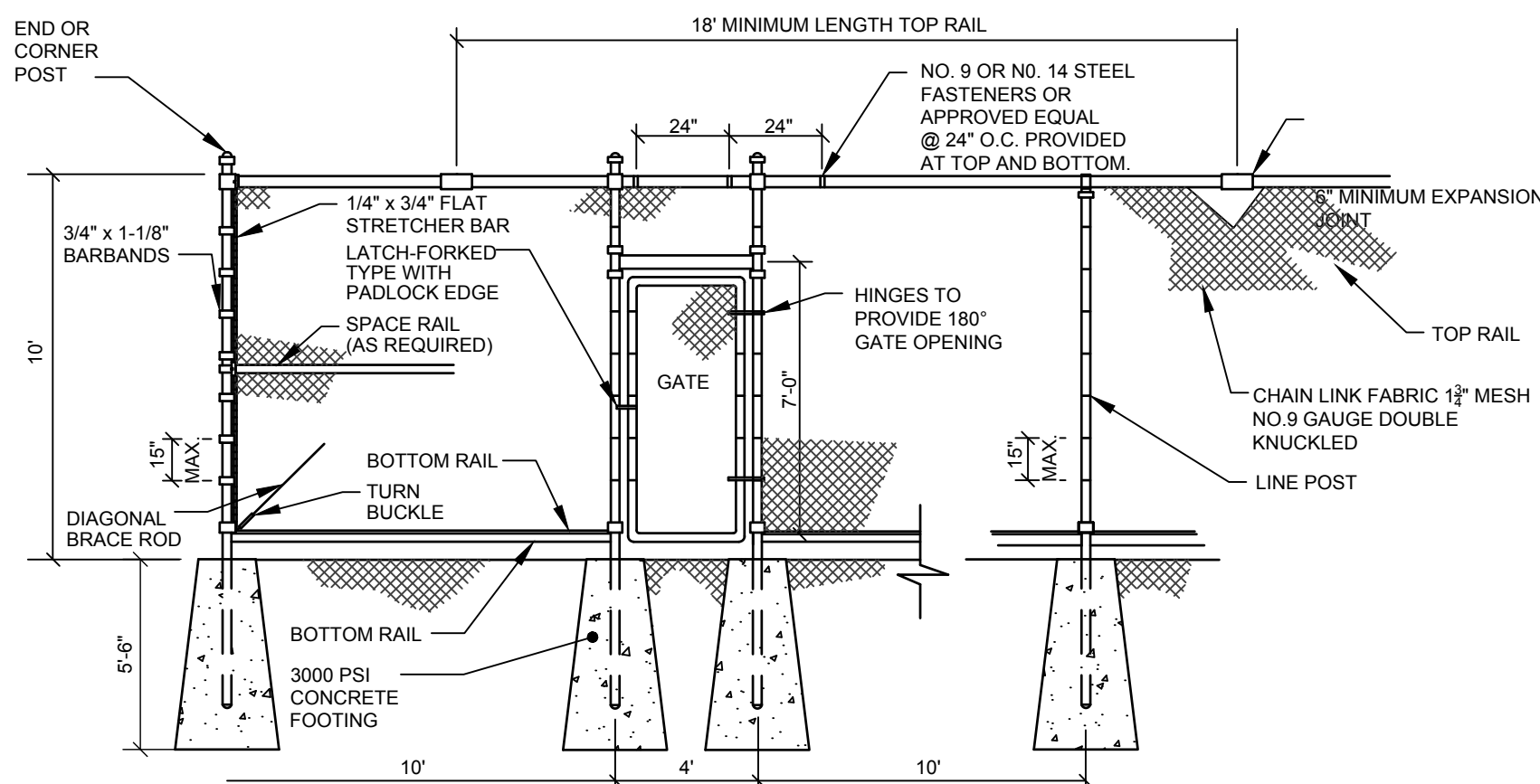
DETAILS
OF:
CAPE ELIZABETH BASKETBALL COURT
7 HOLMAN ROAD
CAPE ELIZABETH, MAINE
FOR:
TOWN OF CAPE ELIZABETH
320 OCEAN HOUSE ROAD
CAPE ELIZABETH, ME 04107

DESIGNED	MRB
DRAWN	CJC/DAB
CHECKED	SDH
DATE	02/21/2025
SCALE	NTS
PROJECT	19478-01

SHEET C-502

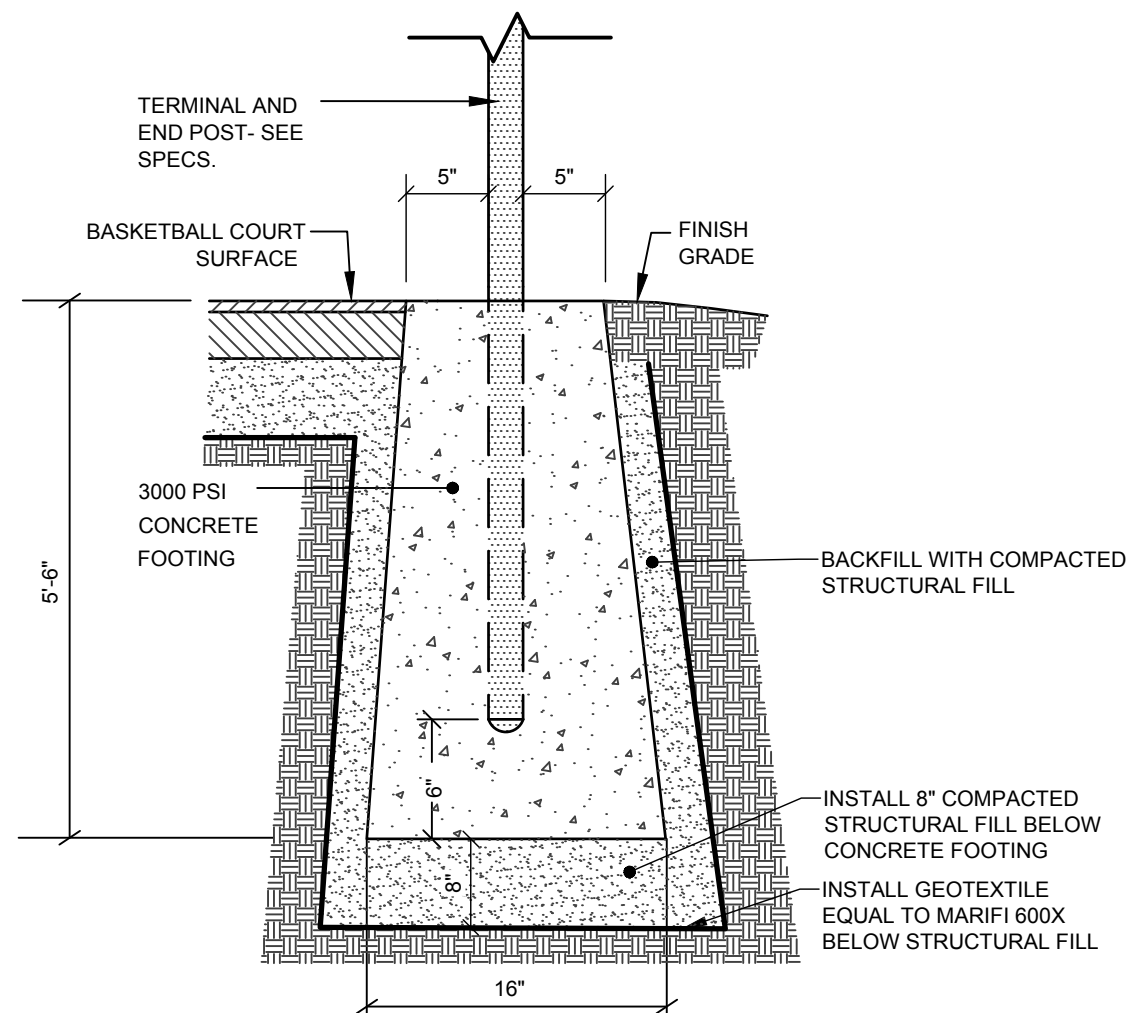


STOCKADE FENCE
NOT TO SCALE



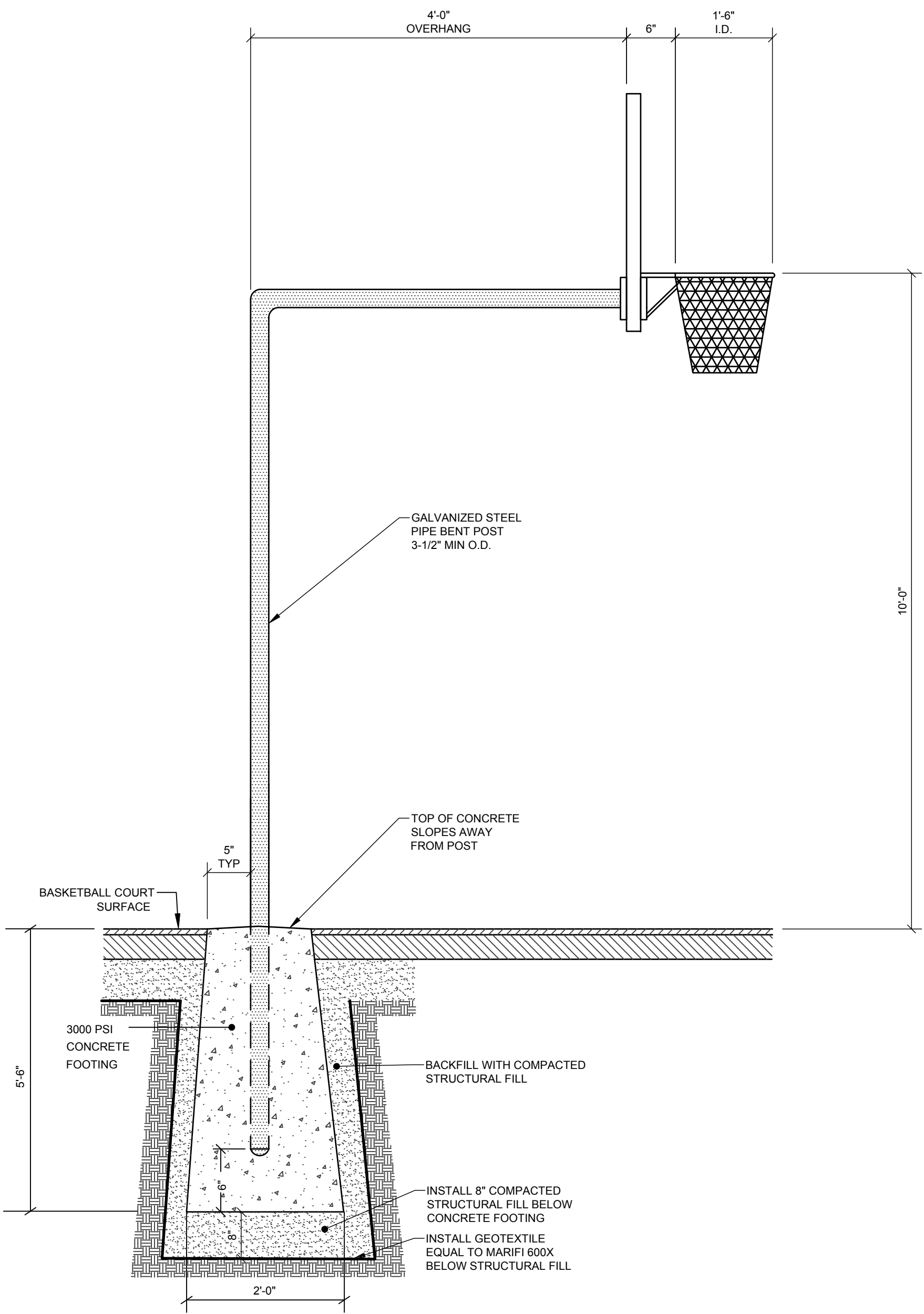
- NOTES:
- END OR CORNER POST: NOMINAL 3" O.D. DIA. GALVANIZED STEEL PIPE MIN. 5.79 LBS/LF.
 - LINE POST: NOMINAL 2-1/2" O.D. GALVANIZED STEEL PIPE, MIN. 3.65 LBS/LF.
 - BRACES, TOP & BOTTOM: NOMINAL 1-5/8" O.D. DIA. GALVANIZED STEEL PIPE, MIN. 2.27 LBS/LF.
 - THE OUTSIDE OF THE FENCE FABRIC SHALL BE 3" INSIDE THE EDGE OF PAVEMENT.
 - BRACE RAIL AND DIAGONAL BRACE ROD SHALL BE INSTALLED AT EACH 10' CORNER SECTION OF ENCLOSURE. SEE DETAIL 2 OF THIS SHEET.
 - CONCRETE SHALL HAVE MINIMUM COMPRESSIVE STRENGTH (f'c) = 3,000 PSI W / 6% ±1% AIR ENTRAINMENT.
 - BID ALTERNATE: FENCE FABRIC, POST, RAILS AND APPURTENANCES SHALL BE VINYL CLAD, COLOR BLACK.
 - SINGLE GATE IS SHOWN, CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR SINGLE AND DOUBLE GATE WITH LATCH AND PADLOCK CAPABLE.

