

TOWN OF CAPE ELIZABETH
MINUTES OF THE PLANNING BOARD

April 27, 2015

7:00 p.m. Town Hall

Present: Peter Curry, Chair
Elaine Falender
Jonathan Sahrbeck
Carol Anne Jordan
Victoria Volent

Absent: Josef Chalot, Henry Steinberg

Also present was Maureen O'Meara, Town Planner.

Mr. Curry opened the meeting and introduced Jonathan Sahrbeck, the new member of the Planning Board. He welcomed him and said he is replacing Liza Quinn. He expressed thanks to Ms. Quinn for her service on the Board.

Mr. Curry called for the approval of the March 23, 2015 minutes. Mr. Curry asked for a change in wording, and the minutes were approved as amended, 5-0.

NEW BUSINESS

Winnick Woods Connector Trail Resource Protection Permit - The Town of Cape Elizabeth, represented by the Conservation Commission, is requesting a Resource Protection Permit to construct a trail/boardwalk in no more than 2,700 sq. ft. of RP1, RP1-Buffer and RP2 wetland in Winnick Woods, a 71 acre public park located on Sawyer Rd, Sec. 19-8-3, Resource Protection Permit Completeness and Public Hearing.

Mr. Curry announced the first item. The Town of Cape Elizabeth, represented by the Conservation Commission, is requesting a Resource Protection Permit to alter up to 2,700 sq. ft. of RP1, RP1 Buffer and RP2 wetland to construct a boardwalk over a casual use trail located in Winnick Woods on Sawyer Rd. The application will be reviewed for compliance with Sec. 19-8-3, Resource Protection Regulations.

Mr. Curry noted that the Board should be aware that the planner also serves as staff to the Conservation Commission and has prepared the application. Further, Town Engineer Steve Harding supervised the Permit by Rule application for this project submitted on behalf of the Town of Cape Elizabeth to the Maine Department of Environmental Protection (DEP).

Board members acknowledged this dual role and were satisfied to proceed without a third party review.

Ms. O'Meara said this trail is part of the trail system in Winnick Woods. It is being added because of the trail connection from the Eastman Meadows subdivision. It will cross RP-1, RP-1 Buffer and RP-2 wetlands. It's already being used, so the Conservation Commission is concerned about the degrading of the trail just by the foot traffic. Trails and boardwalks are permitted in all of those zones as long as you get a permit.

Jim Tasse, a member of the Conservation Commission, presented the application. He showed a map of the area. People are walking across this area, and it is having an adverse effect on the area. We propose to build a trail and boardwalk to minimize the damage. The boardwalk would be about 80 to 100 feet long, no more than 5 feet in width. It will be built out of pressure treated lumber that is the environmental type that is of low impact.

Ms. O'Meara noted that a permit by rule has been issued by the DEP.

Mr. Sahrbeck asked how the materials will be brought in.

Mr. Tasse said they will carry the materials in. It will only take a day to be built.

Public comments on completeness were opened, and no one came forth, so they were closed.

Ms. Falender made the following motion:

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 Resource Protection Permit to alter up to 2,700 sq. ft. of RP1, RP1 Buffer and RP2 wetland to construct a boardwalk over a casual use trail located in Winnick Woods on Sawyer Rd be deemed complete.

Ms. Jordan seconded the motion and it was approved, 5-0.

The Board did not need a site walk.

Mr. Curry opened the public hearing and no one came forth to speak, so the public hearing was closed.

Ms. Volent made the following motion:

Findings of Fact

1. The Town of Cape Elizabeth, represented by the Conservation Commission, is requesting a Resource Protection Permit to alter up to 2,700 sq. ft. of RP1, RP1 Buffer and RP2 wetland to construct a boardwalk over a casual use trail located in Winnick Woods on Sawyer Rd. The application will be reviewed for compliance with Sec. 19-8-3, Resource Protection Regulations.
2. The Planning Board is aware that municipal staff have prepared application materials and also provided advice to the Planning Board as part of the permit review. The Planning Board is satisfied that a third party review is not needed due to the limited scope of the project and the purpose of the project to provide a public benefit.
3. The application substantially complies with Sec. 19-8-3, Resource Protection 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 Resource Protection Permit to alter up to 2,700 sq. ft. of RP1, RP1 Buffer and RP2 wetland to construct a boardwalk over a casual use trail located in Winnick Woods on Sawyer Rd be approved.

Ms. Jordan seconded the motion and it was passed, 5-0.

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Hiromi Dolliver
Minutes Secretary