

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: April 22, 2013
SUBJECT: CELT Robinson Woods II RP Permit

Introduction

The Cape Elizabeth Land Trust is requesting a Resource Protection Permit to install wetland/water crossings and improve and install trails in the RP1, RP1 Buffer and RP2 wetlands located on Robinson Woods II (Shore Rd) and at the end of Morgan Lane. The application will be reviewed for compliance with Sec. 19-8-3, Resource Protection Regulations.

Procedure

- The Board may want to begin by having the applicant summarize the project.
- The Board may then open the public hearing that has been scheduled for this evening.
- At the close of the public hearing, the board may resume discussion of the application.
- At the close of discussion, the Board has the option to approve, approve with conditions, deny or table the application.

Resource Protection Permit Standards (Sec.19-8-3(B))

Below is a summary of the Resource Protection Permit standards of review and how they may be met. The Conservation Commission has also provided comments to the Planning Board.

1. Flow of surface/subsurface waters

Both the bridges and boardwalks proposed allow for flow of water underneath the structures.

2. Impound surface waters

Maintaining flow under the structures should not impound surface waters.

3. Increase surface waters

No actions to increase surface waters is proposed.

4. Damage to spawning grounds

Most of the trail improvements are located where existing trails are located. The new trail at the end of Morgan Lane is located south of a vernal pool. The setback of the trail from the vernal pool may be adequate to prevent damage to spawning grounds.

5. Support of structures

The proposed water crossings and boardwalks are existing designs that have been used in wetland areas in other parts of town and proved durable.

6. Aquifer recharge/groundwater

No change is proposed.

7. Coastal dunes

No work in coastal dunes or back dune areas is proposed.

8. Ecological/aesthetic values

The trail sites are existing or replacing existing trails where pedestrian traffic is already occurring. The proposed trails provide an opportunity for public appreciation of ecological and aesthetic areas while containing human alterations of the surrounding environment.

9. Wetland Buffer

No buffer is proposed as the work, by its nature, will be located entirely in the wetland area.

10. Erosion Control

Removal of vegetation is largely limited to trimming, which should leave the root structure intact and discourage erosion.

The Conservation Commission has raised concerns with erosion of the trail surface in wet conditions on RP soils and recommended additional surface treatment as needed.

11. Wastewater discharge

No discharge of wastewater is proposed as part of the project scope.

12. Floodplain Management

Portions of the project are located in the A and A2 floodplain zones and will require a floodplain permit from the Code Enforcement Officer.

Motions for the Board to Consider

Findings of Fact

1. The Cape Elizabeth Land Trust is requesting a Resource Protection Permit to install wetland/water crossings and improve and install trails in the RP1, RP1 Buffer and RP2 wetlands located on Robinson Woods II (Shore Rd) and at the end of Morgan Lane, which requires review under Sec. 19-8-3, Resource Protection Regulations.
2. The Conservation Commission is recommending hardening the trail surface in muddy conditions to minimize erosion.
3. Portions of the trail and crossing work are located in the A and A2 floodplain zone and will require a floodplain permit from the Code Enforcement Officer under Chapter 6-6, Floodplain Management Ordinance.
4. 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 Cape Elizabeth Land Trust for a Resource Protection Permit to install wetland/water crossings and improve and install trails in the RP1, RP1 buffer and RP2 wetlands located on Robinson Woods II and at the end of Morgan Lane be approved, subject to the following conditions:

1. That the applicant consider trail surface hardening and other methods when the trail surface becomes muddy to avoid erosion.
2. That the applicant obtain a floodplain permit from the Code Enforcement Officer.