



18127

April 11, 2018

Maureen O'Meara, Town Planner
Town of Cape Elizabeth
320 Ocean House Road
P.O. Box 6260
Cape Elizabeth, Maine 04107

SUBJECT: Cross Hill Boardwalk Resource Protection Permit – Peer Review

Dear Maureen:

We have received and reviewed an April 2, 2018 submission package for the subject project from Town Manager Matt Sturgis of the Town of Cape Elizabeth. The package included an April 2, 2018 Site Plan exhibit depicting the location of the proposed boardwalk along with a detail of the proposed boardwalk and other supporting information. Based on our review of submitted material and the project's conformance to the technical requirements of Section 19-8-3, Resource Protection Permit Completeness, we offer the following comments:

1. The Town of Cape Elizabeth is requesting a Resource Protection Permit to construct a 600-foot long by 4-foot wide boardwalk on an existing trail located within the Cross Hill subdivision development open space. The applicant has provided wetland mapping associated with the original subdivision application indicating that the wetlands are RP-2 wetlands as mapped by the firm of Woodlot Alternatives. The proposed boardwalk will be partially located in an RP2 wetland impacting an estimated 1,200 square feet of wetland area.
2. We understand that the Board will be conducting a completeness review for this project at their upcoming meeting. In our opinion, the submitted materials represent a completed package and the remainder of our comments here are provided to facilitate future reviews of the project. It should be noted that additional submitted information may result in additional review comments.
3. The applicant has submitted a topographic map with two-foot contours and is requesting a waiver from providing 1-foot contours. We support this waiver as the boardwalk is an elevated feature, proposed as being built over an existing trail, and will not affect existing drainage patterns in this area.
4. The proposed boardwalk will only disturb the ground where supports are located and will allow for the free flow of water under the boardwalk. Therefore, we support the applicant's request for a waiver of submitting a Stormwater Runoff Plan as we do not believe that the submission of

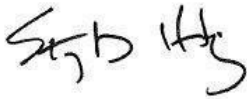
a Stormwater Runoff Plan with pre- and post-conditions is warranted due to the very minimal impact of the installation of the boardwalk.

5. The proposed boardwalk project is similar to past projects that the Town's Conservation Committee have successfully undertaken and currently maintain. In a similar recent project in the Cross Hill subdivision, the Town received an opinion from Jay Clement of the U.S. Army Corps that as long as the wetland is not tidal and that the boardwalk is elevated that the Corps does not have jurisdiction over the project. Therefore, no permitting through the Corps' Programmatic permitting process will be required before the boardwalk can be constructed.
6. The applicant should contact the Maine Department of Environmental Protection to ensure that a permit through their Natural Resource Protection Act (NRPA) process will not be required. As a standalone project, the 1,200 square feet of wetland impact would fall well below the NRPA's 4,300 square foot impact threshold requirement to apply for an NRPA permit. In some past instances, however, proposed impacts have been considered additional to historical development impacts which have triggered the need for NRPA permitting.

Sebago Technics and the applicant, the Town of Cape Elizabeth, have a continuing business relationship and Sebago Technics has reviewed this submission under its ongoing engineering review capacity for the Planning Board. We trust that the above comments will assist the Board during their deliberations on this project. Should there be any questions or comments regarding our review, please do not hesitate to contact us.

Sincerely,

Sebago Technics, Inc.



Stephen D. Harding, P.E.
Town Engineer

SDH:sdh

cc: Matthew Sturgis, Town Manager