FENCE ENCLOSURE
NOT TO SCALE



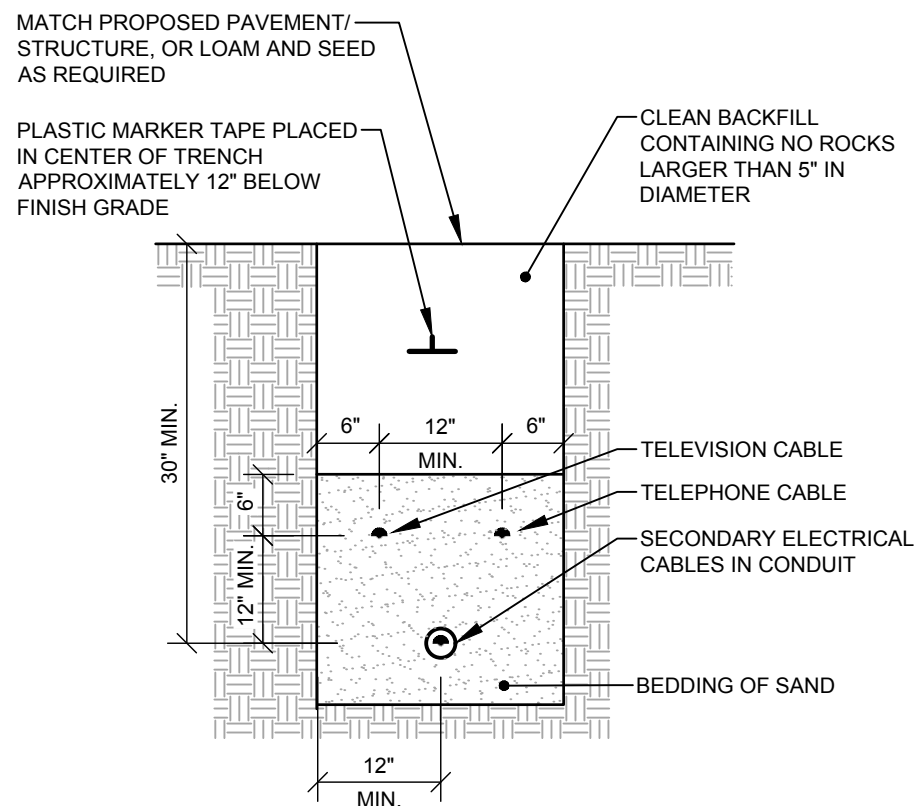
- NOTES:
- STRUCTURAL FILL: USE AGGREGATE MATERIAL FOR FILL OPERATIONS. SIEVE ANALYSIS BY WEIGHT:
- | SIEVE OPENING | % BY WEIGHT PASSING MESH SIEVES |
|---------------|---------------------------------|
| 4 INCH | 100 % |
| 3 INCH | 90-100% |
| 1/4 INCH | 25-90 % |
| NO. 40 | 0-30% |
| NO. 200 | 0-6% |

BASKETBALL COURT FENCE POST FOOTING
NOT TO SCALE



NOTE:
OWNER TO SPECIFY HOOP FIXTURE SELECTION,
INSTALL BASKETBALL HOOP AND BACKBOARD
ASSEMBLY, FOUNDATION, AND POST PER
MANUFACTURER'S REQUIREMENT.

BASKETBALL HOOP AND FOOTING
NOT TO SCALE

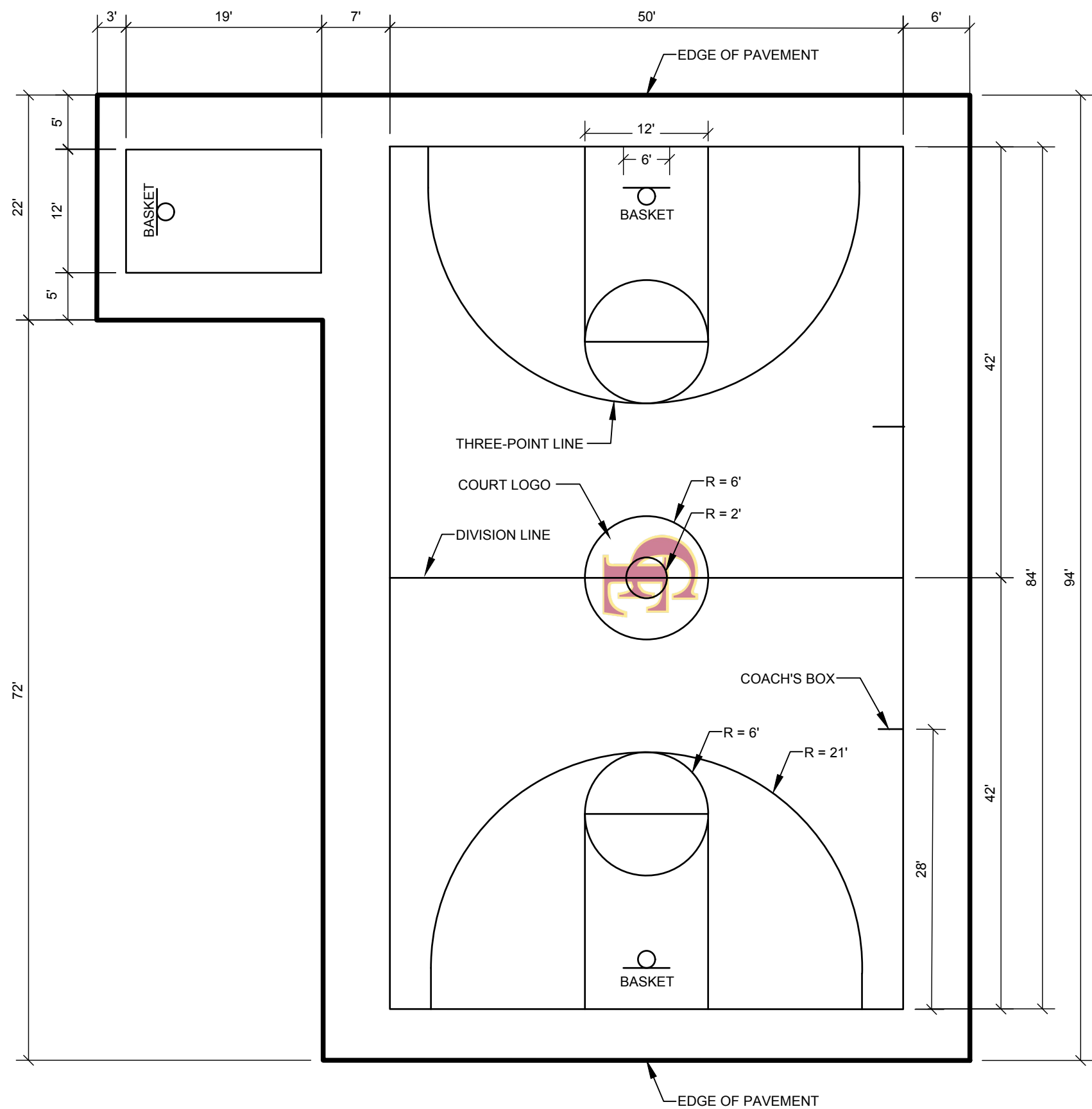


NOTES:
CABLES TO BE ENCASED IN SCHEDULE 40 PVC CONDUIT.

UNDERGROUND CABLE
INSTALLATION
NOT TO SCALE



COURT LOGO
NOT TO SCALE



NOTE:
PAVEMENT COLOR PER OWNER. WHITE PAINT WILL BE USED TO PAINT THE OUT-OF-BOUNDS, HALF-COURT,
THREE-POINT ARC, AND RELATED FOUL-LINES. LINE WIDTHS WILL BE FIFTY MILLIMETERS, OR
APPROXIMATELY TWO INCHES. ADDITIONALLY, THE CENTER COURT CIRCLE AND THE 'KEYS' (RECTANGULAR
'BOXES') WILL BE PAINTED MAROON. THE 'CE' SCHOOL LOGO WILL BE ADDED TO THE COURT.

CONTRACTOR SHALL PROVIDE AND INSTALL (3) BASKETBALL HOOPS PER MANUFACTURER'S SPECIFICATION.
THE CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF THE MANUFACTURER'S SPECIFICATION WITH
PROVIDED DETAILS.

BASKETBALL COURT LAYOUT
NOT TO SCALE

DESIGNED	MRB
DRAWN	CJC/DAB
CHECKED	SDH
DATE	02/21/2025
SCALE	NTS
PROJECT	19478-01

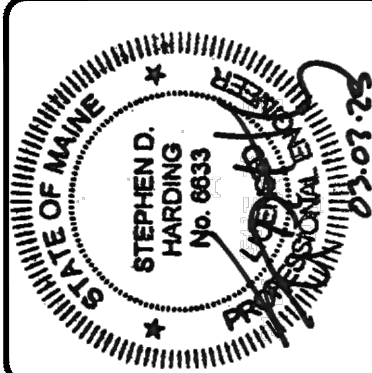
SHEET C-503

DETAILS
OF:
CAPE ELIZABETH BASKETBALL COURT
7 HOLMAN ROAD
CAPE ELIZABETH, MAINE
FOR:
TOWN OF CAPE ELIZABETH
320 OCEAN HOUSE ROAD
CAPE ELIZABETH, ME 04107

SEBAGO
TECHNICS
SEBAGOTECHNICS.COM
75 John Roberts Rd, Suite 4A
South Portland, ME 04106
207-200-2100
South Portland, Bridgton, Sanford and Bath

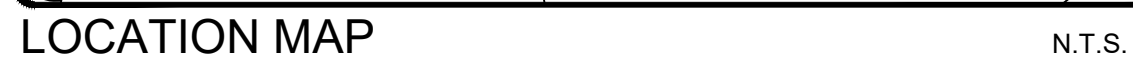
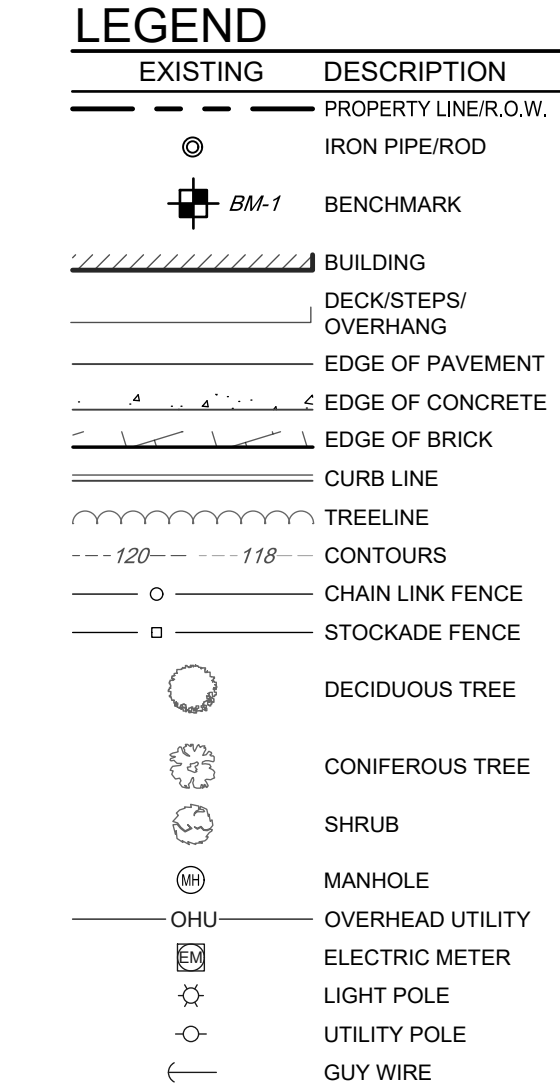
REV	BY	DATE	STATUS	LOCAL SITE PLAN SUBMISSION
A	MRB	3/3/2025	DATE	

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AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.



