

June 27, 2014

Ruta Dzenis AICP, Senior Planner

Department of Agriculture, Conservation and Forestry

Municipal Planning Assistance Program

22 State House Station

Augusta, Maine 04333

RE: Town of Cape Elizabeth Coastal Community Grant

Dear Ruta:

Please find attached an application from the Town of Cape Elizabeth for a Coastal Community Grant to prepare an updated Town Center Stormwater Study.

This study is a recommendation of the recently completed 2014 Town Center Plan. A confluence of events, including the Town Center Plan, the sale/transfer of several properties in the Town Center this year, and interest in creating a TIF to finance infrastructure improvements in the Town Center, are building momentum for a stormwater study that includes LID elements. The Town Center stormwater study is 1 of only 7 recommendations in the 2014 Town Center Plan and is available for review on the town website, www.capeelizabeth.com

Please feel free to contact me if you have any questions about the application.

Sincerely,

Maureen O’Meara

Town Planner

maureen.omeara@capeelizabeth.org

799-0115

**Project Title:** Town Center Stormwater Study

**Town:** Cape Elizabeth

**Maine Coastal Program Goals:**

Ensuring Sustainable, Vibrant Coastal Communities:

•The grant implements current efforts to support modest, small scale development in the town center.

•Introduction of LID techniques complements Cape Elizabeth’s decades long commitment to environmental protection and is consistent with the town’s community character.

•Replacing and upgrading stormwater infrastructure has been identified as an impediment to revitalizing town center commercial properties.

•A focus on stormwater management in the Town Center is a recommendation in the 2007 Comprehensive Plan deemed consistent with state goals.

Improving Coastal Public Access:

•The Town Center is the trail head for a greenbelt trail that extends west to the Spurwink Marsh and south to Kettle Cove/Two Lights State Park. The trail is adjacent to the primary Town Center stormwater discharge area.

Preparing for coastal storms, erosion and flooding, coastal hazards:

•The aging stormwater infrastructure in the town center is becoming inadequate to address the more frequent and intense coastal storms. Developed areas of the town center are experiencing larger quantities of surface water ponding in areas not suitable for stormwater storage.

Addressing the effects of land use activity on water quality

The Department of Inland Fisheries and Wildlife has rated the Spurwink Marsh as high value for wildlife habitat. Incorporating LID techniques should improve the quality of stormwater entering the marsh and more generally improve coastal water quality.

•The Town Center drains into the Spurwink Marsh.

Restoring Coastal Habitats:

•The Town Center’s close proximity to both the Atlantic Ocean and the Spurwink Marsh elevate the importance of responsible stormwater management.

**Grant amount requested:** $22,000

**Match proposed:** $5,500 cash match plus in-kind town staff support

**Source of Match:** Town of Cape Elizabeth Infrastructure Improvement Fund

**Project Manager:** Maureen O’Meara, Town Planner

 maureen.omeara@capeelizabeth.org

 320 Ocean House Rd

 P.O. Box 6260

 Cape Elizabeth, Maine 04107

**Project Partners:** Not applicable

**Project Start and end dates:** October, 2014-September, 2015

**Project summary statement:** The Town of Cape Elizabeth has recently completed an update to the original 1993 Town Center Plan. One of the 7 recommendations is to update the 1995 Town Center stormwater plan and include LID techniques. There is renewed focus on the town center, including ownership transfer of several significant parcels, so update of the stormwater study is timely.

**Executive Summary**

One year ago, the Town Council appointed a nine-person committee to update the 1993 Town Center Plan. Shortly after the committee began its work, the town’s only bank branch announced it would close. Within the next several months, 4 major properties in the town center were offered for sale. What has been a sleepy commercial area quickly became poised for potentially significant changes.

The Town Center Plan recommendations are focused on promoting a pedestrian-friendly town center and preparing the town to respond to changes that are likely due to property changing ownership. The stormwater plan update would use the 1995 stormwater plan as a base, update the infrastructure inventory to include portions that have been constructed, and assess the unfinished infrastructure for opportunities to include LID techniques. Stormwater infrastructure costs have been identified as an impediment to improvement of town center properties, so this study is important to future investment in the town center.

**Project Summary**

The Town Center Plan committee, appointed by the Town Council in 2013, held 17 meetings, including a site walk of the Town Center, a joint meeting with the Library Planning Committee and a public forum held on October 17, 2013 (50+ attendees). The committee included representatives from the Town Council, Planning Board, School Board, a town center business owner and four members of the public. All meeting agendas and minutes were posted on the town website, www.capeelizabeth.com. Public comment was solicited at each meeting and also with a questionnaire (80+ responses).

