



Final Report

Shore Road Path

April, 2009

Prepared by:

Shore Road Path Committee

Consultants:

OEST Associates, Inc. Engineers
Mitchell & Associates Landscape Architects
Statewide Survey, Inc. Wetland Specialists

Executive Summary

The Shore Road Path Committee was appointed by the Town Council in the Fall of 2007 to prepare a concept plan for a path adjacent to Shore Road. The committee was charged with creating an off-road path adjacent to Shore Road that would be designed with sensitivity to the character of Shore Road and in collaboration with property owners abutting Shore Road.

The Committee is unanimously recommending the enclosed concept plan. This plan represents the Committee's best efforts to *balance* the public safety needs of pedestrians, the preservation of the unique physical and natural characteristics of Shore Road, and impacts on abutting property owners.

The committee made the extraordinary commitment to meet with all the abutters on the land side of Shore Road from the old entrance to Fort Williams to the Town Center. This, in addition to published updates, website postings, mailings, two public comment periods at each meeting and a public forum represents an extensive effort to incorporate public participation into the project.

The cost estimate for the project is \$883,000 (2009 prices). Financial support from the Town Council may be combined with grant funding and private fund raising to fund construction of a path at the appropriate time. The committee respectfully recognizes the Town Council's authority to make a final determination on the merits of the path project.

Introduction

The Cape Elizabeth Town Council voted to establish the Shore Road Path Committee on October 10, 2007. The Town Council had previously accepted a report from the Roadway Safety Working Group, which recommended that:

- B. The Town Council begin the process (create committee charge, advertise for members, recommendation from Appointments Committee, etc.) to create a Shore Road Path Committee to meet with property owners and prepare a path plan for Town Council consideration.

The report from the Roadway Safety Working Group was an endorsement of Recommendation #30 in the 2007 Comprehensive Plan:

30. Study the potential for creating an off-road path adjacent to Shore Road that would be designed with sensitivity to the character of Shore Road and in collaboration with property owners abutting Shore Road.

The Town Council's October 10, 2007 charge to the committee was as follows:

The committee shall study the potential for creating an off road path adjacent to Shore Road that should be designed with sensitivity to the character of Shore Road and in collaboration with property owners abutting Shore Road. The committee shall at the conclusion of its collaborative process present to the Town Council a path plan that includes a recommended path layout, recommendations for path surfaces(s), recommendations for any mitigation needed and a cost estimate.

Path Design

The Shore Road Path Committee began meeting January 17, 2008. The committee charge requires not only a plan for a path, but also that the path be designed to integrate with the character of Shore Road. Out of committee discussions evolved a set of design principles that were used to design the path consistent with the committee charge to be "sensitive to the character of Shore Road." The Principles of Path Design approved by the committee are as follow:

1. Right-of-way. The path should be located within the right-of-way of Shore Road. If the path is located outside the right-of-way, it would be located on adjacent private property only with the willing support of the property owner.

2. Physical features. The path should be located to avoid significant trees, stone walls and other significant features whenever possible.
3. Separation. The path should be separated from the travel way, while avoiding features (#2), to enhance the safety and comfort of path users.
4. Wetland Impacts. Wetland alterations should be minimized by moving the path close to Shore Road. The path can be moved away from the travel way where no substantial increase in wetland impact will occur.
5. Tree condition. Some trees may need to be removed and the committee will consider the health of the tree in making this recommendation.
6. Shore Road crossings. The number of times that the path will cross Shore Road will be minimized to enhance pedestrian safety.
7. Land side*. The committee is leaning toward locating the path on the land side of Shore Road as a result of an evaluation of physical features on both sides of the road, which indicates there are fewer obstacles to the path on the land side. (See Appendix 2 for a chart comparing the land and water sides of Shore Road)

*The committee voted unanimously on September 24, 2008 to place the path on the land side of Shore Road after determining, based upon the land/ water side analysis, that fewer obstacles to the path were present on the land side.

Concept Plan

The Shore Road Path Concept Plan recommended by the committee reflects a balancing of the seven stated principles of path design. A set of 5 concept plans have been prepared and are included as Appendix 9. For ease of locating, the plans include “stationing” measuring distance from Fort Williams. Station numbers are shown in the middle of Shore Road and are referenced in this report to assist with locating specific places.

Right-of-way

The path is recommended to be 5' wide with an asphalt surface, except where it is located in Robinson Woods, where a stone dust surface is recommended to comply with the conservation deed restrictions on the property. The committee reviewed several surface treatment options and chose asphalt for its lower maintenance cost and stability of surface adjacent to private property.

The entire path is located within the existing right-of-way of Shore Road, except where 2 single family homeowners have willingly agreed to allow the path to be placed on their property to create a better separation from the road and preserve

existing trees.(Construction grading easements may be needed, the extent of which will be determined as part of final design. Some property owners have indicated a willingness to provide a grading easement) If property owners later withdraw their offer, sufficient room remains to locate the path in the right-of-way abutting those property owners' land. (These properties are located at Stations 9+80-11+80 and 84+00-88+70)

The concept plan also shows the path outside the right-of-way along the frontage of Robinson Woods, a preserved open space parcel owned by the Cape Elizabeth Land Trust. The committee began meeting with the Land Trust in September, 2008 and requested permission to locate the path within Robinson Woods. The Land Trust has not yet made a decision. If the path cannot be located in Robinson Woods, the path can be constructed within the right-of-way fronting Robinson Woods. This option will result in the removal of 5 additional trees and 200 cubic yards of ledge.

Physical Features

The proposed path extends 10,200 linear feet, excluding driveways and intersections, along Shore Road and will require the removal of 26 trees, several of which are in poor condition. Over 90% of the existing trees along the path route will be preserved. No stone walls will be removed except for a 10' wide gap to be created at Fort Williams to allow access to the park. Two stones located south of Todd Road (Station 81+50), and two boulders (Station 82+35) will also be relocated. Some tree limbs and shrubs will need to be pruned. A row of shrubs adjacent to the Barber property (1175 Shore Road, Station 85+00) and a row of lilacs adjacent to the Rand property (1222 Shore Road, Station 108+50) will need to be removed and replaced. 230 cubic yards of ledge will be removed. The estimate of ledge to be removed is based on ledge visible or exposed at the surface and would be removed to install stormwater culverts and piping.

The plan also includes changes to the Shore Road frontage of Fort Williams Park from the old entrance to the boundary. The changes would locate the path in Fort Williams but outside the fence so that the path would be accessible when Fort Williams is closed. The existing Fort Williams fence extending south from the old entrance to the top of the hill would be moved back 15' and a new gate would be installed (Station 2+50).

Separation

The 5 foot wide path will be separated from Shore Road mostly by a 3 to 5 foot

wide esplanade. In three locations, the path will be located along the edge of Shore Road for a length of approximately 100 linear feet either to go around trees and utility poles or avoid ledge (Stations 7+60 - 7+95; 8+60 - 8+80; 84+75 - 85+20).

In eleven locations, the esplanade will vary between 2 and 3 feet for a length of approximately 1,235 linear feet to avoid or minimize trees, stonewalls, steep slopes or wetlands (Stations 16+50 - 19+10; 29+40 - 30+00; 46+15 - 48+60; 49+90 - 50+60; 53+85 - 54+95; 55+35 - 56+75; 61+00 - 61+15; 76+50 - 77+60; 85+20 - 86+75; 87+15 - 87+40; 88+75 - 89+20).

In two locations, the esplanade is less than 3 feet for a length of approximately 215 linear feet due to limited area within the right of way (Stations 18+65 - 19+10; 19+40 - 21+10).

In three locations, the path will be separated from Shore Road using a 6 inch raised bituminous curb for a length of approximately 370 linear feet (Station 89+50 - 90+15; 106+50 - 108+00; 108+35 - 109+90).

Wetland Impacts

The path will run adjacent to 10 wetland areas. In those areas, wetland impacts have been minimized by moving the path closer to the road and reducing the width of the buffer. An estimated 2,000 sq. ft. of wetland will need to be altered to construct the path. In most cases, the alteration would involve filling at the existing edge of a wetland.

Shore Road Crossings

The path begins at the old entrance to Fort Williams Park and will cross Shore Road near the southern end of Fort Williams (Station 6+25) where site distance is best. According to the Maine Department of Transportation Guidelines for Crosswalks, a sight distance of 305' is required for a road with a 35 mph speed limit. (See <http://www.state.me.us/mdot/mlrc/traffic-issues/crosswalkpolicy.php>.)

At Fort Williams, standing on the water side of Shore Road, the sight distance is 588' to the south and 354' to the north. Standing on the land side, the sight distance is 459' to the south and 345' to the north. The second crossing would be located near the Town Center by Julie Ann Lane (Station 103+25). Standing on the water side of Shore Road, the sight distance is 650+' to the south and 630' to the north. Standing on the land side, the sight distance is 650+' to the south and 530' to the north.

At both locations, but particularly at the Fort Williams crossing, pedestrian crossing striping and signage will be important to alert drivers and enhance

safety. The hills and curves of Shore Road are integral to its scenic character, but also restrict visibility. The committee is recommending that a solar powered, push button activated yellow blinking pedestrian crossing light be installed at the Fort Williams crossing to alert drivers when pedestrians are crossing the road.

Land Side

Almost the entire length of the path is located on the land side of Shore Road, primarily because there are fewer obstacles on the land side and also to minimize the number of times the path will cross Shore Road.

