

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: April 23, 2018
SUBJECT: Cross Hill Boardwalk RP permit

Introduction

The Town of Cape Elizabeth is requesting a Resource Protection Permit to build up to 600 linear feet of 4' wide boardwalk on an existing trail located northeast of Tiger Lily Ln. 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 substantive review.
- If the application is deemed complete, the Board should open the public hearing, which has been advertised for this evening.
- The Board should decide if a site walk should be scheduled.
- 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. Below is a summary of possible incomplete items:

1. A site plan has been submitted, but a waiver has been requested to increase the scale from the required 1":100' to 1":300'.
2. Topography has been provided at 2' intervals instead of 1' intervals.
- 5/6. A waiver has been requested from providing wetland soils and plants information and instead wetland mapping approved for the Dominicus Crossing/Cross Hill subdivision has been provided.

9. A waiver has been requested from providing a stormwater runoff plan. The applicant will be installing up to 2,400 sq. ft. of boardwalk over existing muddy trail.

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 will be elevated and not obstruct the flow of water.

2. Impound surface waters

The boardwalk will be elevated and not obstruct the flow of water.

3. Increase surface waters

No more than 600' of boardwalk will be installed, which will not demonstrably increase stormwater. In addition, the land adjacent to the boardwalk will revegetate from its current muddy condition, and the new vegetation should mitigate stormwater.

4. Damage to spawning grounds

No spawning grounds have been identified on the existing trail.

5. Support of structures

The proposed boardwalk design has been used in wetland conditions. Most recently, the Planning Board approved the same boardwalk design to address muddy conditions on the Cottage Brook open space.

6. Aquifer recharge/groundwater

No change to aquifer recharge/groundwater is proposed.

7. Coastal dunes

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

8. Ecological/aesthetic values

The boardwalk will be placed over a muddy trail surface. Trail users will have improved access to the open space over the boardwalk and the areas adjacent to the original trail alignment, which have been impacted as trail users seek dry ground, will be able to revegetate.

9. Wetland Buffer

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

10. Erosion Control

The purpose of the boardwalk is to alleviate muddy conditions that can promote erosion. No heavy equipment will be used during construction and revegetation expected following construction will also discourage erosion.

11. Wastewater discharge

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

12. Floodplain Management

No floodplains are located in the project area.

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 Town of Cape Elizabeth for a Resource Protection Permit to build up to 600 linear feet of 4' wide boardwalk on an existing trail located northeast of Tiger Lily Ln be deemed (complete/incomplete).

B. Motion for Approval

Findings of Fact

1. The Town of Cape Elizabeth is requesting a Resource Protection Permit to build up to 600 linear feet of 4' wide boardwalk on an existing trail located

northeast of Tiger Lily Ln., which requires review for compliance with Sec. 19-8-3, Resource Protection Regulations.

2. The Town Engineer recommends that the applicant confirm the need for any state or federal permits.
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 the application of the Town of Cape Elizabeth for a Resource Protection Permit to build up to 600 linear feet of 4' wide boardwalk on an existing trail located northeast of Tiger Lily Ln be approved, with the following condition:

1. That the applicant obtain any required state or federal permits.