

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: April 27, 2015
SUBJECT: Winnick Woods Connector Trail Resource Protection Permit

Introduction

The Town of Cape Elizabeth, represented by the Conservation Commission, is requesting a Resource Protection Permit to alter up to 2,700 sq. ft. of RP1, RP1 Buffer and RP2 wetland to construct a boardwalk over a casual use trail located in Winnick Woods on Sawyer Rd. The application will be reviewed for compliance with Sec. 19-8-3, Resource Protection Regulations.

The Board should be aware that I also serve as staff to the Conservation Commission and have prepared the application. Further, Town Engineer Steve Harding supervised the Permit by Rule application for this project submitted on behalf of the Town of Cape Elizabeth to the Maine Department of Environmental Protection (DEP).

Procedure

- The Planning will introduce the project within the context of town regulations.
- 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.
- The Board has scheduled a public hearing for this evening, conditional upon the application deemed complete. After the public hearing is closed, the Board may resume discussion.
- 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 Town Engineer Steve Harding of Sebago Technics are attached. There appear to be no incomplete items. The applicant is requesting a waiver from providing 1' contours of the wetland (2' contours of the area are provided) and waiver from providing 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 proposed boardwalk structure will be elevated off the surface, allowing the flow of water to continue unimpeded.

2. Impound surface waters

The trail connector will be elevated off the surface of the wetland areas, allowing surface waters to continue to flow.

3. Increase surface waters

There will be minimal alteration of existing vegetation, resulting in now changes in surface water volume.

4. Damage to spawning grounds

The boardwalk will reduce damage to existing vegetated areas by limiting damage from repeated pedestrian traffic.

5. Support of structures

The boardwalk will be constructed similar to other boardwalks on the greenbelt, which have been durable in wetland conditions.

6. Aquifer recharge/groundwater

The small footprint of the boardwalk will not measurably decrease water flow.

7. Coastal dunes

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

8. Ecological/aesthetic values

The boardwalk will minimize human wear and tear on the area by directing pedestrian and bike traffic to one area.

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 proposed boardwalk will reduce trampling of vegetation that holds soil in place and protects against 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 alter up to 2,700 sq. ft. of RP1, RP1 Buffer and RP2 wetland to construct a boardwalk over a casual use trail located in Winnick Woods on Sawyer Rd be deemed (complete/incomplete).

B. Motion for Approval

Findings of Fact

1. The Town of Cape Elizabeth, represented by the Conservation Commission, is requesting a Resource Protection Permit to alter up to 2,700 sq. ft. of RP1, RP1 Buffer and RP2 wetland to construct a boardwalk over a casual use trail located in Winnick Woods on Sawyer Rd. The

application will be reviewed for compliance with Sec. 19-8-3, Resource Protection Regulations.

2. The Planning Board is aware that municipal staff have prepared application materials and also provided advice to the Planning Board as part of the permit review. The Planning Board is satisfied that a third party review is not needed due to the limited scope of the project and the purpose of the project to provide a public benefit.
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 Town of Cape Elizabeth for a Resource Protection Permit to alter up to 2,700 sq. ft. of RP1, RP1 Buffer and RP2 wetland to construct a boardwalk over a casual use trail located in Winnick Woods on Sawyer Rd be approved.