The committee has received public comment requesting that the path be extended, in particular to the main entrance of Fort Williams. The committee supports a better pedestrian connection between the main entrance and old entrance of Fort Williams. As a companion recommendation, the committee is recommending that a sidewalk project recommended by the Roadway Safety Working Group connecting the main and old Fort Williams entrances, also be constructed. The sidewalk connecting the two entrances would be approximately 830 linear feet.

Cost

The total estimated cost to construct the path is \$883,000. The estimated cost is comprised of the following components:

Path Construction	\$611,000
Survey, Design and Permitting	\$73,000
Permit Fees	\$28,000
Construction Administration	\$24,000
Full Time Construction Monitoring	\$37,000
Contingency (15%)	<u>\$110,000</u>
TOTAL	\$883,000

The concept plan includes constructing a portion of the path within Robinson Woods. The Land Trust has not yet decided if they will allow the path to be located within Robinson Woods. If they refuse permission, the path can be located in the right-of-way fronting Robinson Woods. An order of magnitude construction cost estimate of rerouting the path section from Robinson Woods to the Shore Road right-of-way is \$66,000, which increases the construction cost by 11% from \$611,000 to \$677,000. The four primary cost factors include the removal of an additional 200 cubic yards of ledge, changing the path surface from stone dust to asphalt, removal of five additional trees and extending two existing culvert pipes. The additional construction, design, permitting, construction

administration, construction monitoring contingency, and total project cost associated with the path relocation would increase the total project cost estimate by \$96,000 from \$883,000 to \$979,000.

See Appendix 3 for a full description of the cost estimate.

Shore Road Path Committee

The Shore Road Path Committee has nine members, 8 appointed by the Town Council and one designee from the Conservation Commission. The committee members are Paul Thelin, Chair; Dena DeSena, Conservation Commission representative; David Backer*, Town Council representative; Josef Chalat; Howard Littlefield; Andie Mahoney; Suzanne McGinn; George Morse; and William Nickerson.

*David Backer replaced Town Council Representative Cynthia Dill who resigned from the committee in anticipation of her departure from the Town Council.

The committee was staffed by Maureen O'Meara, Town Planner.

The committee also selected a consultant team using a competitive process. The team of OEST Associates/Mitchell & Associates/Statewide Surveys provided a right-of-way survey, wetland mapping, landscape design, photo simulations, preliminary engineering and cost estimating.

Carl Eppich, PACTS representative, also participated on the committee.

Funding

No direct funding was allocated to the committee. Copying expenses were paid from the roadway drainage account. A grant in the amount of \$35,000 (\$28,000 from Portland Area Comprehensive Transportation System (PACTS) and a \$7,000 local match from the Town of Cape Elizabeth) was used to hire the consultants.

Study Methodology

The committee met 19 times, including a public forum on November 19, 2008. At the initial meeting on January 17, 2008, the committee reviewed the records from the 1996 Shore Road paved shoulders project, the P2 Report*, the 2001 Greenbelt Plan, 2007 Comprehensive Plan recommendation and the Road Safety Working Group Report.

*The P2 Report is the report of the Pedals and Pedestrians Committee, appointed by the Town Council to make recommendations on bike paths and sidewalks needed in the town. The P2 Committee made a series of infrastructure recommendations, but recommended against constructing 4' wide shoulders along both sides of Shore Road.

The Shore Road Path Committee noted that the 1996 project included paving 4' wide shoulders on both sides of Shore Road and was turned down by the Town Council. At its first meeting, the committee also agreed that the public would be provided an opportunity to speak at the beginning and end of every meeting. The meeting schedule of the committee would also be posted on the town website.

In subsequent meetings, the committee reviewed an existing 1967 right-of-way survey of Shore Road and also conducted two site walks of the length of Shore Road from the main entrance at Fort Williams Park to the Town Center.

The committee agreed that specialized assistance would be needed to complete the study and prepare a scope of services to solicit consultant bids. Upon selection of the consultant team, a new right-of-way survey of Shore Road was begun in July, 2008. Letters were mailed to the abutters on both sides of Shore Road, as well as the neighborhoods connecting to Shore Road from Fort Williams to the Town Center, introducing the study and announcing the survey work.

Following completion of the new right-of-way survey and before the development of any specific plans for the path, a member or members of the Shore Road Path Committee and the Town Planner offered to meet with all the abutters on the land side of Shore Road, either at their properties or at Town Hall. Thirty-one meetings were held with abutters and four abutters declined the meeting. The purpose of these meetings was to learn from abutters how the path could be designed in front of their property to minimize any negative impacts to the property. At the meeting, each abutter was provided a copy of the right-of-way survey abutting their property. Notes of each meeting were prepared and provided to the consultant.

The draft concept plan was presented to the committee on October 29, 2008 and then presented to the public in a forum held on November 19, 2008. Approximately 150 people attended the public forum and 48 spoke at the forum to offer comments on the proposed plan. Safety of the path was one of the primary concerns at the public forum. Based on the public forum comments, the committee directed the consultant to make revisions to the plan to increase safety.

The committee has had extensive discussions on the safety of the proposed plan and feels the proposed path greatly improves the safety of the road for all users, including drivers, bikers, joggers, and walkers. Several members of the committee based their conclusions on having walked or biked this section of Shore Road frequently, and all members of the committee walked the road at least once.

In addition, a review of the literature was conducted to see if there was research on the safety impacts of this type of path or sidewalk. Two studies have found paths or sidewalks along roads improve safety. A study by the U. S. Department of Transportation found that “in residential and mixed residential areas, pedestrian crashes were more than two times as likely to occur at locations without sidewalks ...” (Source: American Journal of Public Health, Sept. 2003, page 1460.) Another study concluded that “(t)he presence of a sidewalk ... clearly has a strong beneficial effect of reducing the risk of a walking-along-roadway pedestrian collision with a motor vehicle.” (Source: Transportation Research Record 1674, paper No. 99-1203, page 44). A follow-up discussion with Dan Stewart, Manager of the Maine Department of Transportation Bicycle and Pedestrian Program, confirmed these findings. Mr. Stewart indicated that even though a path was only on one side, it would be much safer than without the path.

The committee approved the concept plan on February 4, 2009.

The committee reviewed a cost estimate based on the approved concept plan on February 25, 2009 and approved a final report to the Town Council on March 25, 2009.

Public Participation Plan

The committee charge noted the need for public participation in the study. The committee designed a multi-faceted public participation plan intended to provide information and encourage public participation in different ways. [See Appendix 4 for Public Participation Plan, Appendix 5 for letters to the abutters, and Appendix 6 for Public Forum notes]

Included in the consultant study was the development of photo simulations to show how the path might look in selected locations. These simulations were developed to help the public visualize how a path might look and be built with sensitivity to the character of Shore Rd. (See Appendix 7)

During the development of the concept plan, the committee became concerned that inaccurate information was being provided to the public by third parties. In an effort to make accurate information available to the public, the committee

developed a “Frequently Asked Questions” document which was posted on the town website. (See Appendix 8)

Public input ranged from statements of support or opposition for the path, to criticism of the design as presented at the various stages. Some of the abutters, for example, expressed concern that the path would result in a loss or diminishment of privacy. This led the committee to move the path, where possible, towards the road, rather than hug the right-of way as was discussed early in the process. The initial design concept called for the path to be adjacent to Shore Road without any esplanade in several locations. Safety concerns raised during public comment sessions persuaded the committee to remove some trees in order to maintain an esplanade over almost the entire path.

Appendices:

1. Committee Charge
2. Land/Water side comparison
3. Cost Estimate
4. Public Participation Plan
5. Abutter letters
6. Public Forum Notes
7. Photo simulations
8. Frequently Asked Questions
9. Concept Plans



Shore Road Pathway Study Committee

Introduction

In late May 2007, the Roadway Safety Working Group proposed that a number of projects in the community “be given high priority for immediate funding and construction.” One of the recommended projects is an off road pathway on Shore Road between the town center and Fort Williams Park. Due to the intricacies of the potential pathway, the committee recommended and the Town Council agreed that a committee of citizens should be formed to study the potential for creating an off road path adjacent to Shore Road that should be designed “with sensitivity to the character of Shore Road and in collaboration with property owners abutting Shore Road.

Committee Structure

The Shore Road Pathway Committee shall consist of nine persons. The Town Council, following a recommendation from the Appointments Committee, shall appoint seven citizens. The citizens shall include multiple residents/and/or property owners from within the Shore Road corridor and adjacent streets and shall be broadly representative of the entire community. The Town Council Chairman and the Conservation Commission Chair shall each designate one representative of their bodies to serve on the committee. The committee shall appoint its own chair and secretary. The Town Planner shall be the principal staff person for the committee.

Committee Charge

The committee shall study the potential for creating an off road path adjacent to Shore Road that should be designed with sensitivity to the character of Shore Road and in collaboration with property owners abutting Shore Road.

The committee shall at the conclusion of its collaborative process present to the Town Council a path plan that includes a recommended path layout, recommendations for path surface(s), recommendations for any mitigation needed and a cost estimate.

Other Provisions

The committee shall provide a progress report to the Town Council six months after the first meeting of the committee. The committee shall serve until June 30, 2009 and any extension to this time shall be determined by the Town Council.

The Town Manager in FY 2008 shall make available financial resources from the Roadway/Drainage projects account to assist the committee with its work. The Town

Council will consider an appropriation for the committee's work in FY 2009 as part of the FY 2009 budget process.