STEPHEN D. HARDING, PE # 8633

NOT FOR
CONSTRUCTION



1. THE RECORD OWNER OF THE PARCEL IS TOWNE OF CAPE ELIZABETH BY DEED RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CNRD) IN BOOK 12876, PAGE 1 AND BOOK 25276, PAGE 23.
2. THE PROPERTY IS SHOWN AS LOT 10 ON THE TOWN OF CAPE ELIZABETH TAX MAP U21 AND IS LOCATED IN THE TOWN CENTER CODE SUBDISTRICT DISTRICT.
3. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY LINES SHOWN PER PLAN REFERENCE. 5A.
4. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHINCS, INC. IN OCTOBER OF 2024.
5. PLAN REFERENCES:
 - A. PLAN OF BOUNDARY SURVEY - 6 SCOTT DYER ROAD, CAPE ELIZABETH, MAINE - THOMAS MEMORIAL LIBRARY, MADE FOR THE TOWN OF CAPE ELIZABETH BY AMEC DATED APRIL 2014.
6. BASIS OF BEARING IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1800000, GRID 18 IN U.S. SURVEY FEET. ELEVATIONS DEPICTED HEREON ARE NAVD83, BASED ON DUAL FREQUENCY GNSS OBSERVATIONS.
7. BENCHMARK:
 - BM-1 SPIKE SET IN THE UTILITY POLE LOCATED AT THE SOUTHWESTERLY CORNER OF THE PARKING LOT.
 - ELEVATION: 104.97 (NAVD83)
8. UTILITY INFORMATION DEPICTED HEREON, UNLESS OTHERWISE NOTED, IS OF QUALITY LEVEL D. THE AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE) STANDARD Q/ASCE 98-02 UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION.

[illegible]

SEBAGO
TECHNICS

SEBAGOTECHNICS.COM
75 John Roberts Rd. Suite 4A
South Portland, ME 04106
207-200-2100

South Portland, Bridgton, Sanford and Bath

EXISTING CONDITIONS PLAN
OF:
PROPOSED BASKETBALL COURT
SCOTT DYER ROAD
CAPE ELIZABETH, ME
FOR RECORD OWNER:
TOWN OF CAPE ELIZABETH
320 OCEAN HOUSE ROAD
CAPE ELIZABETH, ME

DESIGNED	-
DRAWN	JMC
CHECKED	NSE
DATE	10/10/2024
SCALE	1" = 10'
PROJECT	19478-01

SHEET 1 OF 1

Section 4 – Financial & Technical Capacity

Financial Capacity:

Please see the enclosed letter from Patrick Fox, Town Manager of the Town of Cape Elizabeth. This letter verifies the Town's financial commitment for the proposed basketball court project, providing evidence of Council authorization on August 19, 2024. As such, this letter satisfies the standard requiring that the Applicant (the Town) has adequate financial resources to successfully complete this project.

Also included within this Section is a Fundraising Memorandum provided by Meredith Beauregard, Chairperson of the Cape Hoops program. This letter states that the Cape Hoops program has successfully fundraised the required amount of funds to contribute to the proposed basketball court project. As per the August 19, 2024, Council meeting, Cape Hoops was responsible for contributing \$16,500.00 for this project.

Technical Capacity:

The Applicant has retained Sebago Technics, Inc. to complete the overall site design, landscape architecture, traffic information, and permitting of this project. Please see the writeup of Sebago Technics below, as well as resumes of key personnel enclosed within this Section.

Sebago Technics, Inc. is a multi-disciplinary engineering firm that offers a wide range of services specializing in land development, planning, permitting, and engineering design services. Sebago maintains a staff of professionals to provide services in the areas of general civil engineering, road and utility design, construction management, permitting, landscape architecture, environmental services, and soil and wetlands science.



Town of Cape Elizabeth

Town Manager
320 Ocean House Road
Cape Elizabeth, ME 04107

Phone: 207-799-1619
E-Mail: patrick.fox@capeelizabeth.org

February 13, 2025

Re: Financial Capacity for Town Basketball Court project

Maureen,

I am providing the memo to verify the Town's financial commitments for the proposed basketball court adjacent to the Thomas Memorial Library parking lot. Council provided the following authorization for the project to move forward on August 19, 2024:

ORDERED, the Cape Elizabeth Town Council authorizes the Town Manager to undertake a project to provide a new outdoor basketball court adjacent to the former Thomas Memorial Library. The Council establishes a budget of \$165,000 for the project with \$16,500 to be raised by the CAPE HOOPS group and \$148,500 be appropriated from the Town's unassigned fund balance. The Town Manager is also authorized to apply for all required permits and to sign any necessary agreements to carry out the project.

Since this Council authorization, Cape Hoops has successfully fundraised the matching funds of \$16,500 towards the total project estimated cost of \$165,000.

Sincerely,

Patrick Fox
Town Manager

Memo: Cape Hoops Fundraising for community basketball court

To: Patrick Fox, Cape Elizabeth Town Manager

From: Cape Hoops, Meredith Beauregard (Chair)

Dear Mr. Fox,

I am pleased to send this memo indicating that CAPE HOOPS has successfully fundraised the required amount of funds to contribute to the basketball court build.

As per the August 19, 2024 Town Council meeting minutes, CAPE HOOPS was responsible for contributing \$16,500 to this project. We look forward to this partnership with the town and enhancing the town center of Cape Elizabeth further with a new basketball Court.

Please feel free to reach out if you have further questions. We are happy to write a check payable to the Town of Cape Elizabeth when needed for this project.

Below are the meeting minutes from the August 19, 2024 Town council meeting where the council unanimously voted to approve this project.

Meeting minutes:

Special Town Council Meeting Minutes August 19, 2024 Item #138-2024 Consideration of an Outdoor Basketball Court Moved by Timothy L. Thompson and Seconded by Penelope A. Jordan ORDERED, the Cape Elizabeth Town Council authorizes the Town Manager to undertake a project to provide a new outdoor basketball court adjacent to the former Thomas Memorial Library. The Council establishes a budget of \$165,000 for the project with \$16,500 to be raised by the CAPE HOOPS group and \$148,500 be appropriated from the Town's unassigned fund balance. The Town Manager is also authorized to apply for all required permits and to sign any necessary agreements to carry out the project. (6 yes) (0 no)

With Gratitude,

CAPE HOOPS

Meredith Beauregard, Chair

STEPHEN D. HARDING, PE

Senior Project Manager



Mr. Harding joined Sebago Technics, Inc. (Sebago) in 2015, with over 38 years of engineering, permitting, and project management experience. He has extensive experience in various design aspects of civil engineering and land development including facility planning, site layout and design, grading, utility design, roadway design, hydrologic studies and drainage analysis, and cost estimating, as well as construction administration, management, and inspection. He has worked extensively for a variety of client sectors being involved in private industrial and commercial projects as well as public municipal and U.S. Federal Government projects. He has also worked on projects with private and public funding requirements, traditional design-bid-build processes, and alternative design/build delivery models.

Mr. Harding is also experienced in land use and environmental permitting. He has worked directly with local jurisdictions, assorted state agencies, and U.S. Federal environmental authorities and is very familiar with those regulatory processes. In his past, Mr. Harding has permitted residential and commercial subdivisions, various public and private site development projects, linear projects such as transmission projects, and recreational complexes. He has a strong understanding of the diverse facets of the permitting processes and a sound ability to prioritize and accomplish the needs of a project in a comprehensive and timely fashion.

He also has extensive experience with municipal regulatory procedures in the representation of both applicants and municipalities. Mr. Harding has served as an engineering consultant for the municipalities of Rye, New Hampshire since 1990, Cape Elizabeth, Maine since 1996, and Wells, Maine since 2005. In these various roles, he was responsible for the engineering review of proposed projects represented for approval for local regulatory review boards and in the design and construction of various municipal infrastructure and improvement projects.

EXPERIENCE



- **Cape Elizabeth, ME:**
 - Scott Dyer Road and Hill Way Road Reconstruction Projects
 - Public Works Facility, Gull Crest Recreational Fields and Trails, Town Center Fire Station, and Police Station Projects
 - 400-foot Elevated Boardwalk and Bridge across the Spurwink Marsh/River
 - Public Safety Communications Tower
 - Shore Road Concept Planning Improvements
 - Fort Williams Multi-purpose Field
- **\$200+M Colby College Athletic Center** – Waterville, ME
- **109 Capitol Street Office Building (125,000 SF) Complex** – Augusta, ME
- **Long Creek Watershed Management District, Catchment C-08 Stormwater Improvements - Fairchild Semiconductor and Texas Instruments Plants** – South Portland, ME
- **\$800M Facility Expansion – Texas Instruments (formerly National Semiconductor)** – South Portland, ME
- **\$75M Portland Jetport Terminal Expansion** – Portland, ME
- **Milton CAT Sales and Service Facilities** – Londonderry, NH, Batavia, NY, and Richmond, VT

EDUCATION



University of Maine, Orono, ME
Bachelor of Science
Civil Engineering, 1985

CERTIFICATIONS

Professional Engineer:
Maine - PE6633
New Hampshire - No. 08164

MDOT Certification for Design of
Locally Administered Projects
Recertification June 2021



KAILEY M. GULLIKSON, EI

Civil Engineer



Kailey joined Sebago Technics, Inc. (STI) in December of 2020 as a Civil Engineer. In the year prior to her full-time employment, Kailey worked for Sebago Technics as an intern. She is a University of Maine graduate with a degree in Civil & Environmental Engineering. Her responsibilities include, but are not limited to, grading and utility plan analysis, cost estimation, permitting research, and paving/site inspections. In her current role, she is a key member of a multi-disciplinary site development team. Kailey has an aptitude for assessing and completing assignments involving complex grading, utility coordination and design, and stormwater treatment. Her ability to determine project needs and respond with strong technical skills is an asset to her team and to the clients she serves. This strong technical ability coupled with her communication skills have been best demonstrated on the projects included below.

EXPERIENCE



Summit Terrace Condominiums – South Portland, Maine

Engineering and permitting for a twenty-unit condominium development. Kailey's responsibilities included site grading, stormwater management, and utility design and coordination. Kailey worked closely with the design team and local authorities to help develop a cost-effective solution to existing drainage issues.