The Town Center Plan Committee completed its work in May, 2014 with submission of a report to the Town Council. At the June 9, 2014 meeting, the Town Council voted to “receive” the report and has scheduled follow-up meetings and workshops to begin implementation. The 2014 Town Center Plan has a sharper focus than the 1993 plan, with 5 goals and 7 recommendations. Recommendation 3 is an update of the Town Center stormwater plan, which is excerpted below:

**Goal: Primary Commercial Area.** Support the Town Center as the primary location for new commercial development in Cape Elizabeth and encourage a modest amount of small-scale, mixed use development.

**3.** Update the Town Center Stormwater Management Study and plan for construction of needed stormwater improvements.

Background: In 1995, the Town received grant funding to prepare a stormwater management plan for the Town Center. The plan called for collection of stormwater from roadways and lots located in Town Center into a stormwater system. The system would be collected in underground piping and outlet through the school campus underground stormwater collection system and then to the Spurwink Marsh. Some of the stormwater collection system has been constructed, but the system remains unfinished and is a potential costly obstacle to property owners in the Town Center when improving their property. A formal stormwater collection system allows the small lots in the Town Center to fully utilize the lot rather than consider onsite detention basins.

Recommendation Description: The 1995 plan should be reviewed and updated, both with improvements already constructed and with integration of Low Impact Development (LID) techniques as appropriate. The study should be prepared by a professional engineer working with town staff. Seventy-five percent of the 1995 study was funded with a grant and town staff should be directed to pursue grant funding for the update.

**Project Description and Project Schedule**

The Town Center Stormwater Study will update and prepare a blueprint for build-out of the stormwater infrastructure in the town center, employing the most current thinking in Low Impact Development techniques as appropriate. It is the town’s intent to contract with a civil engineering firm to conduct the study, partnering extensively with town staff, most prominently the Director of Public Works and the Town Planner.

Unlike the 1995 stormwater plan, the proposed plan does not rely exclusively on private sector implementation as new development occurs. The 2014 Town Center Plan also recommends that a Tax Increment Financing (TIF) District be established for the Town Center with the revenue to be used for infrastructure improvements, specifically pedestrian and stormwater infrastructure. The Town Council is moving forward with an anticipated TIF application submission to the state by March, 2015. If approved, the district will immediately add $650,000+ in value to the base valuation. The proposed TIF district is not partnered with any specific development proposal, and is intended to dedicate new revenues generated in the town center to infrastructure investment.

Because this study focuses on public infrastructure that has been recommended by the Town Center Plan Committee, no new study committee is proposed. The plan will be presented to the Town Council for approval. Public participation will be encouraged through the existing town council processes.

Schedule: The town will select a consultant consistent with the procedures required by the grant and commits to commencing work related to the grant within 45 days of the grant award and completing grant funded work by December 31, 2015. Preparation of the stormwater plan is organized into the following tasks.

Task 1: Following selection of consultant engineering firm, collect existing town center district mapping and infrastructure mapping and other data. The consultant will work with the Public Works Director and Town Planner to collect existing information.

*Outcome*: Consultant and town staff will have documented known existing stormwater infrastructure.

*Work product*: a working map of the town center infrastructure.

Task 2: The consultant will ground truth the existing information collected.

*Outcome*: Consultant will have confirmed data collected in task 1 and identified infrastructure not documented, as well as observed possible deficiencies in current infrastructure.

*Work product*: a more complete working map of existing infrastructure and identified areas for further attention.

Task 3: The consultant and town staff will develop a stormwater concept for the town center, incorporating LID techniques where feasible.

*Outcome*: An updated stormwater plan with existing condition information and utilitizing LID techniques where feasible.

*Work product*: A concept plan with mapping and concept level description of the town center stormwater management approach, which can be used for presentation and discussion with the Town Council, Planning Board and Town Center property owners.

Task 4: The consultant will prepare a report depicting and describing the town center stormwater management plan, including infrastructure, LID techniques and relared recommendations.

*Outcome*: A coordinated approach to stormwater management as the town center is redeveloped, resulting in investment efficiencies and reduced environmental impacts.

*Work product:* The consultant will prepare a final report depicting stormwater infrastructure for the town center, incorporating LID techniques.

**Project Budget**

The estimate to conduct a town center stormwater management study is $22,000. Of this amount, the Town of Cape Elizabeth will provide a cash match of $5,500 from the town’s Infrastructure Improvement Fund. The Director of Public Works and the Town Planner will also be providing in-kind support which has not been included as part of the budget.

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| **Sources and Status of Match** |   |   |   |   |
| Source of Cash Match | Status of Cash Match | Source of In-kind Match | Status of In-kind Match | Amount of Match |
| Infrastructure Improvement Fund | In-hand | Town Staff | In-hand | $5,500 cash staff support |

**Letters of Support**

See attached letters from the Greater Portland Council of Governments, and Lathrop and Lathrop, owner of the largest retail space in the town center.