Comparison of Land/Water side of Shore Rd for path

	<u>Land</u>	<u>Water</u>
Total length	11,000	11,000
No. of property owners	37	54
Largest frontage	2,200'	920'
Second largest	1,700'	520'
Third largest	670'	400'
Hydrants	no	yes
Wetlands/Ocean	1,044'	405'
Ledge	45'	90'
Public access land frontage	2,200'	1300'
Houses within 35' of ROW*	6	7
Large Trees	yes	yes
Stone walls	1,105'	1,925'
Less than 10' ROW	350'	2,110'
Telephone poles	27	68

*Best info without field survey

360.71.01
March 19, 2009

REVISED SHORE ROAD PATH COST ESTIMATE TOWN OF CAPE ELIZABETH

The proposed Shore Road Path is located on the east side (land side) of Shore Road and consists of approximately 10,200 linear feet of 5-foot wide path from Fort Williams to Town Center. OEST Associates, Inc. prepared the cost estimate for the Shore Road Path based on the Shore Road Pathway Improvements Plan (Conceptual Plan) that was approved by the Shore Road Path Committee on February 4, 2009.

PERMITTING CONSIDERATIONS

There are four primary considerations related to permitting for this project:

1. Maine Department of Environmental Protection (MDEP);
2. Army Corps of Engineers (ACOE);
3. Maine Department of Transportation (MDOT) approval; and
4. Town Zoning Ordinance.

Given that project contract documents have not been prepared and permit applications and fees have not been submitted to regulatory agencies, the following permitting discussion is speculative in nature and is subject to significant change. The information outlined below is based on our experience on similar projects, but may not reflect the final project design or the regulatory environment at a future date.

MDEP Permitting

The MDEP permitting requirements address General Standards related to stormwater treatment, Basic Standards during construction and wetland impacts. To meet the General Standard, a project's stormwater management system must include treatment measures that will mitigate channel erosive flows, provide effective treatment of pollutants, and mitigate potential temperature impacts. The standard will be met by treating no less than 75% of the new impervious area and no less than 50% of the total developed areas since the pathway is considered a linear project. As the project will consist of more than one acre of new impervious area at approximately 51,000 square feet (SF), the treatment methods that are acceptable include wet ponds, biofilters, buffers, and infiltration controls. Due to the limited right of way and space constraints associated with this project, it is likely that the Town will have to address stormwater treatment requirements for the Shore Road Path at other unregulated impervious areas within the Town. Alternative treatment measures may be implemented adjacent to the proposed pathway, if approved by the MDEP. There is also the possibility that the MDEP would consider a waiver for this project given the projects close proximity to the ocean and the number of different watersheds involved over the project alignment.

The Basic Standard contains criteria that is associated with Erosion & Sediment Control (E&SC), Inspection & Maintenance (I&M), and General Housekeeping (GH) during project construction. For E&SC, sediment control measures must be in place before any construction activity begins. For I&M, documentation logs during construction and post construction maintenance and inspection activities are required. Municipalities with storm sewer systems regulated under the Maine Pollutant Discharge Elimination System (MPDES) Program may report on all regulated systems under their control as part of

their required annual reporting, in lieu of separate certification of each system. For General Housekeeping, there are performance standards associated with spill prevention, groundwater protection, construction debris, and fugitive sediment and dust.

Wetland impacts within the resource boundary related to this project are relatively small (<2,000 SF), but will need to be addressed. Several wetlands along the project route are considered wetlands of special significance (WOSS), some of which will be impacted by the project (Wetlands A, BB, E and G) by construction activities taking place within the 75 foot setback requirement. Two WOSSs (B and F) will be impacted by construction activities taking place within the resource. Two additional wetlands (C and D) will be impacted, but they are not considered WOSSs.

In order to provide a conservative approach, we have assumed that all construction work that impacts wetlands will be completed under Natural Resource Protection Act (NRPA) Permits. Where construction activities will occur within wetland boundaries, the wetlands would need to be physically compensated through wetland creation, restoration, remediation or some other means. There is also the possibility that a wetland impact mitigation fee known as an In-Lieu Fee (ILF) will have to be paid. For example, this project impacts approximately 1,500 SF of WOSS and 500 SF of wetlands. In Cumberland County over the last several years, a typical wetland impact mitigation fee is approximately \$160,000 per acre or \$3.67 per SF. Where WOSS are impacted, a multiplier of four is applied to compensate for the higher value of impacted habitat. Therefore, the ILF could be as high as \$23,855 [(\$3.67/SF X 500 SF) + (4 X \$3.67/SF X 1500 SF = \$23,855)].

ACOE Permitting

The ACOE generally follows the MDEP for these types of projects. This will need to be confirmed with the ACOE once the project permitting has begun.

MDOT Approval

The Town owns Shore Road and is solely responsible for its maintenance and approval of all improvements. Therefore, no specific approval is required from the MDOT for construction of the Shore Road Path. If during the design process it is decided to revise any posted speed limits on Shore Road, a request would have to be made to and approved by MDOT, as MDOT is responsible for establishing speed limits.

Town Zoning Ordinances and Requirements

Before this project can move forward, it must be approved by the Town Council. Based on review of the Town Zoning Ordinances, the project falls within the following zones:

1. Resource Protection 1 – Critical Wetland District (RP1-CW)
2. Resource Protection 2 – Wetland Protection District (RP2-WP)
3. Resource Protection 3 – Floodplain District (RP3-F),
4. Town Center District (TC),
5. Fort Williams Park District (FWP),
6. Shoreland Performance Overlay District (SPO) and
7. Residences A District (RA).

Based on preliminary review of the district requirements, there is no specific language stating that a foot path is an allowed use. However, RA and RP zones have language that allow parks and foot bridges, respectively. A review of the district requirements should be completed by the Town (Planning/Code Enforcement) to clarify whether or not a path through all of the identified districts is allowed and to make recommendations for revisions to the zone ordinance, if necessary. In addition, the project will need to be reviewed and approved by the Planning Board and the Conservation Commission.

COST ESTIMATING BASIS

Unit costs used to develop the Shore Road Path cost estimates are based on:

- Unit costs from projects constructed in Cape Elizabeth from 2006 through 2008 that were adjusted to 2009 dollars;
- Recent budgetary quotes from vendors/suppliers; and
- RSMMeans Site Work & Landscape Cost Data for 2009 where other cost data was not available.

Ongoing maintenance costs associated with the Shore Road Path have not been assessed and should be considered if the Town proceeds with the project. Such maintenance costs should include, but not limited to, snow removal, periodic cleaning of catch basins, drain manholes and periodic pavement overlays.

PATH COST ESTIMATE

The estimated cost to construct the Shore Road Path is approximately \$883,000 and is summarized on attached Table 1. The estimate includes the following cost categories:

1. **Path Construction (\$611,000):** These costs are specifically related to construction activities necessary to construction the Shore Road Path as shown on the Conceptual Plan. A detailed breakdown of the estimate is provided on attached Table 2.
2. **Survey, Design and Permitting Services: (\$73,000):** These costs are related to the preparation of the construction contract documents (plans and specifications), permit applications and associated fees, putting the project out to bid and contractor selection. Some minor surveying will be required to facilitate the final design of all necessary storm drainage improvements along the path and the stormwater treatment at a location separate from the path as discussed in the MDEP Permitting Section. This item is estimated at 12% of the path construction cost.
3. **Estimate Permit Fees: (\$28,000):** This cost is related to the ILF and permit application fees and is estimated at 4% of the path construction cost.
4. **Construction Administration (\$24,000):** Construction administration costs include preparation of the construction contract, holding a Preconstruction Conference, Monthly Progress Meetings, review and approval of contractor applications for payment, review and approval of contract change orders and addressing any other issues that may arise during construction. This item is estimated at 4% of the path construction cost.
5. **Full Time Construction Monitoring (\$37,000):** Construction monitoring is assumed to be full time over a three month construction period. The monitor will observe the work to ensure the contractor adheres to the contract document requirements. In addition, he/she will interact with the residents in the project vicinity to document issues that may arise. This item is estimated at 6% of the path construction cost.
6. **Contingency (\$110,000):** A contingency of 15% is applied to all cost categories to allow for issues that may arise during design, construction contract document preparation and project construction.

The estimated project cost is based on the economic conditions in February 2009 and may vary significantly due to economic conditions at the time the project is put out to bid. If funding for the project

occurs after 2009, the cost estimate should be updated at that time to ensure that the appropriate level of funding is obtained.

