

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: November 15, 2016
SUBJECT: Spurwink Pump Station groundwater underdrain RP Permit

Introduction

The Portland Water District is requesting a Resource Protection Permit to install a groundwater underdrain for the pump station located at 445 Spurwink Ave. 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 should make a finding of completeness. If the application is deemed incomplete, Board members should identify the information needed to make the application complete and no substantive discussion of the project should occur. If the application is deemed complete, the Board may begin review of the project.
- If the application is deemed complete, a public hearing should be held which has been advertised for this evening.
- At the close of discussion, the Board has the option to approve, approve with conditions, deny or table the application.

Summary of Completeness

The completeness checklist and the comments of the Town Engineer are attached. The applicant has requested a waiver from providing wetland vegetation, wetland soils, and a stormwater runoff plan.

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 purpose of the project is to convey groundwater away from electrical facilities and into the adjacent marsh.

2. Impound surface waters

The underdrain will be installed and the disturbed areas returned to original grade, so there should be no impoundment of surface waters.

3. Increase surface waters

There will be no increase in impervious area, expect for the rip rap installed at the outlet of the underdrain.

4. Damage to spawning grounds

Expect for a very small area at the pipe outlet, there will be change to surface areas that would have any impact on spawning grounds.

5. Support of structures

No structure is proposed.

6. Aquifer recharge/groundwater

The underdrain conveys groundwater to an area that it would eventually migrate to, so no change to overall groundwater recharge is proposed.

7. Coastal dunes

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

8. Ecological/aesthetic values

Except for the pipe outlet, the underdrain will not be visible.

9. Wetland Buffer

The project is completely located with the 250' RP1 buffer of the Spurwink Marsh, however, the project will be installed underground and the surface restored to preconstruction conditions.

10. Erosion Control

The applicant has submitted an Erosion Control plan that includes protection during construction and revegetation of disturbed areas upon completion of construction.

11. Wastewater discharge

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

12. Floodplain Management

The project is located in the floodplain and will require a floodplain permit from the Code Enforcement Officer.

Motions for the Board to Consider

A. Motion for Completeness

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of the Portland Water District for a Resource Protection Permit to install a groundwater underdrain for the pump station located at 445 Spurwink Ave be deemed (incomplete/complete).

1. Waivers from providing information on wetland plants and wetland soils;
2. Waiver from providing a stormwater management plan prepared by a professional engineer.

B. Motion for Approval

Findings of Fact

1. The Portland Water District is requesting a Resource Protection Permit to install a groundwater underdrain at the pump station located at 445 Spurwink Ave, which requires a Resource Protection Permit.
2. The proposed underdrain (will/will not) materially obstruct the flow of surface or subsurface waters across or from the alteration area;
3. The proposed underdrain (will/will not) impound surface waters or reduce the absorptive capacity of the alteration area so as to cause or increase the flooding of adjacent properties;
4. The proposed underdrain (will/will not) increase the flow of surface waters across, or the discharge of surface waters from, the alteration area so as to threaten injury to the alteration area or to upstream and/or

downstream lands by flooding, draining, erosion, sedimentation or otherwise;

5. The proposed underdrain (will/ will not) result in significant damage to spawning grounds or habitat for aquatic life, birds or other wildlife;
6. The proposed underdrain (will/will not) pose problems related to the support of structures;
7. The proposed underdrain (will/will not) be detrimental to aquifer recharge or the quantity or quality of groundwater;
8. The proposed underdrain (will/ will not) disturb coastal dunes or contiguous back dune areas;
9. The proposed underdrain (will/will not) maintain or improve ecological and aesthetic values;
10. The underdrain (will/will not) maintain an adequate buffer area between the wetland and adjacent land uses;
11. The underdrain (will/ will not) be accomplished in conformance with the erosion prevention provisions of Environmental Quality Handbook Erosion and Sediment Control, published by the Maine Soil and Water Conservation Commission dated March, 1986, or subsequent revisions thereof;
12. The underdrain (will/will not) be accomplished without discharging wastewater from buildings or from other construction into Wastewater Treatment Facilities in violation of Section 15-1-4 of the Sewage Ordinance; and
13. The proposed underdrain (will/ will not) in the case of Resource Protection Permits in the Resource Protection-Floodplain District, also comply with Section 6-6-6 of the Floodplain Management Ordinance.
14. 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 Portland Water District for a Resource Protection Permit to install a groundwater underdrain for the

pump station located at 445 Spurwink Ave be approved, subject to the following conditions:

1. That the plans be revised to address the comments in the Town Engineer's letter dated November 7, 2016, paragraphs 6, 7, and 8.
2. That the site be inspected after construction to confirm the area has been restored to original grade and revegetated.