**Resumes of Key Participants**

The study will be done by an engineering consultant. The Director of Public Works and the Town Planner will work with the consultant. Their resumes are attached.

**Review Criteria**

A. Quality of the Proposal; project feasibility and readiness

The Town Center Stormwater Plan update will result in a document that guides stormwater design and construction. An earlier plan (1995) has been completed and there is no impediment to completing an up-to-date plan. With the completion of the 2014 Town Center Plan in May, the timing of this grant application takes advantage of momentum and renewed interest in the town center. Cash match funding is in place and there is no impediment to initiation of the project within 45 days of the grant award and completing the project prior to December 31, 2015.

B. Cost effectiveness

The 2014 Town Center Plan includes cost estimates prepared by an engineer for the 7 recommendations. This grant application requests $22,000, which includes a 10% contingency on the original estimate. The cash match is currently available in the Infrastructure Improvement Fund. The individual tasks reflect the standard approach for infrastructure planning.

Cape Elizabeth is a slow growth community that has carefully managed new development to maximize open space preservation. The Town Center is the primary commercial area, only 1% of the land area of the town, and the only area where any concentration of commercial development may occur. Infrastructure investment in this area reinforces the town’s commitment to limiting development to a compact area.

C. Applicant qualifications and capacity; past performance

The town has been careful not to over commit staff to grant reporting requirements. Cape Elizabeth has not been a recent recipient of Coastal Zone Management funds. Past grant funding from sources such as the Maine Department of Transportation, the Regional Trails Program, and the Casco Bay Estuary Project has been successfully managed, specifically reporting and production of work for which grant funds were awarded.

D. Linkage to identified state, local and regional priorities

This project advances the Maine Coastal Program Coastal Communities Program Goals.

•The grant will support current efforts to support modest, small scale development in the town center.

•Introduction of LID techniques complements Cape Elizabeth’s decades long commitment to environmental protection and is consistent with the town’s community character.

•The Town Center is the trail head for a greenbelt trail that extends west to the Spurwink Marsh and south to Kettle Cove/Two Lights State Park.

•The town’s aging stormwater infrastructure in the town center is becoming inadequate to address the more frequent and intense coastal storms. Developed areas of the town center are experiencing more frequent and larger quantities of surface water ponding in areas not suitable for stormwater storage.

•The Town Center drains into the Spurwink Marsh. The Department of Inland Fisheries and Wildlife has rated Spurwink Marsh high value for wildlife habitat. Incorporating LID techniques should improve the quality of stormwater entering the marsh and more generally improve coastal water quality.

The 2007 Cape Elizabeth Comprehensive Plan has been deemed consistent with the Planning and Land Use Regulation Act. An excerpt from the comprehensive plan follows:

**Goal 1: The Town Center shall be promoted as the primary commercial area of Cape Elizabeth and shall be developed consistent with the Town Center Master Plan to meet the needs of residents and visitors currently attracted to the Town’s natural resources and recreational opportunities.**

Located in the town geographic center where Ocean House Rd intersects with Shore Rd and Scott Dyer Rd, the Town Center includes the K-12 school campus, Town Hall, Police and Fire Stations and the largest aggregation of commercial structures and businesses. The importance of the Town Center was officially recognized when the Town Council appointed a committee to create a Town Center Master Plan, adopted the Town Center Master Plan in 1993 (hereby incorporated to this Comprehensive Plan by reference) and then created the Town Center Zoning District in 1995.

The Master Plan calls for an identifiable Town Center that includes a village feeling, mixed retail uses targeted to residents, a pedestrian inviting environment, a common meeting place, visual vitality, and linkages to the Town’s open space and school assets.

With the adoption and gradual implementation of the Town Center Master Plan, the reconstruction of sidewalks with street trees and pedestrian lighting, Town residents have embraced the vision of the Town Center. Individual property owners have invested in the beautification of their property and new development, consistent with the Master Plan vision, has been proposed. This overall evolution of the Town Center should continue.

Implementation Steps

1. Continue to implement the Town Center Master Plan.

2. Construct sidewalks throughout the Town Center.

3. Develop mixed use buildings that include commercial uses on the first floorand allow residential uses on upper floors.

4. Require master plans for large town center parcels that demonstrate compliance with Town Center Zoning.

5. Consider opportunities that will create a village green adjacent to Ocean House Rd.

6. Complete implementation of the Town Center Storm Water Plan.

The Town Center Stormwater Study is recommendation 3 in the 2014 Town Center Plan.

E. Partnerships

Support for this project is shown in the recently completed 2014 Town Center Plan. The Town Center Plan Committee membership included representation from the current Town Council, Planning Board and School Board, as well as members from the business community and the general public. Both the public forum and the questionnaire elicited strong support for a pedestrian-oriented community where residents can gather together. Stormwater infrastructure has been installed as part of the pedestrian infrastructure and may also play a role in the development of a town green.