Shore Road Path Narrative_021609.Doc

TABLE 1

**COST ESTIMATE SUMMARY
SHORE ROAD PATH
TOWN OF CAPE ELIZABETH
OEST PROJECT #: 360.71.01**

ITEM	ESTIMATED PATH CONSTRUCTION COST	ESTIMATED SURVEY, DESIGN & PERMITTING SERVICES	ESTIMATED PERMITTING FEES TO REGULATORY AGENCIES	ESTIMATED CONSTRUCTION ADMIN. COSTS	ESTIMATED CONSTRUCTION MONITORING	CONTINGENCY	TOTAL ESTIMATED COST	ESTIMATED PER FOOT COST
Construct a 5-foot wide path from Fort Williams Park to Town Center	\$ 610,715.04	\$ 73,285.81	\$ 27,482.18	\$ 24,428.60	\$ 36,642.90	\$ 110,386.74	\$ 882,941.28	\$ 87.00
<u>Path Length (Feet)</u> 10,200								
Estimated % of Construction Cost		12.0%	4.5%	4.0%	6.0%	15%		

TABLE 2

**CONSTRUCTION COST ESTIMATE
SHORE ROAD PATH
TOWN OF CAPE ELIZABETH
OEST PROJECT #: 360.71.01**

Item No.	Description	Unit	Quantity	Unit	Unit Cost	Total
1	Mobilization/Demobilization		1	ls	\$ 20,000.00	\$ 20,000.00
2	Remove Asphalt Pavement	sf	228	sf	\$ 10.00	\$ 2,280.00
3	Mass Rock (Ledge Removal) by Mechanical Method	cy	230	cy	\$ 220.00	\$ 50,600.00
4	Common Excavation	cy	1,518	cy	\$ 11.50	\$ 17,457.00
5	Common Borrow	cy	500	cy	\$ 15.50	\$ 7,750.00
6	Aggregate Base Gravel	cy	1,265	cy	\$ 27.00	\$ 34,155.00
13	Stormwater Treatment		12,623	sf	\$ 5.50	\$ 69,423.75
14	12-inch HDPE Storm Drain	lf	524	lf	\$ 45.00	\$ 23,580.00
24	4-foot Diameter Catch Basin	ea	5	ea	\$ 2,170.00	\$ 10,850.00
29	Extend 12-Inch CMP Culvert	lf	80	lf	\$ 50.00	\$ 4,000.00
30	Extend 24-Inch HDPE Culvert	lf	10	lf	\$ 56.00	\$ 560.00
33	Extend 15" CMP Storm	lf	10	lf	\$ 50.00	\$ 500.00
34	Construct Concrete Head Wall	ea	1	ea	\$ 3,000.00	\$ 3,000.00
35	Extend 10" PVC Storm	lf	20	ea	\$ 100.00	\$ 2,000.00
36	Remove 8" Storm	lf	20	lf	\$ 50.00	\$ 1,000.00
37	Access Drive for Culvert Maintenance	sf	400	sf	\$ 5.00	\$ 2,000.00
44	5-Foot Wide Hot Bituminous Sidewalk	5 w/lf	4,494	sy	\$ 17.50	\$ 78,652.78
45	5-Foot Wide 3/8-Inch Stone Dust Path	5 w/lf	189	cy	\$ 25.00	\$ 4,729.17
49	Cape Cod Bituminous Curbing	lf	360	lf	\$ 7.50	\$ 2,700.00
50	30' Weathering Steel Foot Bridge & Abutments (6' width)	lf	30	lf	\$ 1,250.00	\$ 37,500.00
51	6-Foot Wide Elevated Board Walk	6 sf	2,160	sf	\$ 20.00	\$ 43,200.00
53	Calcium Chloride	ton	20	ton	\$ 362.50	\$ 7,250.00
54	Remove/Relocate Chain Link Fence	lf	340	lf	\$ 30.00	\$ 10,200.00
55	5-Foot Wide Chain link Gate (8' height)	lf	10	lf	\$ 150.00	\$ 1,500.00
56	Remove Field Stone Wall	2 sf	45	sf	\$ 10.00	\$ 450.00
58	Relocate Split Rail Fence	lf	220	lf	\$ 23.00	\$ 5,060.00
59	Key Stone Retaining Wall	sf	984	sf	\$ 25.00	\$ 24,600.00
60	Relocate Road Sign	ea	5	ea	\$ 50.00	\$ 250.00
61	Timber Guard Rail	lf	300	lf	\$ 30.00	\$ 9,000.00
62	Remove and Relocate Timber Posts	ea	11	ea	\$ 35.00	\$ 385.00
63	Relocated Timber Guard Rail	lf	410	lf	\$ 40.00	\$ 16,400.00
64	Stripe Pedestrian Crosswalk	ea	2	ea	\$ 750.00	\$ 1,500.00
65	Crosswalk Signage	ea	2	ea	\$ 200.00	\$ 400.00
66	Pavement Markings	lf	-	lf	\$ 0.50	\$ -
67	Relocated Mail Box	ea	18	ea	\$ 50.00	\$ 900.00
68	Relocate Boulder	ea	1	ea	\$ 100.00	\$ 100.00
69	Relocate Shrubs	sf	4	sf	\$ 35.00	\$ 140.00
70	Loam and Seed	sf	200	sf	\$ 0.50	\$ 100.00
72	Remove Tree	ea	26	ea	\$ 1,000.00	\$ 26,000.00
73	Remove Stump	ea	1	ea	\$ 1,000.00	\$ 1,000.00
75	Prune Vegetation	sf	3,325	sf	\$ 3.00	\$ 9,975.00
76	Remove Vegetation	sf	375	sf	\$ 5.00	\$ 1,875.00
77	Plant Rosa Rugosa	sf	350	sf	\$ 20.00	\$ 7,000.00
78	Plant Lilacs (5' to 6' height)	ea	14	ea	\$ 200.00	\$ 2,800.00
79	Construction Signage and Traffic Control Devices	month	3	month	\$ 1,000.00	\$ 3,000.00
80	Flaggers	month	3	month	\$ 10,000.00	\$ 30,000.00
81	Relocated Utility Pole	ea	2	ea	\$ 1,500.00	\$ 3,000.00
82	Relocate Water Meter Pit	ea	1	ea	\$ 4,500.00	\$ 4,500.00
84	Relocated Utility Guy Pole	ea	9	ea	\$ 1,500.00	\$ 13,500.00
85	Adjust Water Valve	ea	1	ea	\$ 100.00	\$ 100.00
86	Solar Powered Cross Walk Beacon	ea	2	ea	\$ 6,896.18	\$ 13,792.35
TOTAL:						\$ 610,715.04

**Public Participation Plan
Shore Road Path Committee**

The public participation plan has been structured based on the following goals:

1. Transparency. All meetings, schedules, minutes, and other documents should be easily accessed by any member of the public interested in the study.
2. Multi-level participation. Multiple approaches to engaging the public should be employed, which should maximize public involvement because different people take in information in different ways.

The committee will use the town’s website to post all agendas and minutes of meetings, the meeting schedule of the committee, and other documents and plans produced by the committee. The committee will use first class mailed notices for targeted groups. Press releases will be issued to local newspapers. At least one public forum will be held. The committee is also required to provide a status report to the Town Council every six months.

3. Abutter priority. There should be heightened attention and effort to provide information and solicit input from abutters on Shore Rd.
4. Town-wide resource. The path would be a town-wide resource and, if constructed, would be financed with town funds, therefore, the public participation plan should also solicit public participation from non-Shore Rd area residents.

The following plan is therefore proposed:

<u>Time</u>	<u>Action</u>
Ongoing	Posting of all agendas, minutes, meeting schedule, documents to town website, www.capeelizabeth.com
Ongoing	Time reserved at each committee meeting for public comment
May '08	Letter introducing committee mailed to Shore Rd abutters, area; press release
June '08	Status Report to Town Council

July '08	Notification survey to begin (letters, website, press release)
August 25, 2008	Individual meetings with abutters begin
November '08	Public Forum on preliminary concept plan
November '08	Status Report to Town Council
March '09	Final recommendation to Town Council, posting on website

May 6, 2008

Shore Road Property Owner
Cape Elizabeth, Maine 04107

RE: Shore Road Path Study Committee

Dear Shore Road property owner:

You may be aware that the Cape Elizabeth Town Council has appointed a committee to study the potential for a pathway to be installed adjacent to Shore Road. This letter is intended to introduce the committee and to provide you with advance notice of the committee's desire to meet with the property owners along Shore Road in the next couple of months. The committee is also updating the right-of-way data for Shore Road, so you may see surveying work soon.

Who is on the committee?

The Shore Road Path Committee includes town residents who live on Shore Road, adjacent to Shore Road, and elsewhere in the town. Two members are representatives of the Town Council and the Conservation Commission. The committee began meeting in January, 2008.

The Committee chose Paul Thelin as Chair and also includes Josef Chalut, Dena DeSena, Cynthia Dill, Howard Littlefield, Andie Mahoney, Suzanne McGinn, George Morse, and William Nickerson. (Funding for the committee study has been provided by a grant from the Portland Area Comprehensive Transportation Committee, PACTS.)

Why Study a path?

In the Fall of 2007, the Cape Elizabeth Town Council adopted a new Comprehensive Plan that includes 91 recommendations. One of the high priority recommendations is to:

Study the potential for creating an off-road path adjacent to Shore Road that would be designed with sensitivity to the character of Shore Road and in collaboration with property owners abutting Shore Road.

This recommendation was included in the Comprehensive Plan under a goal that focuses on the safety of pedestrians. Shore Road is recognized as an area unsafe for pedestrians, due to the lack of area available to them outside the roadway, and also hazardous for drivers who must maneuver around them. The large percentage of town residents who live in the Shore Road area, as well as the role Shore Road serves as a connector to the Town Center, suggests that pedestrian traffic will continue or increase.

Enhance our sense of community

The residents of approximately 338 homes live on or adjacent to the section of Shore Road from Fort Williams to the Town Center. Shore Road is the primary connector for these residents to the Town Center. The popularity of Shore Road, combined with the lack of space for non-vehicular travel, makes it challenging for residents to leave their driveways, except by car. The path will improve mobility and promote a sense of community as residents will be able to walk safely to other parts of town. Many of us can acknowledge the personal connections that develop only when we are able to leave our cars and walk in our neighborhoods.

What would a path look like?

