Conservation Committee Meeting Minutes

7:00 p.m., Tuesday, May 11, 2021

As a result of the COVID-19 virus, the Conservation Committee conducted the meeting via Zoom remote access as provided by Maine law. Zoom allowed all Conservation Committee members and members of the public to hear all discussion and votes, which were taken by roll call, as required by law.

Present: Mitch Wacksman, Chair, Matt Craig, Emily Helliesen Day, Christophe-Heijn De Vries, Corinne Ketcham, Bruce Moore, James Tasse.

Staff: Maureen O'Meara, Town Planner

1. Public Comment.

Kristina Justh, 9 Spruce Ln - A group of school parents are organizing a bike and walk campaign on May 17th. They are designating bike and walk routes on gathering points and want to put up signage on Cape trails.

Philip Mathieu, CELT - He confirmed that the Cross Town trail, including the portion in Gull Crest, is included. The signs will be laminated and affixed to trees or on stakes. Robinson Woods is included.

Mr. Tasse suggested that BCM (Bicycle Coalition of Maine) might offer support.

Chair Wacksman loves the idea.

Mr. Tasse made a motion, seconded by Mr. Moore, to allow signage on town trails for the bike and walk campaign, which was approved 7-0.

Rachel Flaxman, 16 State Ave - She would like approval to install a lending library box on the Queen Acres open space, similar to the picture submitted. It would be affixed to a tree or on a post.

Mr. Moore prefers that it not be attached to a tree and instead installed on a post. Chair Wacksman concurred and Ms. Flaxman agreed.

Mr. Tasse made a motion, seconded by Mr. Wacksman, to allow a lending library box to be installed on a post on Queen Acres, which was approved 7-0.

Jacob Liess, Life Scott Pack 30 - A.J. DiNinno suggested he seek an eagle scout project from the Conservation Committee. He would start in the next couple of months and finish by September.

Jake Goodwin - He is a South Portland scout and would also like to work on an eagle scout project. He needs a project asap as the proposal forms are due May 20th and he needs to complete the project by August 20th. He can get others to help him.

Chair Wacksman asked staff if permits will be in hand and Ms. O'Meara said state and local permits should be available in July, when funding also becomes available.

Ms. Ketcham made a motion to approve an eagle scout project for Jake Goodwin for section 1-48, seconded by Mr. DeVries, which was approved 7-0.

The committee discussed assigning Jacob Leiss 1-49. Ms. Ketcham asked about concerns regarding the length needed to construct. Chair Wacksman thought using an assembly line approach would help move the construction along. J. Leiss asked if he could split the project with another scout into 2 70' long projects. The committee suggested he work with his scout leader, but the Conservation Committee would support a joint project.

Mr. Tasse said that getting material into the site is the biggest issue and you should line up volunteers. Chair Wacksman suggested delivering wood down the field, and then hand carrying it in.

Mr. Tasse made a motion to recommend the project with details to be confirmed, seconded by Mr. Moore, which was approved 7-0.

Philip Mathieu, CELT, wants to update the committee. The photo monitoring posts have been installed and project will go live (photos uploaded) soon. Posts were installed at Pond Cove, Spurwink Marsh pedestrian bridge, Willow Brook and Town Farm near the marsh. He will send Ms. O'Meara the link when it is ready.

CELT is an easement holder on the Town Farm and supports the Town permits for boardwalk installation. At the June Planning Board workshop, CELT will be presenting changes to the Robinson Woods trails and expanding boardwalks a bit at Runaway Farms.

Chair Wacksman said the committee would help when needed on the permit. Has CELT considered a trail treatment similar to what the town did on the Winnick Wander?

Mr. Mathieu said that may be included later as part of an ADA proposal. Chair Wacksman noted that the root exposure on Robinson Woods trails is difficult for an able-bodied runner. Mr. Mathieu concurred that is the condition on many Robinson Woods trails, but the focus now is on wetness and erosion.

2. Minutes. Mr. Craig made a motion to approve the April 13, 2021 minutes, seconded by Mr. DeVries, which was approved 7-0.