Gull Crest Affordable Housing Feasibility Study – Cape Elizabeth, Maine

As part of a larger team, Kailey oversaw and assisted in the preparation of preliminary site development plans to evaluate the potential for affordable multifamily housing. Kailey worked closely with the municipality and design team to create a comprehensive report.

Deer Hill Park Subdivision – Westbrook, Maine

Engineering and permitting for a 16-lot single family residential subdivision. Kailey's responsibilities included site grading, stormwater management, utility design and coordination with the City, as well as permitting the project at the local and state levels.

Affordable Housing at the Springvale District Courthouse – Springvale, ME

Project Manager and civil engineer for the permitting and site design of the Springvale District Courthouse renovation project. Kailey worked in coordination with CWS Architects to present the proposed 18-unit affordable housing complex at municipal meetings to receive major site plan and subdivision review approvals.

EDUCATION



University of Maine, Orono, ME
B.S., Civil & Environmental Engineering
Minor in Engineering Leadership and
Management, 2020

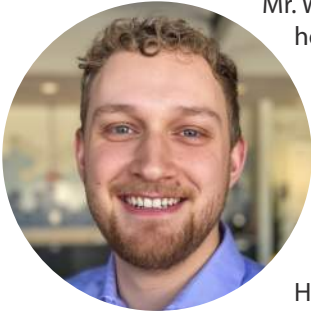
CERTIFICATIONS

Maine Engineer-Intern Certification



BRETT WIEMKEN

Planning Consultant



Mr. Wiemken joined Sebago Technics in September 2023 as Permitting Specialist / Project Coordinator. He holds a degree in City and Regional Planning from Ohio State University, underscoring his profound understanding of zoning and development projects. As a member of our Entitlements Group within Project Delivery, Brett plays an important role in orchestrating seamless permitting processes and ensuring regulatory compliance for our diverse projects.

Brett is the lead planner for many projects, from leading policy research, to public engagement design, and document development. His mastery of Adobe Creative Suite and extensive graphic design background enables him to create compelling visual communications and enhance project presentations. Having relocated from Central Ohio to Maine, Brett uses his prior educational background and public sector experience to produce visual graphics from public input, coordinate with external entities in gathering document data, and structure the document's overall strategy.

EXPERIENCE



Town of Raymond Planning Services

Lead Planning Consultant managing Planning Board application reviews and site/subdivision project processing for the growing community. Coordinates comprehensive ordinance revisions and maintains regular office hours providing planning assistance to town officials and residents. Analyzes development proposals, prepares detailed staff reports, and presents recommendations to the Planning Board. Works closely with developers and property owners to ensure compliance with local ordinances while facilitating project advancement.

Bibber Memorial Land Use Text Amendment - Wells, ME

Led successful text amendment process for non-conforming use expansion in a complex regulatory environment. Conducted extensive comparative analysis of municipal codes across multiple jurisdictions to establish benchmarks for definitions and parking standards. Developed comprehensive application materials presenting research findings to Planning Board, Board of Selectmen, and residents. Facilitated numerous public meetings and stakeholder engagement sessions throughout the amendment process, addressing community concerns and incorporating feedback into final recommendations.

Prior to his employment at Sebago Technics, Brett's experiences includes the following:

Orange Township Zoning Department - Delaware County, OH

Served as Senior Zoning Officer for rapidly growing community of 35,000 residents. Spearheaded implementation of innovative New Urbanism community development and transportation corridor overlay district. Led comprehensive Zoning Code rewrite initiative, including extensive public engagement and contemporary planning policy review. Managed Board of Zoning Appeals processes, overseeing variance requests and special permits while maintaining detailed documentation of decisions. Administered township GIS database, creating specialized maps and analyses for planning initiatives. Contributed significantly to Active Transportation Plan adoption and 10-year Parks Master Plan development, focusing on connectivity and accessibility. Coordinated Comprehensive Plan implementation with township staff while preserving 40% open space allocation, balancing development pressures with environmental conservation goals.

EDUCATION



The Ohio State University
Columbus, OH
City & Regional Planning
Minor: Architectural Studies
2021

Columbus State Community College
Columbus, OH
Architectural CAD Drafting Certificate
2022

LEADERSHIP

Delaware Leadership, 2022
Delaware County Chamber of
Commerce

SKILLS

Proficient in Adobe Creative Suite
(InDesign, Illustrator, Photoshop),
ArcGIS, SketchUp, & Microsoft
Office Suite



MARGO BARAJAS, RLA

Landscape Architect



Ms. Barajas joined Sebago Technics, Inc., (STI) in January of 2023. Margo is a highly qualified Landscape Architect with a Master of Landscape Architecture degree from the University of Oregon. She has over 7 years of experience in the field and holds a Maine license as a Landscape Architect. She currently works as a part of the Project Delivery Team at Sebago Technics, bringing her extensive design and project management skills to the company.

EXPERIENCE



Narragansett School Playground - Gorham, ME: Worked with school staff to design and construct a preschool playground completed in August 2024.

Waypoint Playground - Stratham, NH: Responsible for site layout and detailing at a small playground for children with disabilities 3 years and younger. Constructed in September 2024.

Portland Harbor Common - Portland, ME: Part of design team converting a surface parking lot on Portland Waterfront to active and passive park space. To be constructed Summer 2025.

Prior to her employment at Sebago Technics, Margo's experience includes:

Homeless Services Center - Portland, ME: Worked with City of Portland, Developers, and extensive project team on the site and amenity space design at the recently completed HSC. Project completed April 2023.

Jackson Labs Workforce Housing - Bar Harbor, ME: Twenty-four unit workforce housing project with tenant amenity space, including a playground.

Woodfords Family Services - New Gloucester, ME: Designed upgrades to a playground at a daycare center.

PROFESSIONAL EXPERIENCE

ACETO LANDSCAPE ARCHITECTURE (ALA) - PROJECT MANAGER

November 2020 - September 2022, Portland, ME

CARROLL & ASSOCIATES - LANDSCAPE DESIGNER

May 2019 - October 2020, Portland, ME

THE CULTURAL LANDSCAPE FOUNDATION - BOASBERG FELLOW

Summer 2017, Washington, D.C.

EDUCATION



University of Oregon, College of Design
Master of Landscape Architecture, 2018
Master's Project: "Designing for Sea Level Rise: Back Cove, Portland, Maine."

Boston University,
College of Communication
B.S. Journalism, 2009
London Internship Program, 2008

REGISTRATIONS

Maine Licensed Landscape Architect: #5544

MEMBERSHIPS

American Society of Landscape Architects,
Member of Maine Section 2018 - Present

Oregon State University, Extension Service,
Master Gardener, 2015 - 2016
Corvallis, Oregon

AWARDS

American Society of Landscape Architects
Honor Award for Communications
What's Out There: Cultural Landscapes Guides,
The Cultural Landscape Foundation



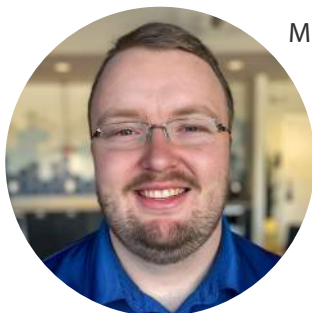
207.200.2119



MBARAJAS@SEBAGOTECHNICS.COM

AARON J. RADZIUCZ, EI

Transportation Engineer



Mr. Radziucz joined Sebago Technics as a Civil Engineer in May of 2020. He graduated from the University of Maine in Orono, ME in 2020 with a B.S. in Civil Engineering with a minor in Economics. In his current role, he is a key member of the Transportation Department with previous experience in site development. His knowledge gained from construction and utility inspections allow him to design creative and constructable solutions. He is proficient in AutoCAD, HydroCAD, Microstation, and InRoads/OpenRoads. He is also familiar with using GPS models and has experience using GPS rover units.

EXPERIENCE



Broadway Pedestrian Improvements – South Portland, ME: Operated as the team design lead for an LAP for spot improvements along Broadway in South Portland. The project is currently ongoing and improvements include upgraded pedestrian ramps at several locations and realignment of a local roadway to reduce pedestrian crossing distances.

Stillwater Avenue Pedestrian Improvements – Orono, ME: Currently the lead transportation engineer on an LAP in Orono along Stillwater Avenue. Efforts to date include the development of multiple concepts to determine short or long-term considerations for the corridor to proceed through engineering. Concept plans include new sidewalk options and pedestrian upgrades at signalized intersections.

Row Off-Site Improvements – Westbrook, ME: Member of the project design team tasked with designing off-site improvements to accommodate phases 3 and 4 of the Rock Row site development. Project design elements included both highway and sidewalk pedestrian connectivity improvements. He also assisted with the project coordination both with Sebago's design team and other design professionals.

Limerick Sidewalk – Limerick, ME: Lead designer tasked with designing a sidewalk to accommodate a site development in Limerick. Project elements also include drainage design and pedestrian connectivity.

Bridge Deck Replacement – Thornton, NH: Lead highway designer on the project team. The major element of this project consisted of retrofitting an existing Town road to accommodate a temporary bridge and detour for the duration of the deck replacement. It also involved the re-designing of the bridge approaches to accommodate the new bridge deck design elevations and improving overall vertical geometry.

Portland Water District and MaineDOT: Worked as a construction inspector for both the Portland Water District and MaineDOT. As a part of his responsibilities, he assisted and directed contractors on-site to enforce standard practices and specifications.

EDUCATION



B.S., Civil Engineering
Minor, Economics
University of Maine - Orono, ME

MEMBERSHIPS

American Society of
Civil Engineers Club, 2019

CERTIFICATIONS

MaineDOT
Local Project Administration
Certification

OSHA 10 Certification



207.200.2096



ARADZIUCZ@SEBAGOTECHNICS.COM

Section 5

Traffic & Parking

Section 5 – Traffic & Parking

Please see the *Parking Impact Memorandum* prepared for this project by Aaron Radzuicz, EI, of Sebago Technics, Inc., enclosed within this Section. This memorandum addresses prior parking concerns, specifically in that the Board requested a projection of the anticipated parking generation for the basketball courts. The *Parking Generation Manual* of the Institute of Traffic Engineers (ITE) does not provide specific data for a use of this type. As such, the parking generation data was derived based on estimates of comparable land uses for outdoor tennis courts. For this use, ITE estimates that one (1) court generates the demand for 3.2 parking spaces. Conservatively, if it is assumed that four (4) players are utilizing the court, this results in 0.8 spaces generated per player.

For this proposed basketball court, assuming that fourteen (14) players are utilizing the courts, approximately eleven (11) parking spaces are needed to meet this demand. As stated within the memo, this total amount is anticipated to be conservative, and does not factor the overall walkability of the area, potential usership being below the driving age, and the overall proximity to the adjacent educational campus.

Also included within this Section is an Alternative Parking Exhibit, showing three (3) potential locations for alternative vehicular parking spaces around the school campus. Notably, Location 1 shows potential parking spaces to the west of the Thomas Memorial Library, Location 2 shows potential parking spaces east of the proposed court area across Ocean House Rd. (Rt. 77), and Location 3 shows potential parking spaces to the south of the existing elementary school and adjacent to the other sports fields.