The location and design of a path is exactly what the committee would like to hear comments about from Shore Road abutters. No design has been prepared at this time. It should be clear, however, that the path concept is not the same proposal rejected by the Town Council in 1996, which included paved shoulders to be installed on both sides of Shore Road.

The purpose of the path would be to provide a safe location for walkers, joggers, kids on bikes, and casual adult bikers. The *preliminary* concept is a path approximately 5' wide that would be set back from the road pavement approximately 5', on one side of the road. The committee is committed to a path design that would wind around and preserve significant features such as mature trees and stone walls. Consequently, the committee is flexible on the exact

location of the path and welcomes comments from town residents. It appears that there is adequate room within the existing right-of-way of Shore Road for such a path. In order to design a path that complements the character of Shore Road, it is essential that the path location be dictated by the physical characteristics of the area.

We want to meet with you at your property

Committee members would like to meet individually with every property owner on the land side of Shore Road from Pearl St to the old entrance to Fort Williams. (The committee is focusing on the land side of Shore Road because it has a greater amount of undeveloped land, fewer physical constraints and fewer abutting property owners, although a final decision has not been made at this time.)

These meetings will be a significant commitment of time by members of the committee and demonstrates their depth of commitment to listening to the comments, ideas and concerns of Shore Road property owners.

What's next?

The committee is hoping to begin meetings in late summer/early fall and will be back in contact with you as the time gets closer. The committee does not anticipate completing their work until next year, when a recommendation will be submitted to the Town Council for consideration. In the meantime, the committee is beginning to place information on the town website, www.capeelizabeth.com. Please feel free to visit the website or to contact the Town Planner at 799-0115 or maureen.omeara@capeelizabeth.org for more information.

We look forward to meeting with you.

Sincerely,

Paul Thelin
Shore Road Path Committee Chair

June 30, 2008

Dear Shore Road Abutter:

The Shore Road Path Committee has previously sent you a letter introducing itself and describing the Shore Road Path study it is undertaking. This letter is a follow-up to let you know that the **Shore Road Right-of-way survey** previously described will be conducted during the month of **July, 2008**.

The survey, and additional consultant assistance, has been funded with a \$35,000 grant from the Portland Area Comprehensive Transportation Committee (PACTS). The terms of the grant require that the Town provide a cash match of \$7,000 to the \$28,000 in grant support, for a total grant amount of \$35,000.

After a competitive proposal and selection process, the Shore Road Path Committee has selected the team of Oest Associates/Mitchell and Associates/Statewide Surveys (wetland mapping) to provide consultant support. The right-of-way survey will be done by Oest Associates.

The survey will involve locating the right-of-way/property lines of both sides of Shore Rd from the old entrance to Fort Williams to Pearl Street. Major elements, such as telephone poles, will also be located along the water side of Shore Rd. A detailed mapping of features, such as stone walls, trees, culverts, etc. will be done on the land side of Shore Rd. Surveyors will also be mapping features up to 10' off the road right-of-way, unless a property owner objects. Once the survey is complete, a landscape architect from Mitchell Associates will then review the survey in the field and add existing conditions information.

The committee has made an accurate survey of Shore Rd a high priority and hopes that abutters will feel comfortable pointing out important features to the surveyors as they conduct their work. When the survey is complete, you will be contacted regarding a convenient time (approximately September) to meet with

a committee member and go over any concerns or questions you have. A copy of the survey abutting your property will be provided at that meeting. The entire survey will also be posted on the town website, www.capeelizabeth.com.

We all agree that Shore Road's beauty is a tremendous asset to the town and I hope we can work collaboratively on this study effort. Please feel free to contact me at 767-4824 with any questions.

Sincerely,

Paul Thelin
Shore Road Path Committee Chair

Cc: Maureen O'Meara, Town Planner
Michael McGovern, Town Manager
Steve Harding, Oest Associates
John Mitchell, Mitchell and Associates
Carl Eppich, PACTS

**Shore Road Path Committee
Public Forum
November 19, 2008**

Meeting started at 7:00 p.m.

Present:

Shore Road Path Committee Members: Paul Thelin, Howard Littlefield, Joe Chalut, Susan McGinn, Ron Nickerson, Andy Mahoney, Dena DeSena, George Morse, David Backer (Town Council representative)

Town Planner: Maureen O'Meara

The Public Forum was opened by Shore Road Path Committee Chair Paul Thelin who welcomed all present and asked Committee Members to introduce themselves. He thanked Town Planner, Maureen O'Meara for her phenomenal help in going through the planning process and commented on the work of consultant, John Mitchell on the draft plan that will be introduced to the public during the evening.

Committee Members talked about the Committee charge, funding of the study, public participation plan, principles of path design, survey, concept plan, cost estimate and recommendation to Town Council.

Paul Thelin introduced John Mitchell who gave detailed presentation about the draft plan in 13 sections. In the presentation, he showed the planned path on Shore Road, real life pictures of the area and photo simulations of potential path in several locations.

After Paul Thelin asked everyone to state their names and address before they comment on the project and limit comments to 3 minutes, public comment began at 8:00 p.m.

Mary Ellen Whiteman, 1185 Shore Road -- opposed the path; said that path would narrow the road, would increase danger, path is too close to the road, serious bikers would remain on the road, not on the path.

Richard Berman, 58 Hannaford Cove Road – supported the path; said that Committee did a fabulous job and thinks that the path is not long enough. He would like to see the path as far away from to road as possible and would like something to be put between the path and the road. He believes it is a great idea, would bring neighbors closer to each other and he is willing to donate money for the path and/or pay more taxes.

Ray Shevenell, 189 Fowler Road – in favor of the path; he thinks that path would eliminate safety hazards on the road. He would like to see the speed limit on the road be reinforced. He thinks that dogs should be kept on short leash on the path.

Alice Rand, 1222 Shore Road – against the path; she believes that the road is not supposed to be a recreational place, the design is not safe, and crosswalk invites trouble. She doesn't want any change on this historic road. At the same time, she appreciates the efforts of the Committee and the opportunity to express her opinion.

Christopher Straw, 597 Shore Road – tentatively supports the path; he is concerned about the character change of the road and thinks that the path is not long enough. He would prefer a crushed rock or rubber surface for the path.

Alison Stewart, 16 Olde Colony Lane – she supports the path; she would love to be able to walk to school and to Fort Williams Park. She likes that the plan keeps the trees.

Sharon Siegel, 37 Stonybrook Road – supports the path, she is talking on behalf of her brother too (both own lots along potential path). They believe that this path will bring people together and hope that the path will give opportunity to people to get out and walk and exercise more. Speed limits needs to be reinforced. His brother is worried about the timing of the project in the recent situation of the economy.

Tom McInerney, 29 Olde Fort Road – supports the path 100% and hopes that it will motivate young and old to exercise more. As a doctor, encourages patients to exercise and this path could promote better health.

Roger Rioux, 5 Bridal Path Way – supports the path because it is a high risk area and he doesn't take the risk to walk there now.

Bronwyn Huffard, 30 Oakhurst Road – very much favor of the path as a motorist and as a mother. Safety is her high priority. Thanked to the Committee for the great job they've done.

Jim Tasse, 30 Cliff Avenue – committed to path and believes it will dramatically improve safety. He believes that crosswalks will calm traffic.

Jim Kerney, 1015 Shore Road – supports path. Believes that this is the right thing to do. He knows that easy to avoid change but safety can not be avoided. He would be willing to give up land and/or pay more taxes.

Mary Ann Lynch, 2 Olde Colony Lane – supports the path, appreciates the great effort of the Committee. She believes the path will increase safety.

Katie Gilman, 11 Cragmore – 8 years old and would like to have the path because she could walk to playground and that would be healthy.

Hannah Bosworth, 3 Olde Fort Road – she would like the path so she could bike to school, now it takes 35 minutes by bus.

Hannah Dineen, 31 Lawson Road – she would like the path so she would be able to run and bike to school. It is not safe now and shouldn't wait for anything fatal to happen. She loves the beauty of the road.

Sandy Dunham, 12 Becky's Cove Rd – against the path as she never felt unsafe on Shore Road. Design of path is fairly good but trees will need to be removed, others might die after construction work. People should find other places to walk.

Tom Dunham, 12 Becky's Cove Rd – against the path, people should walk face to traffic and use common sense.

Betty Crane, 9 Starboard Drive – did consider path, and suggests having the path from Robinson Woods to Fort Williams as it is one bad curve. There are plenty of other places to exercise. Had no safety problem yet.

Jennifer Aronson, 27 Lawson Road – strongly supports the path. She thinks it is dangerous now to walk there. Would be great for exercise.

Roy Strunk, 6 Tides Edge Road – strongly supports the path. Travelled internationally and found that path on the road is a measure everywhere. Changing times require changing habits too. Beach to Beacon participants, number of joggers and bikers are growing from day to day, Cape Elizabeth can not stay behind times.

Kathy Barber, 1175 Shore Road – supports the path. Thanked for the good communication with the public. She grew up on Shore Road and now she can not let her kids bike on the road. Her family will loose hedges, but believes this is a small price to pay for security.

Paul Bulger – lawyer of the Robinson family – read the letter of the Robinson family, strongly oppose the path.

Linda Jacobs, 1203 Shore Road – against the path and believes that Committee didn't follow their charge. The plan would take away the character of the road.

Jaime Petrus, 5 Birch Knolls (?)– suggested to consider the possibility to make the Shore Road one way instead of the path.

Faith McLean, 1151 Shore Road – does not support the path and believes that more than 50% of the abutters not in favor of the path and they are the owners of a greater percentage of land on Shore Road.