3. Planning Board Review.

*Carr Woods.* Ms. O'Meara introduced the Carr Woods project RP2 wetland alterations and open space, followed by a presentation by Travis Letellier. Mr. Letellier said 1 single family lot and 19 condos are proposed on the 14.3 acre site. 47% of the land area is proposed as open space. It is difficult to find space on the lot for connections. The middle and rear open space areas are connected behind the buildings and public access on the private road is proposed.

Mr. Tasse asked if an inventory of the biological value of the wetlands was done. Mr. Letellier said no, the wetlands were looked at last summer and then evaluated this spring for vernal pools.

Ms. Day asked if the Planning Board would do a site visit. Ms. O'Meara expected the Planning Board would and it would be scheduled after the application is deemed complete. She will forward the site walk announcement to the committee.

Chair Wacksman observed that it looks like the project is proposed on the low land between 2 ridges.

Mr. Craig said it is his first new subdivision review as a committee member. He did not see information addressing pollution, sewage disposal, combined sewer overflow. He is concerned with the size and volume of stormwater added to the existing system.

Mr. Letellier has spoken to the Portland Water District, and they will not issue a letter of capacity until the Planning Board submission. There are separate stormwater and sewage systems proposed. The stormwater will be directed into underground storage and filter treatment.

Upon request, Ms. O'Meara skimmed through the Frick wetland report.

Chair Wacksman opened the meeting to public comment:

Jen Johannsen, 2 Rocky Hill Rd - She sent the committee a letter. The application is not complete, referencing the wetland report, stormwater report and comments. The plan has changed since the January 2020 wetlands report. She questions the calculation of size for wetland D. August 2019 was a dry period so the wetland could be bigger than .9 acres. She supports getting a high intensity soils map. There are lots of wildlife and there should be a link to town trails.

Leigh Wold, 29 Littlejohn Rd - There are 6 units proposed behind my house. There seems to be confusion on the committee. Can you defer until you understand it better?

The public comment ended.

Mr. Tasse commented that completeness is complicated because the wetland report is based on an earlier project design.

Chair Wacksman agreed that the road has moved, so the wetland report should be updated.

Mr. Craig referenced emails received and asked how drought conditions impact wetland mapping? Should we ask for a peer review?

Chair Wacksman made a motion that the application is incomplete and summarized the following items:

•That the wetland study be updated consistent with the new plan

•That the question of how drought impacts wetland mapping be addressed

•That the large wetland size calculation be explained.

The motion was seconded by Mr. Tasse. Mr. Craig added:

•the combined sewer overflow questions be addressed.

Several members want to further understand the connection and ownership to the town open space (Loveitt Woods). Mr. Letellier said it would be owned by the condo association. Ms. O'Meara explained the ordinance requirement regarding open space strips of 50' or less in width. Mr. Tasse is concerned the open space is piecemeal. Ms. Day questioned if trees will be cut down if it is privately owned. Mr. Tasse suggested that, based on the application submission, the application is not in compliance with the development rules for Cape Elizabeth.

Chair Wacksman added:

•the Planning Board be asked not to include land of less than 50' wide in the open space calculation.

The Conservation Committee recommends that the Resource Protection Permit application is incomplete, and that the following additional information be submitted:

1. That the Wetland report be updated to align with the wetland alterations proposed in the development plan;

2. That the wetland report include information about how moderate drought conditions may influence the mapping of wetland boundaries;

3. That the wetland report include information on the size of the large wetland located on the south side of the property (Wetland D);

4. That information be provided that there is adequate capacity in receiving infrastructure for sanitary waste and stormwater flows from the project; and

5. That the open space plan not include strips of less than 50' in width in the calculation of open space to meet the 45% requirement.

The motion passed 7-0.

*Town Farm Trail Resource Protection Permit.* Ms. O'Meara introduced the proposal.

Ms. Ketcham made the following motion, seconded by Mr. Craig.

The Conservation Committee recommends that the Resource Protection Permit is complete.

The motion passed 7-0.

4. Greenbelt trail management.

Ms. Day reported that the boardwalk connector from Stonegate to Dyer Pond needs repairs. She will send photos and take measurements for the next meeting.

5. Adjourn. The meeting adjourned at 9:07 p.m.