

Memo

To: Cape Elizabeth Town Council
From: Matthew E. Sturgis, Town Manager
CC: File
Date: October 9, 2019
Re: Hemlock Hill Storm Water Project

For a number of years Hemlock Hill Road has experienced drainage, runoff, and erosion issues. Over the course of this spring and summer the Town has worked with the Public Work Department, Town Engineer, and the abutting property owners to design a plan to address storm water issues experienced under the current conditions.

In addressing this problem, the Town has performed numerous field inspections, spoken with the abutting property owners, designed a drainage plan, obtained easements from abutters, received construction estimates, and contracted with LP Murray to perform the work.

The Town of Cape Elizabeth received a Resource Protection Permit and subdivision amendments to the Hemlock Hill and Oakhurst Glen Subdivisions from the Planning Board, and has all permitting in place.

The item for the Town Council to consider on this agenda item is to approve the purchase of 1.62 acres of property identified as Map U33 Lot 54B, which is owned by Judith and Peter Bennett. This is a portion of the lot that Mr. and Mrs. Bennett own, and they will retain 11,582 square feet of the lot, which abuts their home parcel.

The Town has worked with Mr. and Mrs. Bennett and their attorney, along with the assistance of Tom Leahy, the Town's attorney, and arrived at an agreement for the purchase of the land, as well as language within the deed restricting the land's use for the management of storm water.

The Town and Mr. and Mrs. Bennett have agreed to a purchase price of \$10,000 for the parcel, as well as agreed to pay all legal expenses related to the transaction, with an amount not to exceed \$1,500.

The recommended motion for this agenda item is "To authorize the Town Manager to sign a quit claim deed on the Town's behalf in purchasing a portion of Map U33 Lot 54B, with a purchase price of \$10,000 and payment of legal fees related to the transaction not to exceed \$1,500." The source of funding for the purchase price and legal fees is the capital improvement budget.

I am happy to answer any questions related to this transaction.