

Conservation Commission Meeting Minutes – Tuesday, May 8, 2007

Attendance: Commission members, Mike Pulsifer, Dena Desena, Mike Duddy, Carol Haas, John Herrick and Dick Bauman; Town Planner Maureen O'Meara. Ted Darling, representing the Cape Elizabeth Land Trust was also present.

1. The meeting was called to order at 7:05 p.m. The resignation of Randy Clark was noted and Maureen informed the Commission that she has already initiated the process of securing a replacement by contacting Debra Lane, liaison to the Town Council's Appointments Committee.
2. April's meeting minutes were approved unanimously, without change.
3. **Correspondence.**
 - Cross Hill Trails Group email. An email from Bill Goodykoontz to members of the Cross Hill trails group was reviewed as well as a responding email from Jeff Gorman. Dick advised the Commission that a large wet area just beyond the last section of boardwalk constructed last fall is the tentative site of the Cross Hill group's next project. However, before a final decision is made, further discussion will take place. It may also be possible to avoid crossing some portion of that wet area by rerouting the trail.
 - Review of a Tree Warden Report concerning a pine tree blocking a Cross Hill greenbelt trail initiated a general discussion of how to locate and deal with trees downed by the recent storm that are blocking greenbelt trails. (See item 5 for a synopsis of the trail clearing discussion.)
4. **Winnick Woods Master Plan Implementation.**
 - Maureen informed the Commission that Public Works expects to have the parking area cleared of downed trees prior to June 2, Trails Day. Mike Pulsifer asked Maureen to find out if several of the straightest trees could be limbed and their trunks left long enough to be used to as edging for the driveway and parking lot. If Public Works is able to do this, the trunks will have to be moved out of the way until parking lot construction is finished.
 - The Commission was informed that Mike Pulsifer, John, Dena and Dick met with Janice Chapman and Bruce Moore to discuss their concerns about placement of the Winnick Woods driveway and parking area. After inspecting the site and considering alternatives, Commission members and the Chapman – Moore's agreed on a tentative plan that would leave the driveway where it is currently located but move the parking area from the west to the east side of the driveway. In addition, evergreens would be planted to create a visual screen between their house and the parking area.

Mike advised Ms. Chapman and Mr. Moore that the next step was for one or both of them and Commission members to review the plan with Maureen. That meeting, attended by Mike Pulsifer, Dick, Bruce and Maureen, occurred the following week. At the meeting, Maureen expressed her opinion that the parking area plan seemed reasonable and would likely be accepted by the Town Manager, subject to the following conditions:

- The agreement between the Town and the Chapman – Moore’s must be in writing and becomes effective upon payment by the Chapman – Moore’s of the cost for work performed at the site so far.
- Before any further work is done, the contractor must prepare a sketch plan and submit it to the Town for approval accompanied a description of the work and cost estimate.

Some time after the meeting, a check for \$3,000 was received from Ms. Chapman and Mr. Moore.

- The Commission was informed about a follow up site visit to finalize the ‘Winnick’ trail route and locate wet areas that will require boardwalking. This visit, which occurred on May 5th, was made by Mike Pulsifer, Mike Duddy, Dena and Dick. A route that avoids most wet areas and provides numerous scenic views was flagged. The group continued on to a Cross Hill trail and proceeded to scout and flagged a potential Cross Hill – Winnick trail connector route. When established, the connector trail will traverse one of the hilliest areas of Cape Elizabeth and be a very scenic addition to the Town’s trail system.

5. Chairman Pulsifer asked various Commission members to locate trees downed by last month’s nor’easter that are blocking greenbelt trails and determine if any may be too large for removal by volunteer labor.

Carol agreed to check on the Stonegate/Dyer Pond trails; Mike Pulsifer, the Broadcove trail; Mike Pulsifer and Dena, Gull Crest trails; Dick, Cross Hill trails; Mike Duddy, Great Pond trail (at a later point in the meeting, Mike reported that he has already cleared the Great Pond trail.) Members were asked to report their findings at the June meeting. At that time, plans will be made for clearing any trees that remain on the trails, whether by volunteer or contract labor.

6. **Comprehensive Plan Overview.** Maureen provided the Commission with an excellent summary of the draft Comprehensive Plan. She explained that in accordance with Maine law, municipalities wishing to regulate land use must adopt a Comprehensive Plan which provides the basis and rationale for specific zoning regulations. The Plan is comprised of 14 chapters, starting with

demographics and concluding with land use. Almost all of the chapters include goals and implementation recommendations. So far, two Plan review workshops have been scheduled by the Town Council.

- 7. Planning Board Meeting.** A Resource Protection Permit application currently before the Board has been referred to the Conservation Commission for review and recommendation. Maureen explained that the applicants have wetlands on their property, in the form of a pond that was partially filled in for landscaping reasons by a previous owner. That owner did not have the requisite Resource Protection Permit. The original pond and associated vegetation occupied approximately twice the area of the current pond.

Having been cited for violation of the Town's zoning ordinance, the applicants are now seeking a Permit that will retroactively authorize the aforementioned wetlands alteration.

The Commission reviewed the documentation and discussed the issues at length. While sympathetic to the applicant's circumstances, the Commission came to the conclusion that approval of this application would set a very dangerous precedent, making it more difficult for the Town to protect its valuable wetland resources from unapproved alterations. Accordingly, the Commission voted unanimously to recommend that the Planning Board deny this Resource Protection Permit application.

- 8. Monthly Trail Walk.** Commission members will meet at Winnick Woods on Saturday, May 12 to take measurements and prepare a materials list for boardwalks that will cross wet areas on the Winnick trail. Boardwalk construction in Winnick Woods is planned as a Trails Day activity.

9. Other Business.

- At last month's meeting, the Commission was told of Skip Murray's work in moving telephone poles away from the floating boardwalk installation area on the Gull Crest outer loop trail. Skip did not charge the Town for moving the poles, prompting a general discussion concerning his many civic minded contributions of equipment and labor to trail improvements and other Town projects. The Commission revisited this topic and decided that Skip's generosity should be recognized in some tangible fashion. After further discussion, Commission members voted unanimously to give him an LL Bean gift certificate as a token of its appreciation.
- Mike Duddy reported that he had put up additional greenbelt signs at the Route 77 entrance to the Great Pond trail. Mike noted that a short stretch of overgrown brush and trees appears to block the trail at that point. After consulting a map provided by Maureen, Mike determined that the area in

question is located on Town right-of-way and he would clear the brush and put up additional greenbelt signs.

- Dena and Dick agreed to contact David Rogers of the Village Crossing assisted living facility to finalize the content and location of appropriate signage for the connection that will be made between their employee parking lot and adjacent greenbelt trail.
- Maureen provided the Commission with advertising material from a vendor of recycled plastic message boards. These message boards could be used at the entrances to various greenbelt trails to display maps and other information. At the request of a Commission member, Maureen will generate a map of prospective Winnick Woods trails with connections to the Cross Hill and Dyer – Hutchins trail systems in order to determine what size message board would be needed to display it. Contact will also be made with a Scarborough sign vendor to find out about his products and pricing.

10. Meeting adjourned at 9:27 p.m. The next meeting is scheduled for Tuesday, June 12, 2007.