Emily and Jim:

Attached is a redraft of the letter finding that applications are not complete based on materials provided to me by Emily.

After you read and edit, it can be sent under Town letterhead and can come from Emily, as chair, if board wants to send it that way or it can be incorporated into the form of a decision of the planning board and issued that way.

In addressing Section 10.4, at the beginning, I added clarifications and details about what should be in and on the site plan or site plans. This document is pivotal and important and in my view what has been submitted is not even close to what your ordinance requires and what you deserve as planning authority. I looked over my set of the application materials and unless I missed a plan, the collection of tax map information and the tax map photograph as provided are entirely inadequate and deficient. We all know tax maps are just catalogs of assessing data not surveys and not engineering plans. The overhead satellite photos and GIS overlay are similar educated guesses that really do not tie anything down specifically. I talked this over with Jim and he agrees.

You really need a certified drawing or set of drawings showing the precise details of the current conditions and the details of the proposed conditions (final grades, etc.) upon completion of the project to assess the application properly, to confirm that what is proposed falls within the ordinance standards and even more importantly, to allow the Town to police the construction and operation of the site. The Applicant should be providing detailed drawings that do this which are prepared by site engineers based on surveys and attested to for accuracy. Any planning board that is reviewing a site deserves and needs to have this critical tool, your building authority is hamstrung without a detailed and specific plan if the developer goes off the reservation after approval in the construction phase. This is significant project that needs to be clarified significantly and with detail to review it and site it properly.

Other things you proposed I tweaked for clarity and uniformity of presentation.

Finally, are there not other items that should be asked for in the submissions and plans such as details regarding the lighting on site (location, glare protection, etc., lighting of walkways, stairs to access rear deck for egress and fire escape, etc.).

Please let me know your concerns or questions.

Best regards.

Attachments

Files:

Dear Mr. Wary:

The Long Island Planning Board has received and completed its preliminary review of your applications for renovation and conversion of a portion of the Spar premises to a multi-family condominium under Site Plan and Subdivision Review for purposes of making a determination on the completeness of the applications as required under Articles 10 and 11 of Chapter 14, the Town's Land Use Ordinance.

The Planning Board has determined that your applications are not complete and that additional documentation and submissions are required so that the Board can make a determination of whether the proposed development meets the criteria under Site Plan and Subdivision standards.

Article 10, Section 10.3 D.7 directs that applications that do not meet the required submission standards under the Article will not be scheduled for hearing or review. The Board has been reviewing and discussing your proposed project, the submissions and your application with you over the last several months. Even so, at this time the Planning Board still does not have before it an application with specific details and supported by the required submissions from which it can make informed and precise determinations of whether the proposed project satisfies the review criteria under the Site Plan Review process and other ordinance criteria.

Below, please find a list of the specific deficiencies in the application. The planning Board requests that you supplement the application with the required submissions within thirty (30) days of this letter. The submission requirements (Art. 10, sec. 10.4(A) require eight (8) copies of all documents submitted to meet these requirements.

If the submissions are not timely received and complete under this schedule, the Board may undertake action on the application, the likely result of which will be to deny it due to failure of the application.

The materials and submissions listed below are cataloged with references to the relevant provisions in the Land Use Ordinance.

**Site Plan, Article 10, Section 10.4, Submission Requirements**

B. The site plan drawing must be to scale and sufficiently detailed to allow meaningful review of the items listed under Section 10.5. The scale and accuracy of the plan must be such that the Planning Board and CEO can accurately determine the exact location of the existing and proposed structures and improvements, the location of the mean high water mark, the precise location of the Flood Hazard and Shoreland Zones, the lot area, the slope and contours of the site at present and after the proposed completion of the project, the location of property lines, location of existing adjacent roadways and public right of ways, easements, etc. The purpose of the plan is to allow the Planning Board and the Town to be

able to refer to the plan to complete the reviews required and in the future to rely on it for consideration of additional siting matters and for compliance purposes. The plan should be prepared by a qualified person and certified by either an engineer or surveyor to attest to the accuracy of the distances, locations and dimensions of the existing conditions and of the proposed improvements and changes.

B. 1. The applicant's signature is to be included on the submissions and site plan drawing.

B. 8. In addition to the above, the Board requires depiction and the precise location and elevations of the proposed driveway accessing the proposed off-street parking, walkways and the other on site improvements on the site plan drawing.

C. The Board is in agreement that a formal storm-water drainage study and engineering plan is not required for this site or project because the improvements to the existing structure will be will be on the same foundation and the other improvement proposes are relatively small in area. However, the Board will need detailed information about the roof drains and gutters that are to be installed on the proposed structure so that the Board may properly assess potential impacts of the development on the existing storm-water drainage patterns on the site and in the vicinity and ensure that discharges do not improperly impact adjacent properties or streets.

G. The Board requires the applicant to provide copies of the covenants or terms of the lease agreements that the Applicant will use to restrict owners or lessees from storing or parking vehicles, other than golf carts (or similar small vehicles such as motor bikes) on the property or on the public streets immediately adjacent to the property.

I. The lot in question lies in a Special Flood Hazard Area and therefore requires a Flood Hazard Development Permit as part of the approvals required.

**Article 3 Zoning District Standards, Section 9 Island Business Zone**

F. Again, the Board requires detailed plans (see above) for the proposed drive accessing and the off-street parking that will be provided for the unit owners or renters under the proposed deck. The plan should provide details regarding the access drive, the layout and dimension and number of spaces provided.

**Article 6 Non-conforming Structure, Uses and Lots, Section 2 Non-conforming Structures**

C. The Board has yet to determine if this Section applies. If the Board makes such a determination and finds the section applicable then the Applicant will be required to provide sufficient information regarding the zoning requirements in effect for new construction on the subject property lot as of June 5, 1957 so the Board can make the finding required under of 6.2.C(1).

**Article 11 Subdivisions**

F. Plat Requirements

(1) The Plat should conform to all of the criteria in Section F. (If the Applicant prefers, this information may also be incorporated into the site plan drawing which fulfills the recording plat requirements) The plat must be prepared by a surveyor or other qualified person with a stamp certifying the same.

(i). The applicant must provide information on the plat plan depicting the flood hazard zones and area for the lot

(x) (3). The Board requires the Applicant to provide evidence of the Applicant's financial capability to complete the proposed development.

(2) Recording Plat.

The applicant is reminded that a recording plat which is acceptable in form to the Cumberland County Registry of Deeds for recording and to the Board will be required for formal approval. The recording plat must also include on it the Board's conditions of approval.

G. General Requirements

(1) Review Criteria

a: The Board requires copies of recent (current or within the last six months) certificates of analysis of the drinking water proposed to serve the development and the most current communications and certifications confirming the adequacy and proper operation of the overboard waste water discharge system.

b: The Board requires certification from a qualified technician that the domestic well or wells on the site will provide sufficient water for the proposed uses.

c: The Board requires certification from a qualified technician that confirms that the proposed water use of the subdivision will not adversely affect the abutters' water supplies.

(2) Burden of Proof

The Applicant is reminded that he has the burden of proof that the project meets all the subdivision criteria.