Kay Sze, 204 Delano Park – supports the path and thinks that it would be safer for everyone. Noted that a changed character of the road won't be necessarily a worse character.

Sarah McCall, 4 Avon Road – favor of the path and would encourage everyone to get out and walk, run, bike and never speed.

Jo Morrissey, 20 Olde Fort Road – in favor of the path and thinks this is in the best interest of the community. She said that times are changing and the path is part of the change too. People should get out more, walk more, run more, bike more.

David Plimpton, 1000 Sawyer Road – strongly oppose project. He would rather spend money on another police car to enforce speed limit. He wants safety for the whole town, not only for those using Shore Road.

Alison Darling, 35 McAuley Road –Said she wanted to ask questions about parking, trash collection, road maintenance and snow plowing of the path.

Paul Phillips, 8 Littlejohn Road – not in favor of the path. He believes that if the path is there, it would invite people from further away too. Crossing the road is dangerous as it is now and would be more dangerous if path is built. He thinks that soft surface is not a solution as bikers would be back on the road then.

Amy Lombardo, 11 Leighton Farm Road – in favor of the path. In her opinion, path would be safer as drivers would know where to expect people. If this project is a success, path could be built elsewhere too.

Bill Downes, 15 Olde Colony Lane – not in favor of the path. He noted that there was no pedestrian accident on Shore Road. He thinks that more studies, surveys need to be done on infrastructure, side walk requirements, and numbers of potential users.

Bob BaRoss, 5 Maiden Cove – he referenced the P2 report, suggested committee review that work and Shore Road was the worst.

Hope Straw, 597 Shore Road – supports the path and has concerns with the character of the path surface and finds this a critical issue.

Abby Hirshon, Lawson Road – in favor of the path. She is learning to drive and afraid on Shore Road. It would be better to be able to bike to school.

Nancy Sears, 17 Linwood Street – against the path but commented on the circulated clipboard to express opinion and thanked the Committee for their work.

Andrea Kouros, 6 Hillcrest Drive – supports the path. She noted that people are already coming to Shore Road from elsewhere. The Beach to Beacon participants train here. Her handicapped daughter's dream is to ride her wheelchair to school.

Lisa Bowman, 1183 Shore Road – moving out of town, but was interested to hear what others are saying. She thinks the path would be too narrow. More people on road would mean higher safety risk. She believes that Shore Road is big part of Cape Elizabeth and should stay as is.

Gail Atkins, 1189 Shore Road – strongly against the path. She believes the path would give a false sense of security. She would like to see a survey on everything that will be changed. In her opinion the character of the road can not be saved, neither trees nor bushes, etc. She thinks it is time to alarm people.

Nancy Jordan, 6 Robin Hood Road – strong supporter of the path. She said that the path will preserve the beauty of the road. She believes that even if the path is narrow it will be much safer.

Ogden Williams, 5 Beach Bluff Terrace – came undecided and now he is in favor of the path. He said that the plan is sensitive, thoughtful and showed care of overall area. He believes that the path will be better, safer for all.

Bion Richards, 29 Olde Colony Lane – supports the path and he is proud to make this change.

Casha Kerney, 1015 Shore Road – strongly supports the path. Collected 500+ signatures supporting path and submitted the list to the Committee.

Jennifer Smith Brock, 7 Tall Pine Road – in favor of the path and will be happy to let the kids bike there.

Alvin Bugbee, 31 Cottage Farms Road – big fan of the project as a jogger and marathon runner. The path would be used as a training site too and this is wonderful. He would like to see proper signage on the path.

Steve Whittier, 1022 Shore Road – in favor of path. He said that people come here from far away already to the Portland Headlight and this is a good thing. Vehicle traffic is extensive, and patrol should be increased to slow down traffic. He believes that it wouldn't make sense not having the path as situation can only be better.

Paul Bulger, 8 Lydon Lane – speaking for himself, against the path. He doesn't know what the purpose of the path is. He believes that path wouldn't be wide enough for bikers, joggers and walkers. Path should be used only for pedestrians. He was worried about winter maintenance as he doesn't think it can be properly cleaned and this way it would be a seasonal pathway only. In his opinion, Cape parents would never send their kids to school by bike.

Committee Chair, Paul Thelin thanked everyone present for their comments and concerns and closed the meeting.

Meeting ended at 9:40 p.m.













Frequently Asked Questions About Shore Road Path Proposal

The Shore Road Path Committee has provided the following opportunities for input and information on the development of the proposal, including: public comments sessions at each monthly meeting, individual meetings with all abutters, a website with all minutes, plans, and information, a public forum and e-mail. Here are some of the frequently asked questions.

1. Will the proposed Shore Road Path widen the road to be like Route 77?

No. The charge to the study committee is to “study the potential for creating an off road path adjacent to Shore Road that should be designed with sensitivity to the character of Shore Road.” The committee has ruled out 4 to 8 foot shoulders as exist on Route 77. Rather there will be a single 4 to 5 foot path on one side with a 3 to 5 foot green space between the road and the path whenever possible to the extent possible.

2. Will the road be widened, encouraging traffic to go faster?

No. The road will remain the same width since the path will be off road and not on the shoulder. The pathway is akin to a sidewalk along Shore Road.

3. Have abutters been consulted about the potential plans?

Yes. The Shore Path committee met with every abutter at their property (or the town hall if they requested this) to discuss the path prior to the development of the concept plan. The purpose was to learn about any particular concerns of each property owner so the engineers could incorporate these to the extent possible.

4. Will any stonewalls be removed for the pathway?

No. There are over 3,000 feet of stonewalls along this stretch of Shore Road. The current design proposal does not contemplate the removal or moving of any of the stone walls.

5. Is any private land being taken?

No. The path is proposed to run entirely in the publicly owned right of way. There are a couple of places where property owners have offered to grant an easement because they felt it best to go in back of some trees.

6. What is the Right-of-Way of Shore Road?

Many people incorrectly believe that their property extends to the edge of paving of a road in front of their house. The positive benefit of this is that people treat this area as an extension of their front lawn; they mow the grass, they provide plantings, landscaping, and stonewalls within the right-of way. This has added a great deal of beauty and character to Shore Road. However, most roads, including Shore Road have a strip of land adjacent to the edge of paving which can be used for purposes of road safety such as drainage, vehicle sightlines, and signs; utilities such as, water, sewer electrical, cable, and fire hydrants; pedestrian accommodations such as sidewalks, paths, and bike lanes; and mailboxes. This strip of land is commonly referred to as the right-of way. The exact legal and technical definition of a right-of way is beyond the scope of the committee to provide, this will serve as a general layman's description. On Shore Road, the width of this strip beyond the paving varies from approximately 5 feet to 15 feet on both sides of the road. It is more correct to think of the right of way as a continuous strip of land, approximately twice the width of the paved road which contains the road and its adjacent strips of land. In new roads the center of the road coincides with the center of the right-of-way, so the adjacent strips of land are approximately equal. For a variety of reasons, not all of which are known, Shore Road is not centered in its right-of-way and therefore the strips of land are unequal. This has created one of the conditions that made one side of Shore Road more conducive to a path. It is convenient to think of the right-of-way of Shore Road as Town of Cape Elizabeth Property.

7. Did the charge to the committee require that there be a 5 foot path and a 5 foot esplanade?

No. This was a concept the committee developed, realizing that there would be tradeoffs with the other criteria (staying within the town's

right of way, avoiding significant physical features such as stonewalls, fences, etc.)

8. Why was the land side of the road picked?

There are many more physical constraints on the shore side. Also, there are fewer issues with right of way constraints on the land side of Shore Road. For details, see Cape Elizabeth web site on Shore Road Path.

9. How much will this project cost?

Once the concept is completed, the engineering firm will develop cost estimates. We expect those in March.

10. How are we going to pay for this?

This project will probably be funded from a variety of local, state, federal and private grant funds. The specifics will need to be determined after we know the cost. The cost of the feasible study is \$35,000. \$28,000 of the cost was funded by the Portland Area Comprehensive Transportation Committee (PACTS), and \$7,000 was funded by the town of Cape Elizabeth.