Memorandum

19478-01

To: Steve Harding, P.E., Sebago Technics

From: Aaron Radziucz, E.I., Sebago Technics

Date: February 11, 2025

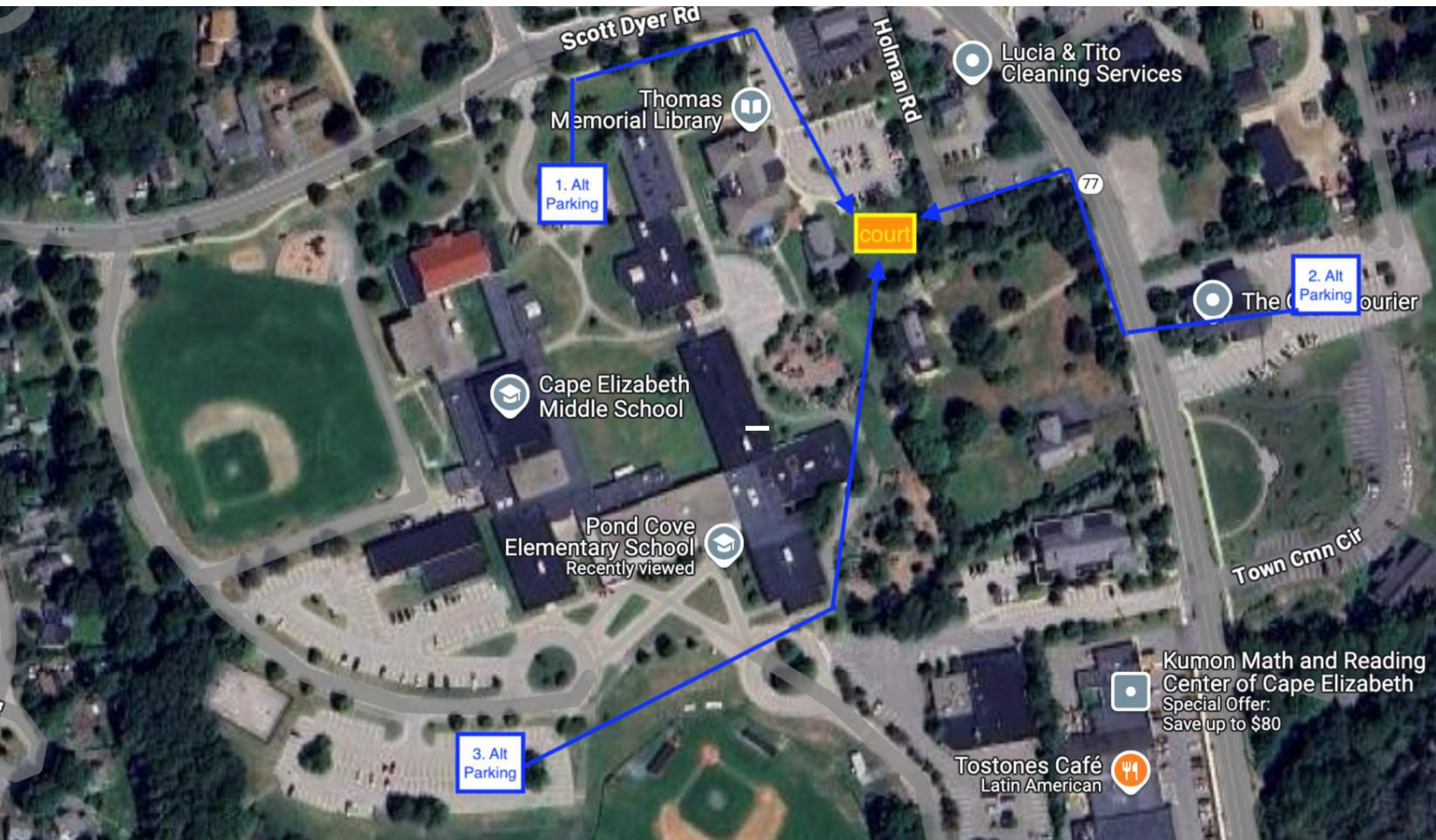
Subject: Parking Impact, Basketball Courts, Cape Elizabeth

During the Planning Board workshop discussion on February 4, 2025 for the subject project, concerns were raised relating to the parking generated by the users of the proposed basketball court. The Planning Board requested a projection of the anticipated parking generated by the basketball use based on the Institute of Traffic Engineers (ITE) standards to evaluate the number of spaces needed for an alternative parking location to not impact on the existing library parking situation.

Parking generation would typically be assessed utilizing the most recent edition of the Institute of Transportation Engineers (ITE), *Parking Generation Manual*. However, ITE does not provide specific data for a use of this type. As such, the generation data was estimated based on a comparable land use of an outdoor tennis court. For this land use, ITE estimates that one court generates the need for 3.2 parking spaces. Conservatively, if it is assumed that 4 players are utilizing the tennis court in this scenario, that would result in 0.8 parking spaces generated per player.

For the proposed basketball court, it was again conservatively assumed that 14 players were utilizing the court at a peak time (5-on-5 full court game with 2 subs per team). This approach would result in the need for approximately 11 parking spaces to meet this demand. We believe that this projection of parking need is conservative as it does not account for the fact that many of the users are anticipated to be below the driving age and does not heavily factor in the pedestrian foot traffic to the courts from the adjacent school campus.

Regardless, the Town Staff along with Cape Hoops group should work together with the Town's School Staff to identify a location on the school campus to accommodate the 11 assumed parking spaces needed for the proposed basketball court use. In doing so, Cape Hoops can notify users of the court not to use the library parking lot and mitigate the potential impact of the court's operations onto the adjacent parking lot.



Section 6

Stormwater Management

STORMWATER MANAGEMENT REPORT

Cape Elizabeth, Maine

1. Introduction

This Stormwater Management Report has been prepared to address the potential impacts associated with the project due to proposed modification in stormwater runoff characteristics and land cover changes. The stormwater management controls that are outlined in this report have been designed to suit the proposed development and to comply with applicable regulatory requirements.

2. Existing Conditions

The site is bounded by Town of Cape Elizabeth Schools and Library, to the west, parking to the north, Holman Road and commercial/residential properties to the east, and a residential property to the south. The area to be disturbed is currently developed as routinely maintained grass surfaced area, with a relatively flat topography that remains under 2%. The soils as outlined by the United States Department of Agriculture Natural Resources Conservation Service are Deerfield loamy fine sand, which is classified as a Class A Hydrologic Soil Group (HSG) known to drain moderately well.

The project site is tributary to Spurwink River which is not listed as a tributary to a Lake most-at-risk according to the Maine Department of Environmental Protection (MDEP) Chapter 502 Appendix A.

The parcel is not located in an identified flood zone per the FEMA Flood Insurance Rate Map for the Town of Cape Elizabeth, Community Panel 23005C0826F effective June 20, 2024.

3. Proposed Site Improvements

The proposed development consists of a 50-foot by 84-foot full basketball court and a 12-foot by 19-foot adjoining practice court, a sidewalk extension from the northerly located concrete sidewalk to the proposed courts, a dedicated gravel pad for a temporary restroom, and a drive entrance connection to Holman Road. The project will result in the creation of 0.17 acres of impervious area within the overall 0.22 acres of disturbed area.

Two (2) rain gardens are proposed to address stormwater runoff due to the proposed development. Rain gardens are classified as a L.I.D. (Low Impact Development) measure infrastructure designed to replicate natural hydrologic systems to detain and treat drainage runoff. Once weather conditions improve, test pits will be excavated to confirm the suitability of subsurface conditions for the rain garden and court installation to the elevations depicted on the project drawings.

Winter maintenance of the proposed basketball courts will not include sanding or salting. These low maintenance measures will ensure the rain gardens are effective.

4. Stormwater Management

State: The project area is included within the existing MDEP Site Law of Development Act (SLODA) permit issued for the Town's schools and public resources (i.e., fire, police, community services facilities) areas. The proposed project area qualifies for the DEP Site Law institutional exception. Moreover, test pits will be excavated to confirm the suitability of subsurface conditions for the rain garden and court installation.

Local: Cape Elizabeth ordinance requires sites disturbing more than 10,000 square feet of impervious surface provide best management practice BMP from the Maine BMP, however proposed developments with under 10,000 square feet provide L.I.D. infrastructure to best handle stormwater. Rain gardens are identified within the plan set to act as an L.I.D measure.

5. Summary

The proposed 0.22-acre development has been designed to generally keep the existing drainage paths and manage stormwater runoff through L.I.D. infrastructure. Runoff resulting from the proposed development will be retained and treated on site through two (2) proposed rain gardens. Erosion and sedimentation controls along with the associated maintenance and housekeeping procedures have been outlined in the attached plan set to prevent adverse impacts on the site and to the surrounding environment.



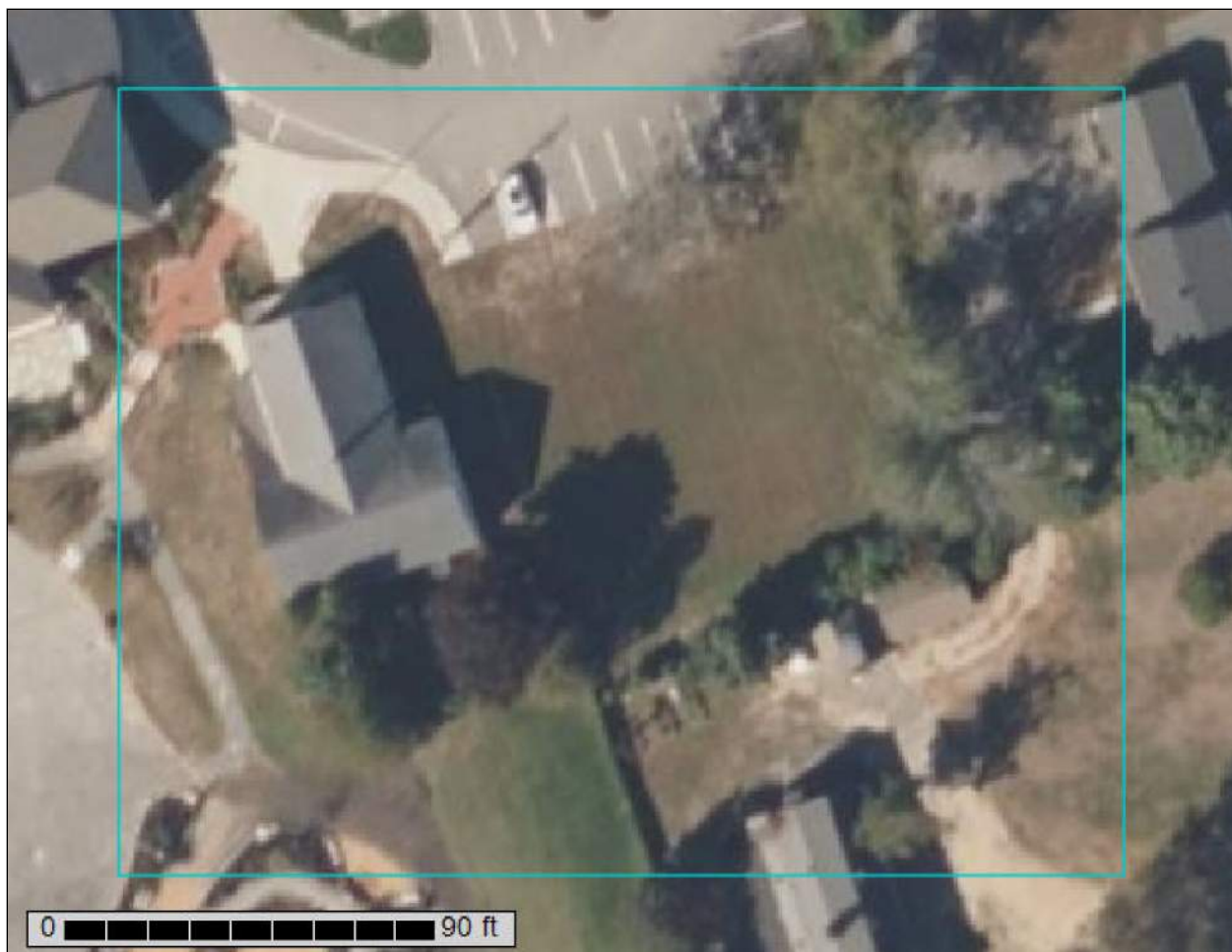
United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Cumberland County and Part of Oxford County, Maine



Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map (2)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
Survey Area Data: Version 21, Aug 26, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 19, 2020—Sep 20, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

Map Unit Legend (2)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DeB	Deerfield loamy fine sand, 3 to 8 percent slopes	1.0	93.1%
HIB	Hinckley loamy sand, 3 to 8 percent slopes	0.1	6.3%
HrB	Lyman-Tunbridge complex, 0 to 8 percent slopes, rocky	0.0	0.6%
Totals for Area of Interest		1.1	100.0%

Map Unit Descriptions (2)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Cumberland County and Part of Oxford County, Maine

DeB—Deerfield loamy fine sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2xfg9

Elevation: 0 to 1,190 feet

Mean annual precipitation: 36 to 71 inches

Mean annual air temperature: 39 to 55 degrees F

Frost-free period: 145 to 240 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Deerfield and similar soils: 85 percent

Minor components: 5 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Deerfield

Setting

Landform: Kame terraces, outwash plains, outwash terraces, outwash deltas

Landform position (three-dimensional): Tread

Down-slope shape: Concave, convex, linear

Across-slope shape: Convex, linear, concave

Parent material: Sandy outwash derived from granite, gneiss, and/or quartzite

Typical profile

Ap - 0 to 9 inches: loamy fine sand

Bw - 9 to 25 inches: loamy fine sand

BC - 25 to 33 inches: fine sand

Cg - 33 to 60 inches: sand

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)

Depth to water table: About 15 to 37 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Sodium adsorption ratio, maximum: 11.0

Available water supply, 0 to 60 inches: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2w

Hydrologic Soil Group: A

Ecological site: F144AY027MA - Moist Sandy Outwash

Hydric soil rating: No

Minor Components

Wareham

Percent of map unit: 5 percent
Landform: Depressions, drainageways
Down-slope shape: Concave
Across-slope shape: Concave
Hydric soil rating: Yes

HIB—Hinckley loamy sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2svm8
Elevation: 0 to 1,430 feet
Mean annual precipitation: 36 to 53 inches
Mean annual air temperature: 39 to 55 degrees F
Frost-free period: 140 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Hinckley and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hinckley

Setting

Landform: Outwash plains, eskers, moraines, kame terraces, kames, outwash terraces, outwash deltas
Landform position (two-dimensional): Summit, shoulder, backslope, footslope
Landform position (three-dimensional): Nose slope, side slope, base slope, crest, riser, tread
Down-slope shape: Concave, convex, linear
Across-slope shape: Convex, linear, concave
Parent material: Sandy and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 8 inches: loamy sand
Bw1 - 8 to 11 inches: gravelly loamy sand
Bw2 - 11 to 16 inches: gravelly loamy sand
BC - 16 to 19 inches: very gravelly loamy sand
C - 19 to 65 inches: very gravelly sand

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Runoff class: Very low

Custom Soil Resource Report

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Very low (about 3.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3s

Hydrologic Soil Group: A

Ecological site: F144AY022MA - Dry Outwash

Hydric soil rating: No

HrB—Lyman-Tunbridge complex, 0 to 8 percent slopes, rocky

Map Unit Setting

National map unit symbol: 2x1cx

Elevation: 0 to 520 feet

Mean annual precipitation: 36 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Lyman and similar soils: 50 percent

Tunbridge and similar soils: 30 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lyman

Setting

Landform: Hills, ridges

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Nose slope, crest

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy supraglacial till derived from granite and gneiss and/or loamy supraglacial till derived from phyllite and/or loamy supraglacial till derived from mica schist

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material

A - 1 to 3 inches: loam

E - 3 to 5 inches: fine sandy loam

Bhs - 5 to 7 inches: loam

Bs1 - 7 to 11 inches: loam

Bs2 - 11 to 18 inches: channery loam

R - 18 to 79 inches: bedrock

Properties and qualities

Slope: 0 to 8 percent
Surface area covered with cobbles, stones or boulders: 1.5 percent
Depth to restrictive feature: 11 to 24 inches to lithic bedrock
Drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to high (0.00 to 14.03 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 3.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: D
Ecological site: F144BY702ME - Shallow and Moderately-deep Till
Hydric soil rating: No

Description of Tunbridge

Setting

Landform: Hills, ridges
Landform position (two-dimensional): Summit, shoulder, backslope
Landform position (three-dimensional): Side slope, crest
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Loamy supraglacial till derived from granite and gneiss and/or loamy supraglacial till derived from phyllite and/or loamy supraglacial till derived from mica schist

Typical profile

Oe - 0 to 3 inches: moderately decomposed plant material
Oa - 3 to 5 inches: highly decomposed plant material
E - 5 to 8 inches: fine sandy loam
Bhs - 8 to 11 inches: fine sandy loam
Bs - 11 to 26 inches: fine sandy loam
BC - 26 to 28 inches: fine sandy loam
R - 28 to 79 inches: bedrock

Properties and qualities

Slope: 3 to 8 percent
Surface area covered with cobbles, stones or boulders: 1.5 percent
Depth to restrictive feature: 21 to 41 inches to lithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to high (0.00 to 14.03 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 5.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: C

Section 7

Approval Standards

Section 7 – Approval Standards

In accordance with Sec. 19-9-5 of the Town of Cape Elizabeth's Zoning Ordinance, the Planning Board shall utilize the following approval standards for all Site Plan applications. We reference, we have listed below each of the standards and how the proposed project either meets or exceeds each requirement.

- 1. Utilization of the Site:** The property subject to this application is the vacant land adjacent to the existing Spurwink School building. The proposed basketball courts reflect the natural capabilities of the site, as the land contains minimal slopes and is generally level. The site is also primarily cleared, with minimal vegetation clearing needed for the completion of this project. Given that the site does not contain wetlands, steep slopes, and is not located within a floodplain, the proposed development utilizes the site in an efficient and appropriate manner. Further, the proposed project utilizes existing and established natural drainage areas to minimize overall development.
- 2. Traffic Access & Parking:** Vehicular access to the site is accomplished by improving the small access point off Holman Road. As detailed within the enclosed *Section 5 – Traffic & Parking*, the site is anticipated to generate a need for up to eleven (11) parking spaces. Also included in *Section 5* is an alternative parking location plan that shows three (3) potential locations for additional shared parking on and around the school campus.
- 3. Pedestrian Circulation:** Pedestrian circulation is managed by the proposed construction of the walking path from the adjacent parking area to the basketball court enclosure. This provides a system of ways pedestrian can access the site within the campus and is appropriately sized based on potential use of the courts. This proposed bituminous sidewalk also connects to the existing path that connects to the Spurwink School building and Thomas Memorial Library to promote connectivity internal to the site.
- 4. Stormwater Management:** Please see the enclosed *Section 6 - Stormwater Management* for the narrative describing how this proposed project meets the applicable stormwater management standards.
- 5. Erosion Control:** Please see the *Erosion Control Notes* within the Plan Set. This plan outlines potential erosion control measures to be utilized on-site for pre-, during, and post-construction. The proposed project's design is harmonious with the tract of land, and keeps earth-moving activities to a minimum. Further, several trees on-site will be preserved, as shown in the attached Plan Set.
- 6. Utilities:** This project is proposing measures to take the existing overhead utility line located between the Spurwink School building and the court area and relocate and divert power underground. This improvement allows for greater utilization of the site and basketball court use, as it removes concerns from individuals hitting the power line during play. Other

utility standards for water supply, sewerage service, solid waste, and gas do not apply to this project. There is not a demand for water or septic use, as no restroom facilities are proposed under this project. Similarly, this project is only for the court use, so any potential for solid waste generation will be tied into the existing methods of disposal for the school campus.

- 7. Shoreland Relationship:** The property subject to this application is not located within a shoreland zone or resource protected area. As such, this standard is not applicable to this proposed project.
- 8. Landscaping & Buffering:** A significant amount of the site's surrounding landscape will be preserved under the scope of this application. As detailed within the Plan Set, there are two (2) existing trees along the parking lot that will be preserved. Further, as shown on the project plans, existing vegetation and trees along the easterly and southern property lines will also be preserved. There is one (1) tree that is proposed to be relocated on the site, as shown on the Site Plan. Additional landscaping is proposed to be installed in combination with a rain garden. Please see the attached Plan Set for additional landscaping and screening information.
- 9. Exterior Lighting:** There are not any lighting improvements proposed under the scope of this application. As such, this standard is not applicable to this proposed project.
- 10. Signage:** There is no signage proposed under the scope of this application. As such, this standard is not applicable to this proposed project.
- 11. Noise:** The successful completion of this proposed project is not anticipated to generate an unreasonable amount of noise. This basketball court use is subject to the limitations regarding the timing of construction activities, and will comply with applicable timing restrictions. Further, because there is not exterior lighting proposed, this limits the time of use. In turn, this limits the potential for noise from the court's use to daylight hours, which is anticipated to mimic the existing and surrounding noise of the educational campus.
- 12. Storage of Materials:** There are not any outdoor storage areas or waste receptacles proposed under the scope of this application. This application is only for the construction of the basketball court with associated fencing and landscaping. As such, this standard is not application to this proposed project.
- 13. Technical & Financial Capacity:** Please see the enclosed *Section 4 – Financial & Technical Capacity*, that provides evidence that the Applicant, the Town of Cape Elizabeth, has demonstrated that they have the financial resources and retained Sebago Technics, Inc., whom has sufficient technical capacity, to carry out this proposed project in a timely manner. Please also see the enclosed letters and resumes enclosed within *Section 4*.



March 3, 2025
19478-01

Cape Elizabeth Planning Board
320 Ocean House Road
Cape Elizabeth, ME 04107

Re: Planning Board Amended Site Plan Application, Proposed Holman Road/Library Parking Lot Connection - Holman Road & Library Site; Map U21, Lot 12

Members of the Board,

On behalf of the Town of Cape Elizabeth, Sebago Technics, Inc., is pleased to prepare this letter, the enclosed application materials, and attached plans for a Planning Board application for the proposed construction of a paved connection to allow access to and from Holman Road through the adjacent library parking lot. The information regarding the short stub connection is depicted with the plans for the proposed basketball court which is also under consideration by the Planning Board. This subject project is located within the Holman Road public right and the bituminous paved library parking lot at 6 Scott Dyer Road which is part of the much larger school complex property as identified on the Town's Tax Map U21 as Lot 12.

Proposed Project: The project area subject to this application strategically located to align as an aisle connection with the library lot's circulation which has been coordinated by the Public Works Director with the Library Director. The paved section of the connecting stub is approximately 19 feet long and 22 feet wide and covers a surface area of approximately 462 square feet. The construction of this connection will eliminate 3 parking spaces within the library's parking lot and a 5-foot-wide island will be created alongside the connector area.

The connector is part of the larger Town Center Intersections project which will straighten and separate the Scott Dyer Road and Shore Road intersections onto Ocean House Road (Route 77). In doing so the widths of these roadways will be narrowed with the elimination of center islands and the Holman Road connection onto Scott Dyer Road, which is an existing safety and circulation concern will be eliminated. To provide access to the properties along Holman Road that are currently connected to Scott Dyer Road, access through the library site will be created with this stub connection.

Funding for the Town Center Intersections project will be provided through TIF funds associated with the Town Center and a PACTS grant. The Town is trying to complete the Town Center Intersections project with this Holman Road/library lot connection in 2025. As such, we are requesting an expedited review of this aspect of the project only.

Submission Items: Many of the submission standards (existing conditions, topography, buildings, proposed project, etc.) are shown on the overall connection stub/plans basketball court plan set. Other standard Site Plan review submission items such as utilities, sewage disposal, solid water disposal, lighting, signs, and exterior storage are not applicable to this stub connection project.

