

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: December 16, 2014
SUBJECT: Rams Head Boardwalk

Introduction

Rams Head Partners is requesting a Resource Protection Permit to construct 2,046 linear feet (6,138 sq. ft.) of boardwalk in an area of RP1 wetland and sand dune, located at 20 Rams Head Rd. A public hearing has been scheduled for this evening. The application will be reviewed for compliance with Sec. 19-8-3, Resource Protection Regulations.

Procedure

- The town planner will place the project within the context of town regulations.
- The Board may want to begin by having the applicant summarize the project.
- The Board should then open the public hearing, which has been scheduled for this evening.
- Once the public hearing is closed, the Planning Board may begin discussion.
- 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.

1. Flow of surface/subsurface waters

The boardwalk is elevated above grade and will not interrupt water flows.

2. Impound surface waters

The elevation of the boardwalk will prevent any impoundment of waters.

3. Increase surface waters

The boardwalk will create 6,138 sq. ft. of impervious surface on a 27.2 acre parcel, however, it is expected that the elevation of the boardwalk and

spacing of the deck boards will preserve the vegetation that will be located under the boardwalk. The entire area is vegetated or sand, which should absorb the small increase in stormwater flows.

4. Damage to spawning grounds

The state permits include conditions to protect adjacent spawning grounds.

5. Support of structures

The proposed boardwalk will use an aluminum pole and frame support structure, similar to boardwalks installed in other RP1 zoning districts.

6. Aquifer recharge/groundwater

There is no significant aquifer on the project property.

7. Coastal dunes

The boardwalk will be installed in back dunes and a state permit for sand dune alteration has been issued by the State of Maine.

8. Ecological/aesthetic values

The boardwalk will not be visible to the public from a public road or from the intertidal area of the beach.

9. Wetland Buffer

The boardwalk is an allowed activity in a wetland buffer.

10. Erosion Control

The application identifies the site as a "back dune high erosion area." The elevation of the boardwalk on 3" diameter steel pipes, driven 4' into the ground, should not result in unreasonable erosion. The 34' long bridge will be supported by 8 helical anchors to accommodate some shifting of sand adjacent to the drainage channel.

11. Wastewater discharge

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

12. Floodplain Management

The boardwalk is located in the 100-year floodplain and will require a floodplain permit from the Code Enforcement Officer under Article IV, Section 6, Floodplain Management Ordinance.

Motion for the Board to Consider

Findings of Fact

1. Rams Head Partners is requesting a Resource Protection Permit to construct 2,046 linear feet (6,138 sq. ft.) of boardwalk in an area of RP1 wetland and sand dune, located at 20 Rams Head Rd, which requires review under Sec. 19-8-3, Resource Protection Regulations.
2. The boardwalk will be located in the 100-year floodplain.
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 Rams Head Partners for a Resource Protection Permit to construct 2,046 linear feet (6,138 sq. ft.) of boardwalk in an area of RP1 wetland and sand dune, located at 20 Rams Head Rd, be approved subject to the following condition:

1. That the applicant obtain a Floodplain permit from the Code Enforcement Officer.