11. Will the proposed path reduce the tree cover on Shore Road?

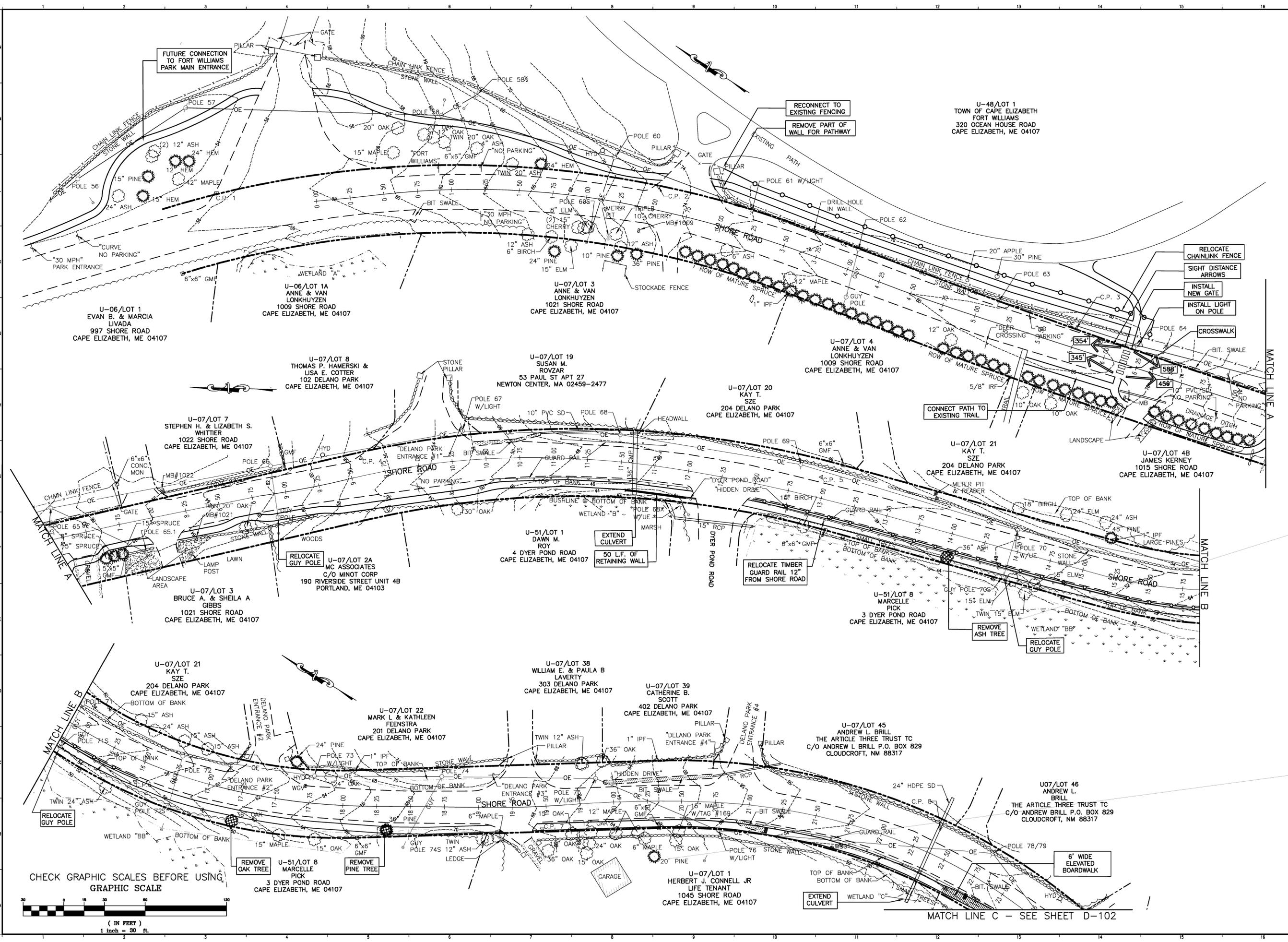
The current proposal calls for cutting 15 trees or under 4 percent of all trees within 10 feet of the road right of way. All the trees proposed to be cut are in the town's right of way. No trees above 3 inches thick will be cut in Robinson Woods.

12. How is the noise level along Shore Road expected to change as a result of the existence of the pathway?

In the summer, the homes closest to the road that have windows open can hear people chatting as they walk or run along the road. However, the road noise from cars and trucks is louder than that of the walkers. Whatever noise level already exists on Shore Road is unlikely to change appreciably as a result of the pathway.

13. Where can I see a copy of the proposed plan?

It is on the Shore Road Path website at www.capeelizabeth.com



CURRENT ISSUE STATUS:

REV	DATE	REVISION DESCRIPTION
5	FEB. 2009	FINAL CONCEPTUAL PLAN
4	JAN. 2009	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
3	OCT. 2008	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
2	SEPT. 2008	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
1	9-2-08	REVISED PER COMMENTS
0	8-19-08	FOR TOWN REVIEW

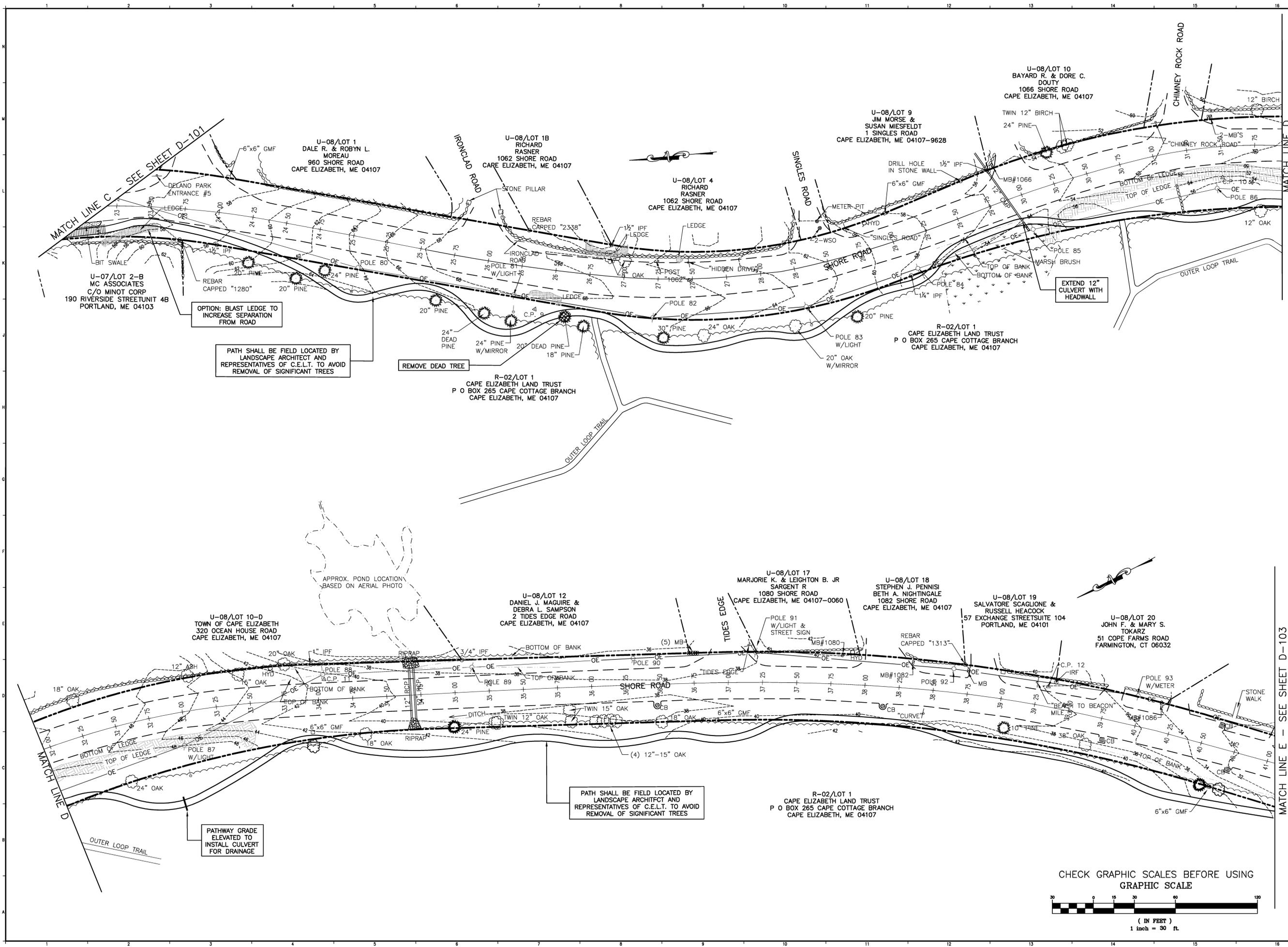
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 PROJECT MANAGER: SDH
 A/E OF RECORD: SDH
 DRAWN BY: CBM
 CAD FILE: 3607101C-101_MALF
 SCALE: 1"=30'
 GRAPHIC SCALE:

TITLE: PRELIMINARY PLAN

DRAWING NO: D-101

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PROGRESS PRINT



OPTION: BLAST LEDGE TO INCREASE SEPARATION FROM ROAD

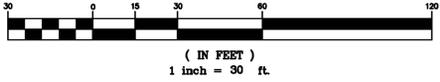
PATH SHALL BE FIELD LOCATED BY LANDSCAPE ARCHITECT AND REPRESENTATIVES OF C.E.L.T. TO AVOID REMOVAL OF SIGNIFICANT TREES