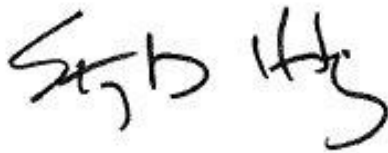
Stormwater from the stub area will continue to flow alongside Holman Road to grass receiving areas. Erosion control will be addressed by seeding and mulching the limited areas of disturbance to be revegetated and immediately stabilizing the connection area with gravel and then pavement.

Finally, the noise associated with vehicles using the connection through the parking lot site is anticipated to remain essentially the same as the existing conditions with a connection onto Scott Dyer Road.

We look forward to discussing the details of this minor project with the Planning Board at the upcoming March 18th Planning Board meeting. We thank the Board for their consideration of this proposed project which will greatly benefit the youth of the community.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "Stephen D. Harding".

Stephen D. Harding, PE
Town Engineer

TOWN OF CAPE ELIZABETH

Planning Board Application

Applications for Planning Board Review shall be submitted to the Town Planner. Applicants should contact the Town Planner prior to submitting an application to confirm submission requirements.

Applicant:

Name: Town of Cape Elizabeth (Patrick Fox, Town Manager) Telephone: (207) 799-1619
Address: 320 Ocean House Rd., Cape Elizabeth ME 04107 Email: patrick.fox@capeelizabeth.org

Agent or Contact Person to whom all correspondence should be addressed:

Name: Stephen D. Harding, PE - Sebago Technics, Inc. Telephone: (207) 200-2057
Address: 75 John Roberts Road, Suite 4A Fax: (297) 856-2206
South Portland, ME 04106 Email: sharding@sebagotechnics.com

Name of Project: Holman Rd/Library Parking Lt Connection Map/ Lot U21-12
Location: Adjacent to Spurwick School along Holman Rd.

Type of Review:

☐ Major Subdivision Review, Sec. 16-2-4, Subdivision Ordinance
☐ Minor Subdivision Review, Sec. 16-2-3, Subdivision Ordinance
☐ Site Plan Review, Sec. 19-9, Zoning Ordinance
☐ Private Access Waiver, Sec. 19-7-9, Zoning Ordinance
☐ Earth Materials Permit, Sec. 19-8-5, Zoning Ordinance
☐ Resource Protection Permit, Sec. 19-8-3, Zoning Ordinance
☒ Other: Amended Site Plan Review, Sec. 19-9, Zoning Ordinance

Fees Paid: N/A

I attest that I have right, title, or interest in the property to be reviewed. I have reviewed a copy of the application regulations listed above and attest that I have read them and prepared my application in accordance with Town requirements.

SKD, HK, P.E. - Town Engineer February 28, 2025
Signature of Applicant Date
FOR PATRICK FOX, TOWN MANAGER

Date: **3/11/2025**

Project No.: **T17845.04**

To: **Maureen O'Meara**
Benjamin McDougal

From: **Christine Rinehart, PE**
Owen Chaplin, PE

Subject: **Basketball Court Amended Site Plan Application Review**

As requested by the Town of Cape Elizabeth, Wright-Pierce has reviewed the Amended Site Plan application for the proposed outdoor basketball court to be located between the existing Spurwink School and Holman Road on an undeveloped grass covered area identified as Map U21, Lot 10. The proposed project is located in the Town Center (TC) district. The basketball court will be accessed by a bituminous sidewalk extension of an existing concrete walkway at the library parking lot. The basketball court also includes a 10-foot-tall perimeter fence and a screened portable restroom facility.

Documents Reviewed by Wright-Pierce

- Amended Site Plan Application letter and application materials for Proposed Basketball Court, Scott Dyer Road; Map U21, Lot 10, prepared by Sebago Technics, dated March 3, 2025.
- Plan Set for Cape Elizabeth Basketball Court, 7 Holman Road, prepared by Sebago Technics, dated 3/3/2025 (Rev A Local Site Plan Submission).

Review Comments

We understand the Planning Board will be conducting a completeness review for this project. In our opinion, the submitted materials represent a complete package, other than needing to provide formal title, right, or interest for the subject lot. The following comments are provided in relation to approval standards (Section 19-9-5 of Zoning Ordinance) to facilitate additional review. It should be noted additional submitted information may result in additional review comments. Applicant should provide written responses to the review comments recommending clarification or further information to be provided by the Applicant.

General

1. Applicant needs to provide proof of title, right, or interest of the lot.
2. Zoning Ordinance requires a 10-foot setback for outdoor recreational uses (swimming pools, basketball courts, etc.) that are accessory to single family residential use. It is understood the Planning Department interprets the same setback requirement for non-single-family lots. The basketball court will need to be modified to meet this requirement. Setbacks for the basketball court should be shown on the plans.
3. If the basketball is considered a school use, it appears the maximum lot coverage of 40% is exceeded (0.17 acre of impervious area of 0.27-acre parcel size). If it is considered "other uses", it is below the 70% maximum lot coverage.
4. Under the assumption the gravel base and surrounding subgrade is well draining, there should not be a concern with water in the base gravel under the basketball court. Following the anticipated test pits to confirm suitability of subsurface conditions, if higher groundwater elevations are encountered, underdrain or other

subsurface drainage should be considered for the basketball court. Additionally, it is recommended the pavement section be updated to match the sidewalk section (2.5 inches of pavement and 12 inches of base gravel).

Approval Standards

Pedestrian Circulation

1. The pavement section for Bituminous Sidewalk should be updated to meet the requirements of Section 16-3-2.B.3. Sidewalk base gravel should be 12 inches.
2. Overflow from the rain garden should not intentionally be directed to flow over the sidewalk, which is the only access to the basketball court. See Stormwater comments for additional comments on this.

Stormwater

1. The Stormwater Management Report indicates the subject parcel (Map U21, Lot 10) is included in the existing Maine DEP Site Law permit issued for the Town's schools and public resources. It should be demonstrated that the subject parcel was included in the existing Site Law permit, and that the proposed development (impervious area) and stormwater treatment meets any permit authorization or conditions of the existing permit.
2. There is no piped overflow or underdrain for the rain garden. Sizing calculations for the rain gardens should be provided to demonstrate that the rain gardens have been appropriately sized to handle the stormwater generated from the development, which may be dependent on information that is forthcoming from anticipated test pits to confirm suitability of subsurface conditions.
3. The southwest corner of the larger rain garden shows a spot grade of 103.10, which could flow toward the rain garden or across the sidewalk. Is this intended to be an emergency overflow for the raingarden? There is concern related to having a sidewalk immediately downstream of an emergency overflow and for the potential of impeding the use of the sidewalk, including a concern for melting and freezing of snow during warmer winter days. Is the potential flow accounted for in the existing stormwater management plan for the adjacent area? It should be demonstrated there will be no downstream impacts on the sidewalk and/or adjacent property for both rain gardens.
4. The thickness of the mulch layer in the Rain Garden detail should be identified.

Erosion Control

1. What is the timing of construction between the two projects? What will be used as a stabilized construction entrance for the basketball court? If the Holman Road Connector is planned to be completed first and used as the construction entrance, how will the pavement be protected and also maintained to limit track out?

Utilities

1. No solid waste receptacles are proposed and the application materials indicate any potential solid waste generation will be tied to the existing methods of disposal for the school campus. Solid waste management should be addressed as part of the application.
2. A screened, portable restroom facility (porta-potty) is proposed on a crushed stone pad. How will the portable restrooms be accessed for maintenance? Consider moving the portable restroom closer to the parking lot for accessibility/maintenance reasons.
3. Underground utilities are not shown on the Existing Conditions Plan. Applicant should confirm underground utilities do not conflict with proposed work, including water supply lines be a minimum 10-feet from proposed rain gardens.

Landscaping

1. The plantings in the larger rain garden are lined up in a row. Consider spreading the plants out across the entire rain garden, with species able to withstand periodic inundation towards the center and more drought-tolerant species on the outer limits.
2. One tree is noted to be relocated. A detail for tree relocation should be provided.

DRAFT
Contract Zoning Amendment
Zoning Ordinance

SEC. 19-7-18. CONTRACT ZONING OVERLAY District

A. Purpose

Contract Zoning is incorporated into the Zoning Ordinance as a tool to enable the Town to implement its policies, as expressed in the Comprehensive Plan and other policy documents, by providing regulatory flexibility for exemplary projects or properties that, due to the nature of the property and/or the proposed project, the development cannot comply with the existing zoning requirements.

B. Eligibility

A contract zoning overlay district may be approved by the Town Council for a property or contiguous properties if the Council finds that the proposed contract zone meets the requirements of this Section. The contract zoning overlay district shall be consistent with the Comprehensive Plan and other applicable town policy documents and all proposed uses in the district shall be consistent with existing and permitted uses in the underlying zoning district where the property is located. The contract zoning agreement shall only include conditions and restrictions that relate to the physical development or operation of the property. No contract zoning agreement shall decrease Shoreland Zoning or Resource Protection District regulations. The proposed project to be located in the contract zoning overlay district shall provide a public benefit as defined in Section E below.

C. Process

1. Town Council Concept Plan Review. The first step in the review process is review by the Town Council of the proposed project that gives rise to the need for the contract zoning (the "Contract Zoning Project"). Upon submission of a complete concept plan application for a Contract Zoning proposal to the Town Manager, the Town Council shall schedule a workshop to discuss the proposed concept plan. Public notice shall be provided in compliance with the provisions of Sec. 16-2-1(b) Public Notice, Subdivision Ordinance.

The purpose of the Town Council workshop is for the applicant to present a concept plan. The Town Council shall allow public comment. The Town Council shall provide feedback to the applicant, and specifically comment on application eligibility under subsection B above.

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2. Review Escrow Account. Following the Town Council workshop, if the applicant notifies the Town Manager that they wish to proceed with the contract zoning application, a review escrow account shall be established in compliance with the provisions of Sec. 16-2-1(c) Review Escrow Account, Subdivision Ordinance. The escrow account shall fund the Town costs to process the contract zoning application, including but not limited to legal and technical review of the contract, and costs for other consulting services as needed.
3. Town Council referral to Ordinance Committee. Following the Town Council workshop and upon confirmation from the applicant that they intend to seek a contract zone, the contract zoning concept plan application shall be placed on the next available Town Council agenda for referral to the Ordinance Committee. Failure of the Town Council to refer the application to the Ordinance Committee shall be deemed a denial of the contract zoning application.
4. Ordinance Committee review. If the contract zoning application is referred to the Ordinance Committee, the applicant shall submit to the Town Manager a draft contract zoning agreement (in digital and document format). The Ordinance Committee shall review the concept plan and draft contract for the primary purpose of compliance with the comprehensive plan and other policy documents, refining the terms of the contract, and evaluating the public benefit of the Contract Zoning Project. The advice of the Town Attorney shall be provided as part of the contract zoning agreement review. Upon completion of the Ordinance Committee review, the contract zoning application and agreement shall be sent back to the Town Council with a recommendation from the Ordinance Committee to adopt or reject the contract.
5. Planning Board review. Upon receipt of the Ordinance Committee recommendation, the Town Council shall refer the contract zoning application to the Planning Board or vote to reject the application. If referred, the Planning Board shall review the contract zoning application with a focus on the following:
 - a. The requirements of 30-A M.R.S.A §4352(8);
 - b. The substance and clarity of alternative zoning requirements included in the application;
 - c. Compliance with the comprehensive plan, and other policy documents;

- d. Alignment with development review requirements expected if the contract zoning is approved.

The Planning Board may request additional information related to anticipated future development review. The Planning Board shall hold a public hearing on the proposed contract zoning. Notice shall be provided in accordance with 30-A M.R.S.A. §4352 (8). At the conclusion of review, the Planning Board shall provide a recommendation to the Town Council to adopt or reject the contract, and may propose amendments to the proposed contract.

