

TOWN OF CAPE ELIZABETH PUBLIC WORKS DEPARTMENT

10 Cooper Drive
Cape Elizabeth, ME 04107



Jay Reynolds
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Date: July 13, 2022
To: Maureen O'Meara, Town Planner
From: Jay Reynolds, Public Works Director 
Re: Review of Proposed Temporary Community Ice Rink

Thank you for the opportunity to provide review comments for the above-stated application. In response, I offer the following review comments:

- Utilization of the site. Traffic and Circulation. The applicant states the site will be accessed exclusively from Gull Crest Drive. Additionally, the applicant also states that no signage is proposed as part of their project. My concerns remain with the project as it relates to maintaining the clear differentiation between the two main uses at this property: Athletics and Municipal Operations. As originally designed, the Gull Crest facility was built with two separate entrances off of Spurwink Avenue. One for Gull Crest (athletics/recreation), and the other for Public Works and the Recycling Center (operations). Without a clear definition as to where users of the ice arena are to access and exit, my concerns, which I have previously conveyed to the applicant and their agents, remain. The issue of motorists using Dennison and Cooper Drives, along with the potential for drop-off, parking, and vehicle standing to occur on the municipal operations side of the property, do not appear to have been addressed in the site plan submitted. Providing adequate directional signage, at Spurwink Avenue, would be an initial step towards providing the wayfinding tools to support the new facility. Without any clear direction, users will mistakenly use the wrong access road and parking areas, park on the side of Cooper Drive, et cetera, which will increase the potential for vehicle conflicts at Public Works, another concern I have. Additional traffic in this manner will result in motor vehicles entering the Public Works facility, where heavy equipment, school bus traffic, vehicle maintenance, recycling center, administrative office meeting traffic, and a fueling system, are all present. The application does not appear to provide any measure that would show how access will be exclusively via Gull Crest. It is recommended that the applicant provide additional measures to ensure that traffic and circulation are clearly managed from the Gull Crest (athletics) side of the property.
- Parking and Circulation: The project is proposing a changing tent be installed partially within the existing parking spaces and also in the travel aisle of the parking area.
 - The applicant should confirm that this tent does not block the necessary parking lot aisle width.
 - The applicant should confirm that the tent does not block the existing gull crest maintenance building's overhead door/access.
 - It is also recommended that some safety measures be employed to ensure motor vehicle circulation and pedestrian/tent user safety.

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- Operating Hours: are noted between 7:00 AM and 10:00 PM. It should be noted that, although noise standards are measured at the property line, the Public Works administrative offices are within two hundred feet of the proposed hockey arena. The concern of noise is present where many of the Public Works daytime functions have working conditions, in the form of an office environment, that are in very close proximity of the proposed athletic activities.
- The applicant states that their agent/designee will be responsible for the setup of the rink. However, it is not noted who will be responsible for the breakdown/removal of the facilities in each spring season. Please confirm the responsible party.
- Relating to the above comment, it should be noted that the Public Works Department is not party to this proposal, and the applicant should not assume that any resources of the department will be available for construction, utility work, clearing, tree removal, loaming/seeding/restoration, operations, maintenance, equipment reinstallation, management, etc., or any other facet of the proposal.
- The project includes areas of tree removal between the athletics and the municipal operations. One area is a stand of trees that were preserved during the buildout of Gull Crest and Public Works. Another area are several mature spruce trees that were planted as part of the same buildout.
 - With the loss of these trees, the buffer area between Public Works and Gull Crest will be lost. The applicant should demonstrate how they intend on restoring the loss of trees to its natural condition.
 - Additionally, the applicant should be required to maintain or install some form of a buffer between the two uses (athletics/municipal operations).
 - Lastly, with tree removal, it is recommended that the US fish and wildlife be consulted to ensure that tree cutting and vegetation removal is in compliance with applicable laws regarding endangered/threatened wildlife species (such as the northern long eared bat and the new England cotton tail rabbit), that may be present on the property.
- With the removal of trees, filling and grading, addition of new impervious surfaces, the applicant may need to amend the Town's existing site location of development permit with the Maine Department of Environmental Protection. At a minimum, a letter from the MDEP should be obtained to confirm that a permit modification is not applicable.

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- There is also a wooden split rail fence that separates Public Works from Gull Crest. It appears that fence will also be removed as part of the project. Please provide detail as to whether that fence is to be relocated and/or replaced upon completion of the temporary project.

- Utilities:
 - The applicant should provide/obtain the necessary approvals from the Town Council, Town Manager, or designee, with regards to the proposed new overhead utility poles and electrical lines that are shown on Dennison and Cooper Drives.
 - If approvals are acquired, a separate electrical meter should be installed to differentiate the project's electrical consumption and billing from the Town's usage.
 - Additionally, the applicant should provide/obtain the necessary approvals from the aforementioned parties to utilize the Town's water service line. This does not appear to be clearly articulated in the attached MOU provided.
 - If approvals are acquired, a water sub-meter should be installed to differentiate the project's water consumption and billing from the Town's water consumption.
 - The applicant is proposing the ice rink over the existing water service line. The applicant should consult with the Portland Water District and/or a civil engineer to confirm that:
 - The additional filling of material does not compromise the utility.
 - The ice rink infrastructure on top of the water line does not compromise the utility.

- Storage of Materials/Stormwater Management: In my previous involvement in a similar development of a privately-run ice rink on a municipal property, the ice rink maintenance and/or seasonal breakdown of the ice produces a residual material comprised of ice, paint, additives, and broken-down material from the lines/dots on a hockey rink. This material has been noted by the Maine DEP as a substance that should be contained and removed, and not be allowed to wash away into a drainage course or waterbody. If the project will have similar features/operations where the Zamboni will be emptied/cleaned, a containment and removal procedure/area/system will need to be established.