REMOVE DEAD TREE

PATHWAY GRADE ELEVATED TO INSTALL CULVERT FOR DRAINAGE

PATH SHALL BE FIELD LOCATED BY LANDSCAPE ARCHITECT AND REPRESENTATIVES OF C.E.L.T. TO AVOID REMOVAL OF SIGNIFICANT TREES

CHECK GRAPHIC SCALES BEFORE USING GRAPHIC SCALE



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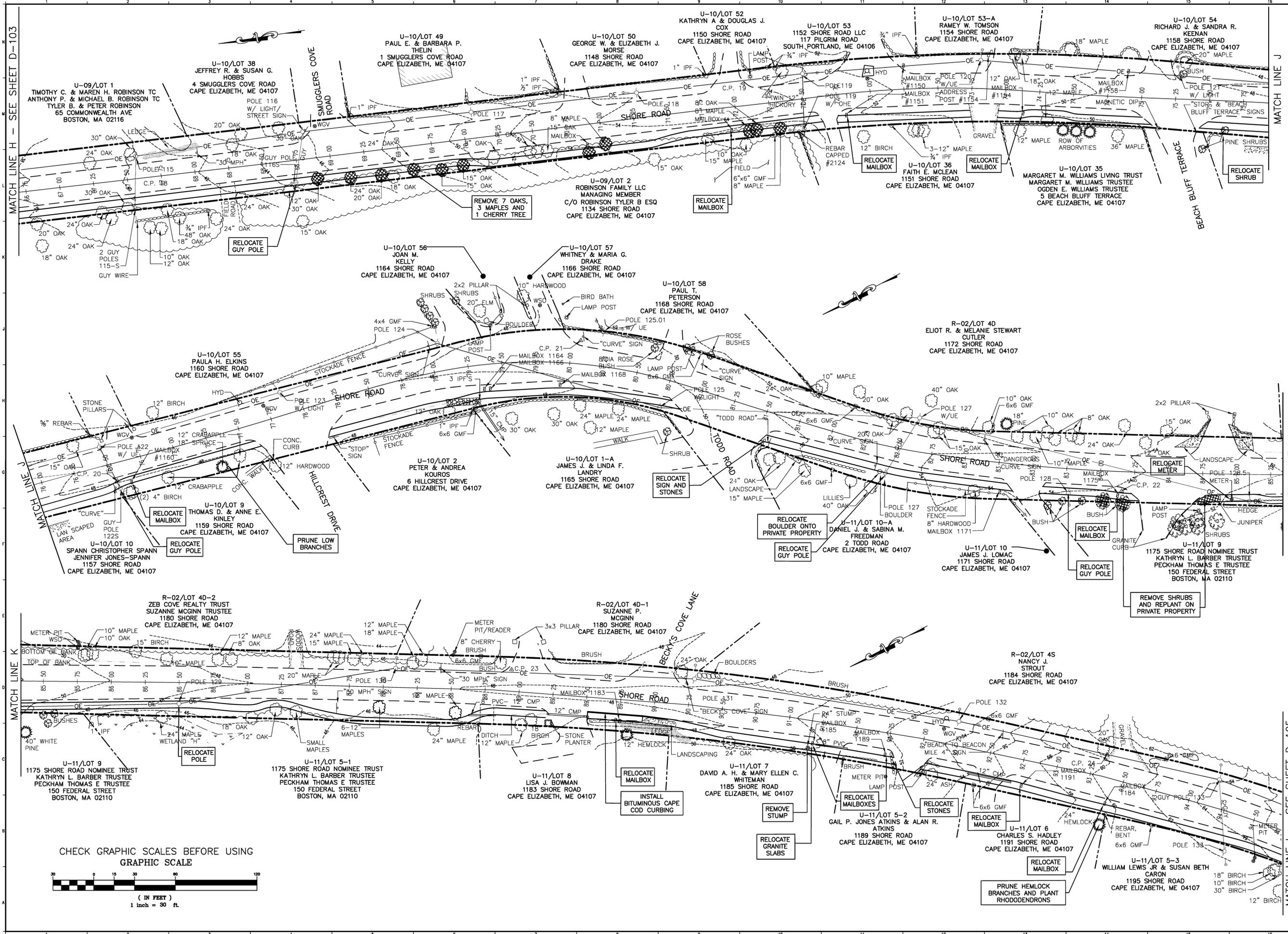
TOWN OF CAPE ELIZABETH
SHORE ROAD PATHWAY IMPROVEMENTS
 SHORE ROAD CAPE ELIZABETH, MAINE 04107

PROJECT NUMBER: 360.71.01
 PROJECT MANAGER: SDH
 A/E OF RECORD: SDH
 DRAWN BY: CBM
 CAD FILE: 3607101C-102_MLF
 SCALE: 1"=30'

REV	DATE	DESCRIPTION
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3	OCT. 2008	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
2	SEPT. 2008	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
1	9-2-08	REVISED PER COMMENTS
0		FOR SHORE ROAD PATHWAY COMMITTEE REVIEW

TITLE: PRELIMINARY PLAN
 DRAWING NO: D-102

PROGRESS PRINT



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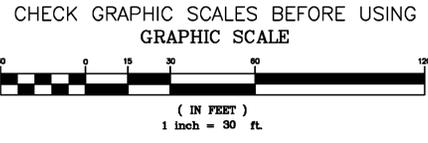
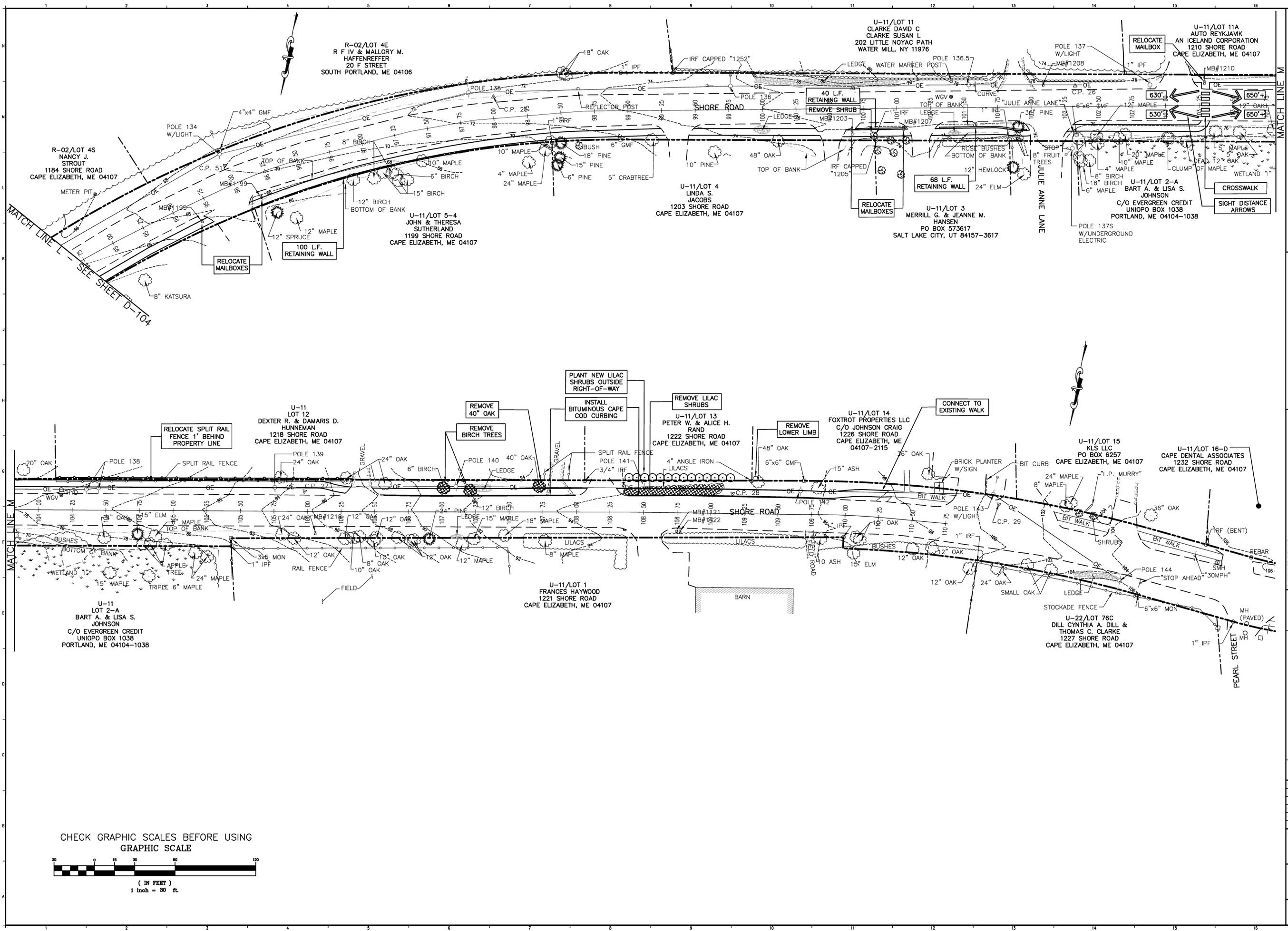
REV	DATE	REVISION
5	FEB. 2009	FINAL CONCEPTUAL PLAN
4	JAN. 2009	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
3	OCT. 2008	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
2	SEPT. 2008	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
1	9-2-08	REVISED PER COMMENTS
0	8-19-08	FOR TOWN REVIEW
		REVISION ISSUE DESCRIPTION

PROJECT NUMBER: 360.71.01
 PROJECT MANAGER: SDH
 A/E OF RECORD: SDH
 DRAWN BY: CBM
 CAD FILE: 3607101C-104_MAL_F
 SCALE: 1"=30'

GRAPHIC SCALE:

TITLE: PRELIMINARY PLAN
 DRAWING NO: D-104

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CURRENT ISSUE STATUS:

REV	DATE	REVISION DESCRIPTION
5	FEB. 2009	FINAL CONCEPTUAL PLAN
4	JAN. 2009	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
3	OCT. 2008	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
2	SEPT. 2008	FOR SHORE ROAD PATHWAY COMMITTEE REVIEW
1	9-2-08	REVISED PER COMMENTS
0	8-19-08	FOR TOWN REVIEW
		REVISION ISSUE DESCRIPTION

PROJECT NUMBER: 360.71.01
 PROJECT MANAGER: SDH
 A/E OF RECORD: SDH
 DRAWN BY: CBM
 CAD FILE: 3607101C-105_F
 SCALE: 1"=30'
 GRAPHIC SCALE:
 0' 1'
 TITLE: PRELIMINARY PLAN
 DRAWING NO: D-105

PROGRESS PRINT