6. Town Council decision. Upon receipt of the Planning Board recommendation, the Town Council shall place the contract zoning application on the next available meeting and shall schedule a public hearing. The Town Council shall vote to approve or deny the contract zoning application.
7. Development review. All Contract Zoning Projects shall be subject to applicable development review as required by the Subdivision Ordinance and Zoning Ordinance. Such review shall be conducted after an affirmative vote by the Town Council to grant the contract zoning and upon submission of a development review application to the Planning Board.

D. Submission Requirements

1. Concept Plan. The concept plan application shall include the following:
- a. Completed application form and demonstration of right, title or interest in the property subject to the contract zoning overlay district;
 - b. Written description of the proposed Contract Zoning Project, which shall include, but not be limited to proposed uses, estimated traffic volumes, source and volume of a potable water supply, and sanitary wastewater disposal;
 - c. List of the revised zoning provisions to be included in the contract zone;
 - d. Description of public benefit;
 - e. Concept plan to include the following:

- i. A plan of the property showing boundaries (survey preferred by not required);
- ii. Public road access, internal site circulation, parking, and estimated traffic volumes;
- iii. Proposed building footprints, building heights, and sketch plan elevations; and
- iv. Proposed buffer areas.

2. Draft Contract Zoning Agreement. The proposed contract shall include:

1. A written description of the Contract Zoning Project, including the number and type of uses and an analysis of how those uses are consistent with the existing and permitted uses in the underlying zoning district;
2. A written analysis of the consistency of the proposed contract zone with the Comprehensive Plan and other applicable Town policy documents;
3. All variations proposed from the Zoning Ordinance;
4. Description of and commitment to the public benefit to be provided;
5. Commitment to successfully obtaining all development review permits, including compliance with performance guarantee provisions; and
6. Provisions for modifications, amendments, enforcement and remedies.

E. Review Standards

The following criteria shall be used by the Town Council in reviewing applications for contract zoning.

1. Comprehensive Plan. The contract zoning proposal is consistent with the Comprehensive Plan and applicable policy documents.
2. Neighborhood compatibility. The proposed Contract Zoning Project is designed to incorporate the uniqueness of the project into the

neighborhood in a compatible manner. The Contract Zoning Project may include use, buildings (including size and scale) and other elements not generally found in the neighborhood.

3. Conditions and Restrictions. The proposed contract zoning agreement only includes conditions and restrictions that relate to the physical development or operation of the property
4. Proposed Uses. The uses proposed in the contract zone are consistent with the existing and permitted uses in the underlying zoning district.
4. Contract zoning need. The Contract Zoning Project cannot be reasonably accommodated within the existing zoning ordinance and other applicable town regulations.
5. Public Benefit. The Contract Zoning Project includes a meaningful public benefit to the community. A public benefit may include, but is not limited to:
 - a. Open space. The project includes permanent preservation of open space for the benefit of the public in a manner that significantly increases the open space preservation that would otherwise be required by existing development review ordinances and regulations.
 - b. Affordable housing. The project is comprised of housing where at least 50% of the lots or units are affordable for moderate or low income households.
 - c. Infrastructure. The project makes a substantial contribution to identified public infrastructure needs, including but not limited to pedestrian and bicycle safety facilities, sanitary wastewater capacity, stormwater infrastructure and public roads.
 - d. Economic development. The project creates commercial development and job creation substantially greater than the typical development allowed by existing zoning regulations.
6. Shoreland Zoning and Resource Protection. No contract provision shall have the effect of decreasing existing Shoreland Zoning or Resource Protection regulations.

F. Post-Approval Requirements

3/12/25

1. Contract signed and recorded. The contract zoning agreement approved by the Town Council shall be executed by the Town Manager and signed by the applicant. The contract shall be recorded in the Cumberland County Registry of Deeds, and if the contract is not recorded within 90 days, shall be deemed null and void unless the deadline is extended by the Town Council prior to the expiration date.
2. Duration of contract zoning approval. The contract zoning agreement may specify a time frame for beginning and/or completing the Contract Zoning project.
3. Performance guarantee for public benefit. The applicant for the Contract Zoning Project shall submit a performance guarantee in accordance with Sec. 16-2-6 (c), Performance Guarantee, Subdivision Ordinance.

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DRAFT
Contract Zoning Amendment
Zoning Ordinance

SEC. 19-7-18. CONTRACT ZONING OVERLAY District

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B. Eligibility

A contract zoning overlay district may be approved by the Town Council for a property or contiguous properties if the Council finds that the proposed contract zone meets the requirements of this Section. The contract zoning overlay district shall be consistent with the Comprehensive Plan and other applicable town policy documents and all proposed uses in the district shall be consistent with existing and permitted uses in the underlying zoning district where the property is located. The contract zoning agreement shall only include conditions and restrictions that relate to the physical development or operation of the property. No contract zoning agreement shall decrease Shoreland Zoning or Resource Protection District regulations. The proposed project to be located in the contract zoning overlay district shall provide a public benefit as defined in Section E below.

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C. Process

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2. Review Escrow Account. Following the Town Council workshop, if the applicant notifies the Town Manager that they wish to proceed with the contract zoning application, a review escrow account shall be established in compliance with the provisions of Sec. 16-2-1(c) Review Escrow Account, Subdivision Ordinance. The escrow account shall fund the Town costs to process the contract zoning application, including but not limited to legal and technical review of the contract, and costs for other consulting services as needed.
3. Town Council referral to Ordinance Committee. Following the Town Council workshop and upon confirmation from the applicant that they intend to seek a contract zone, the contract zoning concept plan application shall be placed on the next available Town Council agenda for referral to the Ordinance Committee. Failure of the Town Council to refer the application to the Ordinance Committee shall be deemed a denial of the contract zoning application.
4. Ordinance Committee review. If the contract zoning application is referred to the Ordinance Committee, the applicant shall submit to the Town Manager a draft contract zoning agreement (in digital and document format). The Ordinance Committee shall review the concept plan and draft contract for the primary purpose of compliance with the comprehensive plan and other policy documents, refining the terms of the contract, and evaluating the public benefit of the Contract Zoning Project. The advice of the Town Attorney shall be provided as part of the contract zoning agreement review. Upon completion of the Ordinance Committee review, the contract zoning application and agreement shall be sent back to the Town Council with a recommendation from the Ordinance Committee to adopt or reject the contract.
5. Planning Board review. Upon receipt of the Ordinance Committee recommendation, the Town Council shall refer the contract zoning application to the Planning Board or vote to reject the application. If referred, the Planning Board shall review the contract zoning application with a focus on the following:
 - a. The requirements of 30-A M.R.S.A §4352(8);
 - b. The substance and clarity of alternative zoning requirements included in the application;
 - c. Compliance with the comprehensive plan, and other policy documents;

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- d. Alignment with development review requirements expected if the contract zoning is approved.

The Planning Board may request additional information related to anticipated future development review. The Planning Board shall hold a public hearing on the proposed contract zoning. Notice shall be provided in accordance with 30-A M.R.S.A. §4352 (8). At the conclusion of review, the Planning Board shall provide a recommendation to the Town Council to adopt or reject the contract, and may propose amendments to the proposed contract.

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6. Town Council decision. Upon receipt of the Planning Board recommendation, the Town Council shall place the contract zoning application on the next available meeting and shall schedule a public hearing. The Town Council shall vote to approve or deny the contract zoning application.

7. Development review. All Contract Zoning Projects shall be subject to applicable development review as required by the Subdivision Ordinance and Zoning Ordinance. Such review shall be conducted after an affirmative vote by the Town Council to grant the contract zoning and upon submission of a development review application to the Planning Board.

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D. Submission Requirements

1. Concept Plan. The concept plan application shall include the following:

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- a. Completed application form and demonstration of right, title or interest in the property subject to the contract zoning overlay district;

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- b. Written description of the proposed Contract Zoning Project, which shall include, but not be limited to proposed uses, estimated traffic volumes, source and volume of a potable water supply, and sanitary wastewater disposal;

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- c. List of the revised zoning provisions to be included in the contract zone;

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- d. Description of public benefit;

- e. Concept plan to include the following:

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- i. A plan of the property showing boundaries (survey preferred by not required);
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- iii. Proposed building footprints, building heights, and sketch plan elevations; and
- iv. Proposed buffer areas.

2. Draft Contract Zoning Agreement. The proposed contract shall include:

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2. A written analysis of the consistency of the proposed contract zone with the Comprehensive Plan and other applicable Town policy documents;
3. All variations proposed from the Zoning Ordinance;
4. Description of and commitment to the public benefit to be provided;
5. Commitment to successfully obtaining all development review permits, including compliance with performance guarantee provisions; and
6. Provisions for modifications, amendments, enforcement and remedies.

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E. **Review Standards**

The following criteria shall be used by the Town Council in reviewing applications for contract zoning.

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3. Conditions and Restrictions. The proposed contract zoning agreement only includes conditions and restrictions that relate to the physical development or operation of the property.

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4. Proposed Uses. The uses proposed in the contract zone are consistent with the existing and permitted uses in the underlying zoning district.

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4. Contract zoning need. The Contract Zoning Project cannot be reasonably accommodated within the existing zoning ordinance and other applicable town regulations.

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5. Public Benefit. The Contract Zoning Project includes a meaningful public benefit to the community. A public benefit may include, but is not limited to:

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a. Open space. The project includes permanent preservation of open space for the benefit of the public in a manner that significantly increases the open space preservation that would otherwise be required by existing development review ordinances and regulations.

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b. Affordable housing. The project is comprised of housing where at least 50% of the lots or units are affordable for moderate or low income households.

c. Infrastructure. The project makes a substantial contribution to identified public infrastructure needs, including but not limited to pedestrian and bicycle safety facilities, sanitary wastewater capacity, stormwater infrastructure and public roads.

d. Economic development. The project creates commercial development and job creation substantially greater than the typical development allowed by existing zoning regulations.

6. Shoreland Zoning and Resource Protection. No contract provision shall have the effect of decreasing existing Shoreland Zoning or Resource Protection regulations.

F. Post-Approval Requirements

3/12/25

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1. Contract signed and recorded. The contract zoning agreement approved by the Town Council shall be executed by the Town Manager and signed by the applicant. The contract shall be recorded in the Cumberland County Registry of Deeds, and if the contract is not recorded within 90 days, shall be deemed null and void unless the deadline is extended by the Town Council prior to the expiration date.
2. Duration of contract zoning approval. The contract zoning agreement may specify a time frame for beginning and/or completing the Contract Zoning project.
3. Performance guarantee for public benefit. The applicant for the Contract Zoning Project shall submit a performance guarantee in accordance with Sec. 16-2-6 (c), Performance Guarantee, Subdivision Ordinance.

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MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: March 18, 2025
SUBJECT: Contract Zoning Amendment

Introduction

At the October 16, 2024 meeting, the Cape Elizabeth Town Council referred to the Planning Board a Contract Zoning Amendment for review. The amendment to the Zoning Ordinance will be reviewed in compliance with Sec. 19-10-3, Amendments.

Review Process

The Planning Board reviewed contract zoning at the December 3, 2024 and February 4, 2025 workshops. The Planning Board considered the original draft forwarded by the Town Council and reviewed models of contract zoning provisions used in other communities.¹ The Planning Board asked the Town Planner to draft a contract zoning provision, which has also been reviewed by the Town Attorney.

Enclosed are a (1) a redlined version of the contract zoning amendment with the Town Attorney's revisions shown in red, and (2) a clean version incorporating all the Town Attorney's revisions (Contract Zng 3-12-2025).

Next steps

Prior to sending a recommendation to the Town Council, the Planning Board is required to hold a public hearing.

Motion for the Board to Consider

BE IT ORDERED that, based on the materials and the facts presented, the Planning Board tables the Contract Zoning amendments to the April 15, 2025 meeting, at which time a public hearing will be held.

¹ Other communities included Cumberland, Dayton, Falmouth, Kennebunk, Saco, Scarborough.